

PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 12 MARCH 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
Lewisham Town Hall
London SE6 4RU
Date: Tuesday, 3 March 2015**

**For further information please contact:
Monique Wallace Committee Co-ordinator
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	PLANNING COMMITTEE A	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	12 March 2015

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 no 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	12 March 2014

MINUTES

To approve the minutes of the meeting of Planning Committee A held on the 29 January 2015.

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Committee	PLANNING COMMITTEE A	
Report Title	372 LEE HIGH ROAD, EMMANUEL PENTECOSTAL CHURCH, LONDON, SE12 8RS	
Ward	LEE GREEN	
Contributors	Helen Milner	
Class	PART 1	12 MARCH 2015

<u>Reg. Nos.</u>	(A) DC/14/89551
<u>Application dated</u>	17.10.2014
<u>Applicant</u>	Provision Concepts Ltd on behalf of Emmanuel Pentecostal Church
<u>Proposal</u>	The construction of a part 2, part 3 storey place of worship (D1) with community facilities including crèche, café and offices with basement level parking for 28 cars and the construction of a part 2, part 3 storey residential block comprising 2, two bedroom houses and 7, two bedroom flats, together with bin stores, associated landscaping and amenity space and new vehicular access points onto Lampmead Road and Lee High Road following the demolition of the existing church buildings at 372 Lee High Road SE12.
<u>Applicant's Plan Nos.</u>	A/01, A/02, A/03, A/06 Rev A, A/07 Rev A, A/08, A/09, A/10, A/11, A/12, A/13, A/14, A/15 Rev A, A/16, A/17, A/18, A/19, A/20 Rev A, A/21 Rev A, A/22 Rev A, A/23 Rev A, A/24, A/25, A/26, A/27, A/28, A/29, A/30, A/31, A/32, A/33, A/35, A/36, Design and Access Statement, Planning Obligations Statement, CIL Liability Statement, BREEAM pre-assessment 2014, Code for Sustainable Homes pre-assessment 2014, Construction Method Statement, Flood Risk Assessment, Daylighting Assessment, Bat Scoping Survey, Energy and Carbon Analysis Report, Heritage Statement 2014, Historic Desk base report 2013, Noise Impact Assessment Report, Preliminary Ecological Appraisal Report, Site Investigation, Transport Statement 2014, Travel Plan, Letter reference pvlhrd/110225/ps in response to Highways Comments
<u>Background Papers</u>	(1) Case File LE/451/372 (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	N/A

1.0 Site Description

- 1.1 The application site is located close to Lee Green on the western side of Lee High Road, on the corner with Lampmead Road, immediately adjacent to, but outside of the boundary of Lee Green District Centre. The site is rectangular in form and has a site area of 2187sqm, and is occupied by a centrally located church building, adjoined on the north side by a converted almshouse, which forms the main entrance to the church.
- 1.2 The site has housed a church building since 1875, with the existing church building constructed in the 1920s and extended to the front in 1984. The main church building as originally built was a triple height single storey, with a steeply pitched roof and large windows in the side elevations. The modern extension to the front is single storey.
- 1.3 Adjoining the site on the northern side is the Lee New Testament Church of God, which faces onto Lee High Road and is positioned forward of the building line of the existing premises. The New Testament Church building has a tall spire which is visible on the approach to the application site from the south. Along the southern boundary is Lampmead Road, from which there is vehicle access into the site. The access road passes directly in front of the church buildings, with the exit on to Lee High Road at the northern end of the site, immediately adjacent to the boundary with the New Testament Church.
- 1.4 To the rear of the site along the western boundary the site adjoins the rear gardens of residential properties in Lampmead Road and Lenham Road, as well as a row of garages. The property at number 2 Lampmead Road also borders the north western site boundary, with the property being set off the boundary by between 1.2 – 3.2m.
- 1.5 Although currently there is only one almshouse remaining at the site there were until last year (2014) an additional three almshouses, all of which were designated as Locally Listed Buildings. The almshouses, which were all two-storey and comprised two sets of semi-detached pairs to either side of the church building. The almshouses were built in 1875 by the Merchants Taylors Company on behalf of the Boone's Charity. They were built to replace earlier almshouses situated about half a mile west of the site on the northern side of Lee High Road next to the Boone's Chapel.
- 1.6 Following a previous application in 2012 for demolition of the almshouses as part of a proposal to redevelop the entire site, it was determined that the properties were suitable for local listing and the Council sought their retention. Although not within a conservation the site is adjacent to the Lee Manor Conservation Area and therefore the almshouses were considered to be non-designated heritage assets.
- 1.7 In January 2014 Prior Notification for Demolition was submitted. The application proposed to demolish the two almshouse to the south of the church building and the one on the north side adjacent to the New Testament Church. The Council determined that Prior Approval was required to formalise the demolition as officers could not be fully satisfied that sufficient controls were in place to mitigate the

impacts of the demolition and to satisfactorily restore the site in a safe manner that would not be detrimental to the environment.

- 1.8 The applicant was informed of the decision and the requirement to provide further information, however this was not provided and the almshouses were demolished in February and March 2014. The Council considered the implications of enforcement action and determined it was not expedient to take any further action. Given the nature of the application, the loss of the locally listed buildings and impact on the character of the surroundings could not be taken into consideration.
- 1.9 Lee High Road (A20) is a Red Route and the roads around the site immediately to the south and west are within a Controlled Parking Zone (CPZ). A bus stop is located immediately in front of the site on Lee High Road, with the site having a PTAL level of 3. In addition the site is within an Area of Archaeological Priority and is within Flood Zone 2.

2.0 Planning History

- 2.1 The planning history available provides details of several application from the 1960s that sought to redevelop part of the site for a petrol station, all were refused.
- 2.2 There are also several applications from the mid 1960s to early 1980s which sought permission to extend and alter the church site and building which were granted consent. The most significant of these was for the extension to the front. The more recent applications are detailed below;
- 2.3 DC/10/75220 - The construction of 2 single storey buildings located to the north and south sides of the main church building at Emmanuel Pentecostal Church, 372 Lee High Road SE12, for use as temporary classrooms. Approved 22/11/2010
- 2.4 DC/14/86292 - Prior notification of the demolition of 372, 378 & 380 Lee High Road, SE12. Prior Approval Required 24/04/2014

3.0 Current Planning Applications

The Proposals

- 3.1 The application proposes the demolition of the existing extended church building and the remaining almshouse and the erection of a part two-storey, part three-storey building for use as a place of worship (church) with ancillary community facilities with a footprint of 860sqm, with a basement level car-park. In addition it is proposed to construct a residential block comprising two, 2 bedroom, two-storey houses and seven 2 bedroom apartments within a part two storey, part three storey block which adjoins the houses.
- 3.2 The church building will occupy two thirds of the site located at the northern end. The building will include a basement level car park accessed from Lampmead Road, which will provide parking for 28 cars and 4 motorcycles. At ground floor the building includes an auditorium (493m²), a crèche (36.4m²), kitchen (40.2m²) and café area (104m²). In addition the ground floor will accommodate a large

circulation area between the café and auditorium and will also provide toilet facilities, including a disabled accessible WC.

- 3.3 At first floor there is a large void over the auditorium and then four seminar rooms between 44.3m² – 86.1m² each, along with kitchen and toilet facilities. The second floor, which forms the third storey element does not include any further levels above the auditorium and the third storey is therefore located along the northern edge of the site. The second floor comprises 4 offices of between 10m² – 41m², a youth zone (room of 91.6m²) a breakout area, kitchen and toilet facilities and balcony (40.1m²) to the east part of the site facing Lee High Road. Access between the floors is by stairs and a lift.
- 3.4 The church building proposes a range of material finishes, with London stock Brick, render, timber cladding and art stone detailing on the elevations, single ply membrane roof covering and aluminium powder coated curtain walling and windows.
- 3.5 On the front north east elevation, facing Lee High Road the three storey element of the church will mainly consist of glazing, with brick and stone panels. The auditorium elevation will be brick at ground floor and render at first floor with timber cladding panels below the roof. The north west elevation facing towards Lee New Testament Church is divided into three sections with brick at ground floor, render at first floor and timber cladding at second floor. The south east elevation facing towards the residential properties continues the brick and render finishes as proposed on the front elevation. The flank of the second floor is also visible, although set back and this will also be in a render finish. The south west rear elevation facing the rear gardens of Lampmead Road and Lenham Road continues the brick at ground floor, rendered first floor level and timber cladding for the section of second floor level. Although all elevations have windows and doors there are limited openings to the rear south west elevation and side south east elevation.
- 3.6 The residential block lies along the south and eastern boundaries turning the corner of Lee High Road and Lampmead Road with access to units from both frontages. The building has a landscaping buffer and front gardens/amenity space between the back of pavement and residential elevations. All ground floor units have direct and individual access from either Lampmead Road or Lee High Road, whilst the apartments on the upper floors are accessed via a communal entrance on Lampmead Road.
- 3.7 Along Lee High Road the apartments are arranged over three floors, adjacent to the church building. On the Lampmead Road elevation the houses to the most southern corner are two storey, however these are adjoined at first floor by the apartment block. At ground floor level below the adjoining apartment unit is an undercroft vehicle access for cars to access the basement level car park below the church building. Adjoining the car park access on the east side the apartment block is of three storeys.
- 3.8 The elevations of the residential block, houses and apartments are predominately made up of London Stock Brick with stone detailing along the corners and building edges, with timber framed windows and doors and slate roof tiles. There will be balconies for apartments facing Lee High Road and facing the church building on

the north west elevation all of which are proposed to have steel railings, as is the entrance to the undercroft parking access.

- 3.9 There will be two vehicle entrances into the site, one to the basement car park off Lampmead Road through the undercroft in the residential block and one off Lee High Road to the disabled parking and minibus bay to the front of the church buildings. The refuse and recycling storage is located in the south west corner of the site between the boundary of 2 Lampmead Road and the proposed houses. In the same location of the refuse storage there will be cycle parking for 10 bicycles and there will be a further 8 spaces to the front of the church adjacent to the residential block.

Proposed Use

- 3.10 The application proposes that the church building, as well as being a place of worship will also offer a facility for community meetings and functions and will be in operation 7 days a week with hours of operation stated as 7.00 to 23.00 hours. The proposed use of the different sections of the buildings as described within the application documents is set out below.
- 3.11 On Sundays during the day it is proposed to have one meeting of approximately 500 people in the morning with the kitchen and café open for refreshments and the church seminar rooms open in association with the church service. In the evening it is proposed to have a once monthly service. On Saturdays the use of the buildings is described as limited, with the use of the church offices, seminar rooms and crèche given as sporadic use only. The use of the auditorium will be for weddings and an annual leaders conference. However the café is to be in use and open weekly for use by all.
- 3.12 Through Monday to Friday during the day it is proposed that the church offices will be in use with an anticipated 5 staff and 6 volunteers, the café would also be open. The crèche is expected to be in use up to three times a week and the seminar rooms will be available for use by parent and toddlers groups, also for counselling, training and education sessions. It will also be used for gatherings for the elderly for up to 50 people.
- 3.13 During the week in the evening the crèche will not be in use and the use of the church offices is expected to be occasional. The café is proposed to be open only to those using the building for evening meetings. The auditorium will be used once a week for a prayer meeting of up to 200 persons with also musicians and choir practice once a week with up to 25 persons. The seminar rooms will be in use for counselling, training and education uses and the youth group would be using the premises on Friday evening with an estimated attendance of 80. In addition the church will continue to offer meals to the homeless every week, but the scale of the use is not given.

Supporting Documents

- 3.14 The submission is accompanied by a number of supporting documents which are outlined in the following paragraphs.

Design and Access Statement

- 3.15 The Design and Access statement provides an overview of site context and constraints. It includes a rationale for the height, massing and design concept for both the place of worship and residential block of houses and apartments. The statement provides a factual description along with the design intentions and reasoning.

BREEAM and Code for Statement Homes Assessment (CfSH)

- 3.16 The applicant has submitted a pre-assessment for BREEAM in relation to the church building and CfSH pre-assessment in relation to the residential units. The BREEAM rating is excellent and CfSH is level 4.

Planning Obligations Statement

- 3.17 The statement has been prepared in light of the Council's Planning Obligations SPD and outlines the potential obligations applicable to the proposal, concluding that these could only be site specific. The statement proposes that the potential obligations could include site specific contributions towards biodiversity, flood defence, transport, public realm and emergency services, which would emerge from the consultation and assessment processes of the application.

Energy and carbon analysis report

- 3.18 The report seeks to demonstrate that the development would reduce CO2 emissions and energy consumption for the lifetime of the development in line with Lewisham's Sustainability Appraisal Framework and The London Plan Policy 5.2. It outlines that calculations show the proposals will reduce energy requirements by 8.20% and achieve a 9.99% CO2 reduction through improved fabric and service efficiencies alone. To achieve the required CO2 reduction the report proposes that the development will include P.V. panels capable contribution of generating a minimum of 23,089.68kWh/year and these will work in unison with a CHP unit providing the main space and water heating to ensure an additional 25.01% site wide carbon reduction is achieved post fabric and services enhancements. This will equate to a 35% reduction over Part L 2013 (inclusive of regulated and unregulated emissions) in accordance with the Energy Hierarchy.

Site investigation

- 3.19 The report provides a desk-top analysis of the site and concludes that a contamination risk has been identified to future residents from arsenic within the near-surface soils. Therefore a formal remediation strategy should be developed to determine the total arsenic content and site specific human health risk. The report also recommends monitoring of groundwater levels and further on site testing.

Heritage Statement

- 3.20 The statement provides an overview of the area and heritage assets on or near the site. The assessment concludes that the impact on the setting of the conservation area is minor, primarily because of the proposed architectural treatment and the relationship of the site and the conservation area. However the loss of the locally listed almshouses (previously demolished) is substantial

because it involves the total loss. The report states that substantial public benefits will derive from the re-development of the site and the upgrading of a place of worship with ancillary facilities and the creation of a significant community facility. Such substantial public benefits are advanced as a rationale to justify the loss of the Locally Listed Buildings.

Archaeological Assessment

- 3.21 The assessment details the history of the site and concludes that the proposed development will have a high impact on any archaeological remains, if present; although the site has probably been subject to a significant degree of historic truncation resulting from historic development and has a low potential to preserve any archaeological remains that pre-date the post-medieval period.

Noise Impact Survey

- 3.22 The survey assess the suitability of the site for mixed use residential and place of worship development in accordance with the provisions of the National Planning Policy Framework and the Noise Policy Statement for England (NPSE). In addition, an investigation will be undertaken in order to assess the noise impact from the place of worship on the nearby noise sensitive receivers. The survey concludes that the noise emissions from the proposed church facility would meet the detailed noise emissions criterion.

Bat Scoping Survey

- 3.23 The survey looks at the suitability of the building to support roosting bats by way of inspecting all likely roosting features. The building was searched both externally and internally for bat presence and features associated with bat activity. It concludes that the site is in an area with relatively poor habitat for roosting, commuting and foraging bats with very few linear features such as tree lined roads or hedgerows to connect the site to wider habitats. To conclude, the report states that no field signs of bats were found during the internal or external building inspections and therefore the development will not have any direct impact on roosting bats. However it does also state that the south facing roof pitch of the old church does have numerous features suitable for roosting bats albeit surrounding habitats are poor. Due to the residual risk associated with this section of the church, the roof tiles should be removed by hand, prior to building demolition with the presence of a bat worker.

Preliminary Ecological Appraisal (PEA) report

- 3.24 The report provides an assessment of the potential ecological impacts associated with the demolition of the current buildings on site and the erection of a new church and 9 dwellings. A desk study and Preliminary Ecological Appraisal (PEA) was undertaken during February 2014. The results of the baseline survey combined with the results of the desk study and supplementary bat scoping survey have highlighted that no further survey effort is required in relation to protected habitats and species, provided that mitigation is followed.

Transport Statement

- 3.25 The statement provides an overview of the existing site, activities and number of visitors and proposed activities and potential visitor numbers. The reports

considers highways and transport matters relating to the proposals and states that on site car parking provision for the Church will be increased, whilst improving access/egress and circulation. The report states that parking is available within an acceptable walking distance from the site to accommodate the majority of occupation scenarios. It concludes that parking associated with the residential units can adequately be accommodated on street, that cycle and disabled parking will be provided in accordance with policy and a Travel Plan will be implemented to manage parking behaviour and travel patterns whilst also promoting sustainable travel options. The report concludes that the proposals are acceptable in transport planning terms.

Travel Plan

- 3.26 The submitted plan seeks to manage the transport needs of church members in order to minimise car usage and promote alternative modes of transport. It also seeks to address parking behaviour and the management regime of the church. The report includes a commitment to implement the Travel Plan within three months following approval and thereafter, an annual monitoring report shall be submitted to Lewisham Council.

Flood Risk Assessment

- 3.27 The majority of the application site is located within flood zone 2 with the south eastern corner in zone 3. The submitted assessment provides an overall assessment of the site constraints and considered the sequential test and exception test.
- 3.28 The assessment concludes that the principal source of flood risk is via the nearby Quaggy River, which is 60m to the South and that the site is also at risk from surface water and groundwater flooding. While located in Flood Zone 2, the site does not benefit or rely on formal flood defences. However, flood water storage areas exist upstream, including Sutcliffe Park offers a standard of protection rated as 1 in 100 years to areas of land adjacent to Lee High Road. However according to the EA's flood data and site levels determined by the topographical survey, the key flood event (1 in 100 years) will not affect the site. In the event of an unprotected worst case tidal flood event (0.1% plus climate change) the ground floor of Apartment 2 has the potential to be flooded to a depth of 80mm.

Daylight and Overshadowing Analysis

- 3.29 The report seeks to ascertain if the development will impact negatively in terms of available natural light and overshadowing specifically in relation to 2 Lampmead Road. An overshadowing simulation was performed using IES SunCast to show the extent of the shadows which will be cast by the proposed buildings, with the best and worst case scenarios of the 21st June and 21st December used. A daylighting simulation was also carried out using IES Radiance, which is able to give vertical sky component data.
- 3.30 The report states that at the time of year when the shadows are longest, days are shortest and daylight is at a minimum (December 21st) there will be little overshadowing of 2 Lampmead Road. A small amount will occur very early in the day at sunrise, but by 10.00hrs the shadows will have moved to the rear. Long shadows are also cast over 2 Lampmead Road very early in the morning

(05.00hrs) on the 21st June, but by 10.00hrs the shadows have shortened considerably and no longer affect the property.

- 3.31 However the VSC availability for 2 Lampmead Road shows a significant impact. The report states that the maximum percentages which would be available under any circumstances are 39.6%, and the guideline figure for what is desirable at window openings is 27%. The diagram shows that certain location have 33.9% VSC but at ground floor level it drops to as low as 7.3%.

4.0 Consultation

- 4.1 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.

- 4.2 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors. English Heritage and TfL were consulted along with internal Council consultees.

Pre-Application Consultation

- 4.3 The design and access statements details the pre-application consultation that took place with the Church congregation, local community and Lewisham Council prior to submission.
- 4.4 The design and development of the proposal commenced for the Church in 2010 with the architects holding a number of discussions with the Church leadership and congregation to ascertain their existing and projected requirements of a buildings and capacity. In March 2011 a presentation of the proposed scheme was made to the congregation from the agent and also a survey on mode of transport used for arriving and destination of parking was carried out. Further to this in April 2011 there was an open day for the congregation, which again presented details of the proposal. The congregation showed great support for the church redevelopment and residential proposal.
- 4.5 In April 2011 Church leaders wrote to the local community regarding a public consultation session for the redevelopment, of which 6 people attended. It is reported that everyone was interested in the scheme and although there were some light concerns with regards to parking and construction traffic nobody was against the scheme.
- 4.6 Consultation with the Council has been ongoing since 2011 from pre-application advice, through a previous application (which was withdrawn) and during 2014. Whilst the advice from the Council was originally encouraging the potential loss of the almshouses generated a great deal of concern and Council sought to have these retained. Since 2012 the Council has expressed concern at the scale and design of the proposal and have been unable to provide support to the application.

Written Responses received from Local Residents and Organisations

- 4.7 Over 300 letters were sent to surrounding residential and commercial properties. 146 written comments have been received in response. 125 letters of support have been received, 2 letters of comment and 19 letters of objection.
- 4.8 Of the 125 letters of support received, 20 came from the SE12 postcode and a further 40 came from postcodes adjoining SE12. Within the 125 letters of support the following reasons were given for why the Council should support the application;
- The church is a community asset
 - The support for a new and larger place of worship
 - The services the church provides (spiritual and community)
 - The important role in community life the church plays
 - The youth support and work the church carries out
 - Work with elderly, homeless, prison work, family support
 - The proposal will regenerate the site and provide new homes
 - The church provides social outreach
 - The proposal includes parking provision
 - The scheme is of good design quality
 - Provide more community facilities
 - Provides a landmark building
- 4.9 Within the 19 letters of objection, all from the SE12 postcode, the following issues were raised in objection to the proposals:
- Existing levels of traffic are harming the local community and the proposal would attract an even greater level
 - Parking demand is currently beyond capacity which will increase
 - The insufficient content of the travel plan and parking survey
 - The crèche will cause noise to residents on Lenham Road and increase traffic demand
 - The increase in numbers visiting the church will increase noise from traffic
 - The increase in numbers visiting the church will increase noise from the church
 - Height of the proposed building
 - Fumes from the proposed kitchen
 - Church does not represent or interact with the local community
 - The hours of operation are not clear enough for the different uses and are too long.
 - The proposal will obstruct views of the adjacent church steeple
 - Principle of redeveloping the site for a profit
 - Impact of the development on character of area and adjacent conservation area
 - Poor character and design quality of proposal
 - The height and massing is too great for the site
 - Amenity areas of proposed flats and houses too small and church too overbearing on proposed residential
 - Demolition impacts (dust and noise) and noise and disturbance from construction

Lee Manor Society

- 4.10 The Lee Manor Society object to the proposed development. Although they acknowledge that it is an improvement on the previous submission they had the following reasons for objection;
- 4.11 The proposal is for a prominent site on a busy main road so what is done here needs to be of a very high quality, however the design is insensitive to the character of the adjacent conservation area and urban grain of the surrounding streets. The scale of the building is excessive, being overly dominant in relation to the residential properties on Lampmead Road and Lenham Road. Also the two elements of the design - the church and residential blocks - do not connect, being a clash of modern and pastiche traditional, which without the correct detailing and materials could be poor quality.
- 4.12 Comments were also made in relation to an existing and increased pressure on parking in local streets and they questioned the reality of the Travel Plan measures proposed to alleviate this. No mention of environmentally sensitive roofing in the current scheme.

Written Responses received from Statutory Agencies

English Heritage - Archaeology

- 4.13 English Heritage noted that the site is located within an area of High Archaeological Importance as defined by borough policy. With the site consisting of a late nineteenth century rebuild of the seventeenth century almshouses with a school (A chapel was added to the site in 1680-3) English Heritage consider that the two rear open areas of the current site hold the greatest potential for remains to be present from this earlier period of development.
- 4.14 However, having considered the archaeological desk-based assessment report submitted as part of the planning application they were satisfied with its recommendation for approval subject to a condition to secure a programme of archaeological work prior to commencement of development.

Transport for London

- 4.15 Transport for London (TfL) noted that as the site fronted on to Lee High Road, part of the Transport for London Road Network (TLRN), any works along the TLRN cannot occur without the prior approval of TfL in the form of a Section 278 agreement (Highways Act 1980). They also commented that the proposal as outlined in the submitted TA to relocate a bus stop along Lee High Road could only occur once TfL had considered and approved the scheme and contribution for the work had been agreed via a S106 agreement.
- 4.16 TfL also commented that for the proposal to use Lee High Road (TLRN) as a drop off zone for the church was not adequately detailed to demonstrate that the TLRN access will operate safely, specifically in reference to traffic turning right into the TLRN access.

- 4.17 In addition TfL expects that cycle parking, parking, blue badge parking, and electric charge points will accord with London Plan (2011) standards and Revised Early Minor Alterations to the London Plan. Cycle changing facilities should be provided for church staff. Blue badge parking should be provided on the site for blue badge holders (residential element and church). On street blue badge parking should not be relied upon to meet London Plan (2011) standards for either of the proposed uses. TfL is unable to provide its approval to this application until such a time that matters pertaining to vehicle access and the bus stop is resolved.
- 4.18 Following the provision of further information and details from the applicant on highways matters TfL and Lewisham Highways were consulted again, with TfL providing the following additional comments;
- 4.19 They reiterated the need for the scheme to comply with London Plan standards for cycle parking numbers, blue badge parking and electric vehicle charge points. They continued to expressed concern regarding the proposed access on to Lee High Road and with right turning traffic conflicting with the main flow of traffic, which raises safety concerns. With regards to both the new access and relocation of the bus stop TfL clarified that the onus is on the applicant to contact TfL to go through the correct design and approval procedure.

Lewisham Design Panel

- 4.20 The DRP reviewed the application on the 16th December and members expressed strong disappointment by the design and quality of the proposal indeed they considered it to be one of the poorer schemes reviewed in the past 18 months. The Panel find the scheme design to be fundamentally flawed, they consider the shortcomings of the design irresolvable and recommend a fresh start.
- 4.21 A church with associated amenity is an important building which should be celebrated and expressed in such a way and not have the appearance of a multiplex in an out of town retail park.

Ecology Manger

- 4.22 The Council's Ecology Manager commented that although the submitted desk study did not contained a comprehensive account of ecology data for the site, given the location and nature of the development, Ecology had no objection. However it was requested that should the application be recommended for approval then conditions be attached to ensure that the recommendations of the desk top study be implemented in full and living roofs be installed on the flat roof sections of the development.

Highways and Transportation

- 4.23 Highways stated that the information submitted did not provide the level of detail required to support the application and therefore requested further information. The information requested included details in relation to church operations, logistics of the undercroft parking, swept path analysis, quality and accuracy of travel data and cumulative impacts from surrounding church sites.
- 4.24 The applicant has since provided further details, however Highways remain concerned about the operation of the undercroft parking and the circulation of vehicles within this space. There are also concerns about the level of detailed

information supplied in reference to the church activities and associated number of visitors.

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:

Design

London Plan (July 2011)

5.6 The London Plan policies relevant to this application are:

5.7 Policy 1.1 Delivering the strategic vision and objectives for London
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 42278

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds

Policy 3.16 Protection and enhancement of social infrastructure

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.14 Improving air quality

Policy 8.3 Community infrastructure levy

Policy 8.4 Monitoring and review for London

London Plan Supplementary Planning Guidance (SPG)

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

Accessible London: Achieving an Inclusive Environment (2004)

Housing (2012)

Sustainable Design and Construction (2006)

Core Strategy

5.9 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 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
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment
Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

Development Management Local Plan

5.10 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:

5.11 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 23	Air quality
DM Policy 26	Noise and vibration
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
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
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 44	Places of worship

Residential Standards Supplementary Planning Document (August 2006)

5.12 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.

6.0 Planning Considerations

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

- a) Principle of Development
- b) Design, scale and massing
- c) Housing
- d) Highways and Traffic Issues
- e) Noise
- g) Impact on Adjoining Properties
- h) Sustainability and Energy
- i) Ecology and Landscaping
- k) Planning Obligations

Principle of Development

6.2 The application site has been occupied by a place of worship and residential dwellings for over 100 years. The proposal now seeks to redevelop the site with a church building of greater capacity, involving the intensification of these historic uses, and including the addition of a café and crèche provided by the proposed church.

6.3 The London Plan highlights that London requires additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population. Furthermore Lewisham's Development Management Local Plan seeks to support the growing demand for faith premises in the borough, whilst ensuring that any new provision is appropriately located, designed, constructed and managed to both benefit users and protect local neighbourhoods.

6.4 Development Management Local Plan (DMLP) policy DM 44, Places of worship, also recognises that there is a need for places of worship in the borough. However the policy also states that these uses should be provided in major and district town centres where there is good accessibility to public transport and less chance of the amenity of local residents being disturbed. In addition the sites should be able to source an adequate level of parking for users, without negatively impacting on local street parking or the accessibility of other local services.

6.5 The policy requires all applications for places of worship to demonstrate that there will be no detrimental effect on local amenity through noise, hours of operation or any other environmental impacts. A travel plan should show that transport issues can be mitigated and proposal should be delivered to the highest design standards.

6.6 In relation to the proposed housing for the site DMLP policy DM 30, Housing design, layout and space standards, states that the siting and layout of new-build housing development will need to respond positively to the site specific constraints and opportunities as well as to the existing and emerging context for the site and surrounding area. In addition the Council expects all new residential development to be attractive and neighbourly. Also it should provide a satisfactory

level of privacy, outlook and natural lighting both for its future residents and its neighbours and meet the functional requirements of future residents.

- 6.7 The site has an area of 2187m² which has until recently accommodated both residential dwellings and a place of worship. Although not within a major or district centre it is immediately adjacent to the Lee Green District Centre boundary and the site faces onto a red route with access to local buses services. Given the size of the site it is considered that in principle a church premises with an element of residential development could be accommodated. However this will be subject to high quality design, appropriate scale, massing and siting of the buildings along with the provision of adequate parking, amenity space, landscaping, access into and on the site, and a satisfactory relationship to neighbouring properties.
- 6.8 Furthermore the impact of the proposal on the local and historic character of the site and adjacent conservation area needs to be assessed.

Design, scale and massing

- 6.9 The National Planning Policy Framework (NPPF) sets the planning policy framework from which regional and local policy must follow and within the NPPF is a set of 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.10 Further within the document, in Section 7, Requiring good design, it is clearly set out that the Government attaches great importance to the design quality of the built environment. The policy framework recognises that good design is a key aspect of sustainable development, It is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. The NPPF states that local and neighbourhood plans should develop robust and comprehensive policies in relation to design and that planning policies and decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. They should also be visually attractive as a result of good architecture and appropriate landscaping.
- 6.11 The London Plan also places a great importance on design and local character and within Policy 7.4, Local Character, it states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6, Architecture, reinforces the emphasise on good design and continues that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.
- 6.12 In accordance with national and regional policy the Lewisham Core Strategy and Development Management Local Plan also sets out policies to ensure design is a fundamental considerations in all planning decisions. Core Strategy policy 15, High quality design for Lewisham seeks that for all development, the Council will

ensure the highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character. In more detail to these strategic policies is DMLP policy 30, Urban design and local character, which as well as requiring all development proposals to attain a high standard of design, states that planning applications should demonstrate how the development achieves a site specific design response.

- 6.13 The design of the proposed residential block and place of worship is assessed in further detail in the sections below.

Apartments

- 6.14 The residential block is arranged over two and three storeys and as a single block wraps around the south east corner of Lampmead Road and Lee High Road. The justification for the height is explained as the two storey element reflecting the domestic scale of the properties on Lampmead Road and the three storey element responding to the Victorian Villas on the opposite side of Lee High Road.
- 6.15 The residential development provides a maximum ridge height of 10.7m with the highest element of the block being on the corner of Lampmead Road and Lee High Road and along the frontage of Lee High Road. The justification for the distribution of height is considered acceptable as it concentrates the height of the residential units away from the two storey residential units on Lampmead Road.
- 6.16 The layout of the residential block within the site provides it with a set back from the back of pavement line along Lampmead Road and Lee High Road. This allows the existing building line along Lampmead Road to be followed by the proposed residential block. However on Lee High Road the apartment block sits back from the building line set by the properties to the south of the site on Lee High Road, although forward of the proposed church building to the north.
- 6.17 By stepping the residential block forward from the church building line on Lee High Road this creates an awkward corner adjacent to the set back auditorium which the proposal attempts to resolve by the inclusion of recessed balconies at the upper floors.
- 6.18 The architectural style of the residential block has sought to take its reference from the local domestic character with its use of Victorian style facades, pitched roofs and window and door designs typical of the local area. Furthermore the scheme proposes to use London brick, render and stone detailing to reflect the materials used in surrounding buildings.
- 6.19 The application states that by incorporating features and materials used on surrounding building this provides a residential development that reflects the vernacular of the local architecture and upholding the principles of DMLP policies 30 and 32. However having reviewed the design, it is the consideration of officers that the contextual form and design of the residential block is inappropriate for the setting and does not create a positive relationship to the existing townscape as required by DM 31. Although the design has sought to extract elements of the architectural character seen on surrounding properties, these are purpose built houses and the features do not comfortably translate to the proposed block.

- 6.20 The use of bay windows, chimney pots and decorative lintels and cills creates a pastiche design which is not skilfully handled. The block misses the symmetrical simplicity and pleasing proportions of the historic buildings. Canted bay windows are randomly applied at ground floor level and look particularly out of place at the three storey corner element, while other features, such as the undercroft to the parking and the balconies, are incongruous to the style of the building and highlight the superficiality of the design approach.
- 6.21 The inclusion of traditional features on a modern block has created an appearance that is of poor quality and not complementary to the surrounding area. Furthermore the scale and massing of the residential block is cumbersome with the three storey block awkwardly turning the corner and then abutting the two storey dwellings which includes an undercroft entrance to the car park used by church users.
- 6.22 This ill-considered corner creates a void with a dominant roof above supported by a column with a pitched capping stone, which is entirely inappropriate for a faux Victorian building or indeed any building with such visual prominence. In addition the creation of an undercroft with Juliette balcony above also jars, being juxtaposed with the more traditional features.
- 6.23 The residential building has a very different character to the church building but does not sit comfortably either in the context of the existing streets or alongside the proposed church. The proposal is on a prominent site with a significant frontage to Lee High Road adjacent to a conservation area. The use of a number of period features have been used to give the appearance of a Georgian/Victorian building but the composition is confused and the proposal is considered to be incongruous to the local context, poorly designed and not of the high quality design necessary and required by planning policy.
- 6.24 There are many areas of the plans and elevations which remain unresolved and the siting of the two uses is uncomfortable and awkward in design terms. The architectural styles of the proposed buildings are eclectic and visually jar, creating an incohesive piece of streetscape along the prominent Lee High Road. The proposal is considered to be contrary to national, regional and local policy and therefore on matters of design the scheme can not be supported.

Church Building

- 6.25 The proposed place of worship building is located in the north part of the site, adjacent to the Lee New Testament Church. The building has a footprint of approximately 860sqm and is a part two storey, part three storey building with basement level car parking. The building is two storeys adjacent to the residential block before increasing to three storeys adjacent to the neighbouring church, with a maximum above ground level height of 11m.
- 6.26 The design and access statement explains that the scale and massing of the design reflects the proposed use of the facility and the need for the church to expand. It also details that the design of the auditorium (two-storey element of church building) in particular has taken into account the scale of adjacent buildings. The height to the eaves is reduced to 7.2m adjacent to the small residential properties on Lampmead Road.

- 6.27 The building faces on to Lee High Road although has a set back from the back of pavement of between 6m and 8m, which provides an area of hard and soft landscaping to act as a buffer and spill out area for the café. There is also a vehicle access off Lee High Road to the front of the building which provides access for a disabled parking bay and minibus.
- 6.28 The design principles as set out in the application supporting documentation describe that as well as creating a welcoming building for the local community and a place for social cohesion the concept was to produce a design that is both practical and aesthetically pleasing.
- 6.29 Having considered the proposal in light of planning policy and guidance and within the context of the site, officers do not consider that the design of the church building, its scale and massing can be supported or that it represents the high quality of design the Council expects for all developments. The application has not supplied the detail on the plans necessary to ascertain that the fabric of the proposed buildings would be of a high quality, however from what is submitted the scheme fails to project the design quality necessary for this site.
- 6.30 A church is an important building which should command presence in the streetscape. The proposed Church building sits uncomfortably on the site with the main auditorium space having less presence and dominance on the street than the other proposed uses of lesser civic importance. In specific regard to the design of the building, it is the consideration of officers that the church building has no architectural merit and offers little to its context. Only the signage indicates a church use, without which the building has the appearance of an out of town sports centre or warehouse.
- 6.31 The applicant has responded to these comments stating that they are subjective and also that although the building will act as a place of worship it will be an everyday community facility and therefore the building should appear welcoming and one that could be used by all. In addition the applicant highlighted Section 7 of the NPPF, which includes the statements that design policies should avoid unnecessary prescription or detail and that planning policies and decisions should not attempt to impose architectural styles or particular tastes and not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.
- 6.32 Whilst the Council are not seeking to impose a specific architectural design code for the building there is the expectation of high quality design and use of materials and this has been the consistent message since 2011. In a letter from the Council in 2011 in response to a previous design iteration it stated that the design failed to inspire or lift the spirits in any way, hence the comparison to shopping or conference centre. It is considered that this evaluation of the current design is still applicable. However to ensure that the assessment of the design is not subjective but grounded in design principle the application was also reviewed in December 2014 by the Lewisham Design Review Panel (DRP). The DRP is an independent panel which reviews significant development proposals and provides design and planning critique and comments.
- 6.33 The NPPF states that local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design. The assessment from the Lewisham DRP of the proposal

was that the scheme was of a poor quality design, being of an inappropriate scale and massing in the context of the site. The design of the two buildings was considered to have no architectural link and individually the blocks offered a very poor quality in such a prominent location. They advised that the scheme was not capable of modifications to make it acceptable but that a fundamental redesign would be required in order to reassess an appropriate form of development for the site.

- 6.34 Although certain aspects of the church building design have sought to comply with policy, with a predominantly glazed frontage to offer visual link and social interaction, the overall design of the building is overly bulky and considered to be inappropriate for the use and site. The use of different bands of materials for each level although seeking to provide texture and visual interest to the building is not considered to provide an appropriate finish to what will otherwise be blank elevations. Lee High Road is a major route through the east of the Borough and render will over time become tainted by the pollution from passing traffic. Furthermore the longevity of timber as a suitable material is questionable as depending on quality can become dated and again tarnish in a relatively short period of time, which for a building seeking to provide a long term facility is not appropriate
- 6.35 The scale of the building also dominates the site and is disproportionate to adjacent buildings. The typology of surrounding sites retains a degree of space to the rear of the buildings, to provide separation between the plots. Although the existing church and adjacent New Testament Church do extend the full depth of their plots the sites to either side have a lower density of development. This proposal would see the majority of the site occupied by buildings, which will inevitable impact on the surrounding sites.
- 6.36 To the rear of the church building the site adjoins the side boundary of 2 Lampmead Road and although the existing church adjoins this boundary the proposal will see an extension of built form along this boundary and an overall increase in height. The existing church, although at its ridge is approximately 14m, greater than the maximum height of the proposed church at just under 11m, is a pitched roof and the height of the roof is graduated. The massing and scale of the proposed church will also impact on the adjacent church as it will reduce light to the side windows with the introduction of built form along the full depth of this boundary.
- 6.37 In respect of the proposed residential units, these are located between 1m and 6.5m from the proposed church building. This will provide a significant sense of enclosure for the proposed rear amenity space for the dwellings and a poor quality outlook for the proposed dwellings, especially the houses which will be positioned only 4m from the side wall of the proposed church. It is therefore considered that the scale and proximity of the church to the residential building will result in an overbearing impact to the detriment of the future occupiers of the residential units.
- 6.38 Overall the scale and massing of the development is considered disproportionate to the size of the site and inappropriate in the context of the wider area. Although the design and access statement claims a successful, well thought-out design solution has been produced, this is not the opinion of Planning and Urban Design

officers. The development seeks to maximise the use of the land available, however this would result in a cramped and overdeveloped scheme.

- 6.39 Furthermore the design and appearance of the proposed buildings fails to capitalise on the opportunity to positively contribute to the character of the area and create a development that, in such a prominent position, leads the way in high quality design. In paragraph 63 of the NPPF it advises that in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.
- 6.40 The proposal is considered to detract from the character and rather than offer innovative design seeks to amalgamate a number of features from locally, more historic buildings for the new residential block and to use more contemporary and commercial architecture for the church building. This has resulted in a scheme that appears confused in its design ethos and with two buildings that individually fail to demonstrate high quality and together produce a streetscene that is incongruous and unrelated to the wider area.
- 6.41 Therefore in accordance with the policy advice of the NPPF in paragraph 64 planning permission should be refused for the development as it is considered to be of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Housing

a) Size and Tenure of Residential Accommodation

- 6.42 The proposal is for nine private two bedroom units with the residential size and mix shown below in Table 1.

Table [1]: Residential Tenure Size and Mix*

	2 Bed, 3 person	2 Bed, 4 person	Total
Private House	2	0	2
Private Flat	2(1)	5	7 (1)

*Wheelchair accessible units shown in ()

- 6.43 Although the plans include that there are 3, three person apartments, one of these does have two double bedrooms in terms of size standards. However as the overall floorspace of the apartment is below that considered sufficient for a 2 bedroom, 4 person apartment, the second bedroom has been listed as a single bedroom.
- 6.44 As the number of units is below 10 all units are proposed as private dwelling, however they have include one unit as a wheelchair accessible and adaptable unit as required by policy.

b) Standard of Residential Accommodation

- 6.45 To assess the standard of accommodation proposed DM Policy 32, Housing design, layout and space standards Siting and layout of development, sets out what is required and reflects the standards as set out in the London Planning Housing Supporting Planning Guidance.
- 6.46 The policy and SPG set out the required GIA for residential dwellings of different tenures, as well as floor to ceiling heights and room sizes. The design and access statement specifies that the internal layout of the scheme has been carefully considered and designed to meet the requires of the SPG and local policy as well as lifetime homes and in relation to the proposed wheelchair standards of the South East London Housing Partnership.
- 6.47 The plans submitted with the application demonstrate almost complete compliance with the dimensions as set out in the policy and SPG. All apartments accept the one mentioned in paragraph 6.43 exceed the required GIA, with all rooms complying or exceeding the minimum floor area, in addition all floor to ceiling heights also show full compliance with the policy. Although the proposed two houses do not meet the GIA standard this is because the minimum standard for houses is set at 2 bedroom four person dwellings, and the proposed are three person dwellings. However the proposed room sizes all meet or exceed the standards as set out in the London Plan and the layout of the houses is considered to be appropriately designed with adequate space for circulation and storage and as such considered acceptable.
- 6.48 The proposed wheelchair unit also shows compliance with SELHP guidance with increased GIA, room sizes and circulation space throughout showing an understanding of the requirements.
- 6.49 In addition to dimensions the Council policy also seeks that all new residential development be attractive and neighbourly, provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours and meet the functional requirements of future residents. The policy also sets out that as well as developments meeting the required GIA and room sizes that dwellings are designed with an acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy.
- 6.50 All nine units proposed are dual aspect, with living rooms/kitchens located at the south or with east/west windows as well as north. Whilst some of the dwellings have slightly angled walls, overall it is considered that the layout of the units and rooms is practical and designed with the future residents in mind.
- 6.51 In relation to the impact of the proposed residential block on surrounding properties it is considered that the impact will be acceptable. The residential block has been set back along Lampmead Road so as to continue the building line and this not only creates a buffer for the residential properties it also ensures the privacy distances between properties on either side of Lampmead Road are consistent. Furthermore the proposed dwelling to the west of the site, House 04, which is adjacent to no. 2 Lampmead Road has been designed to minimise any loss of amenity to the occupiers of no. 2 Lampmead Road. House 04 is a two storey dwelling with no side windows, this would ensure that the property is not overbearing or detrimental to privacy. In addition House 04 is set away from the side boundary ensuring a distance of 4.8m between the two properties.

- 6.52 The design and access statement states that the scheme's overall arrangement has also been informed by the desire to create pleasant new homes, as well as maintaining the privacy and quality of life for existing residents in the area. This has been achieved by setting the residential block back from Lampmead and Lee High Road to offer maximum privacy to existing and future residents. Whilst the residential element has considered the surrounding residential properties it is considered that the proximity to the proposed church building has the potential be overbearing and result in low quality outlook.
- 6.53 Whilst the overall design of the residential block and its proximity to the church buildings is not supported it is acknowledged that the internal arrangements and siting of the block have considered the existing occupiers of the Lampmead Road properties and future occupiers of the proposed units.

Highways and Traffic Issues

a) Access

- 6.54 The current vehicle access is one way, with access passing in front of the church building, with the entrance on Lampmead Road and exit on to Lee High Road. The proposal seeks to relocate and reconfigure the site access points, with two new access points proposed, which do not connect to each other. The access to be created off Lampmead Road will be immediately opposite no. 1 Lampmead Road and will go through an undercroft in the residential block and provide access into the basement parking below the proposed church. On Lee High Road there is to be a vehicle access to the front of the proposed church building, which will provide access for a disabled parking space and minibus parking.
- 6.55 Pedestrian access to the church is located to the front of site on Lee High Road and is combined with the vehicle access. There is also access at the back of the church building from Lampmead Road, which also provides access to the refuse storage areae. The access to the residential units is from both Lee High Road and Lampmead Road, with all ground floor units having individual entrances and the apartments on the upper floors having communal access from Lampmead Road.
- 6.56 Wider access to the site will not alter significantly with this proposal, although it is proposed to relocate a bus stop it is within close proximity of the existing position and therefore the accessibility of the site will not change. The site is within PTAL zone 3 and is approximately 1 mile from Hither Green Train Station with access in to central London or out towards Kent.

b) Servicing

- 6.57 The application did not include details of servicing, although details of the refuse storage location are included, no further details have been supplied. However had the application been acceptable in all other respects, these details could have be obtained and approved via condition.

c) Cycle Parking

- 6.58 The application forms details a proposal for 20 bicycle parking spaces, however the transport plan only states there will only be 18 spaces, which is reflected on the proposed site layout plan. The layout plans shows 9 stands, 4 to the front of the church and 5 to the south west side of the houses, assuming they are

Sheffield stands this would only provide 18 spaces. The Transport Statement states that there will be ten spaces for the residential units and 8 for the church.

- 6.59 The Draft Further Alterations (2014) to the London Plan, to be adopted in 2015 seeks a greater number of car parking spaces across all uses and therefore the proposed number of spaces falls short of this standard. Furthermore the proposed location and type of cycle storage proposed is considered to raise crime and safety concerns as the storage to the side of the houses would have limited natural surveillance and limited security measures.
- 6.60 It is however considered that had the development been acceptable in all other respects then the cycle parking numbers and storage type could be satisfactory addressed by condition.

d) Car Parking

- 6.61 The application sets out that other than an on street disabled parking bay there will be no residential car parking provided as part of the scheme and that future occupiers seeking to park must do so on surrounding streets. The on street parking bay is proposed adjacent to the wheelchair adaptable unit on Lampmead Road and this would require formal approval from Lewisham Highways if it were to be implemented. Car parking for the church will mainly be at basement level, with 28 spaces provided. It is also proposed to provide one disabled parking bay and space for a minibus to the front of the church building.
- 6.62 Access to the basement level parking is from Lampmead Road, through the undercroft in the residential block. A ramp leads down from this access to the basement level, however at the bottom of the ramp, at the entrance in to the car park there is a pinch point. The access width is restricted which requires cars to wait and give way to pass each other as there is not sufficient space for two vehicles to pass each other. The information to support this explains that passing cars will be infrequent and that the church will use traffic marshals to manage parking and traffic flow during high attendance events. However in the case that two vehicles did seek to pass it could equally require cars to reverse to make space. A car park layout that has such a feature designed in and requires reverse movements can not be supported and the Council would require that were the car parking to be acceptable it would require redesign to avoid the pinch point at the entrance to allow cars to pass safely with management.
- 6.63 There is also concern over the demarcation of the car park, particularly spaces 1 and 2, which if the car park was full would need to reverse out of the car park as there is not sufficient space to turn. The car park layout is considered overall to be poorly designed being too cramped and not able to demonstrate safe movements by all vehicles in forward gear.
- 6.64 The minibus and wheelchair accessible parking is provided directly in front of the church accessed off Lee High Road. However the swept path analysis demonstrates that for vehicles to leave the site in forward gear the area outside the café labelled as 'café overflow' will be required for vehicle turning. Whilst the additional information provided by the applicant states that this area will be kept clear and out of use by the café during busy periods, this again assumes on-going active management of a situation which could be designed out if the site layout was not so restricted.

- 6.65 The Transport Statement and Travel Plan set out how visitors to the site will be encouraged to car share or use public transport to reduce demand for car parking spaces in the local area. The data provided on travel behaviours of the congregation is from 2011, which the Transport Statement claims should not have significantly changed.
- 6.66 The survey data from 2011 shows that on the day of the survey, 81% of the congregation, which was 337, used cars to access to the site, with an average of 2.55 people per car. The new church building will be able to hold over 600 attendees, although information supplied states that the congregation will be between 500-600. If we assume a congregation of 550 with 81% in cars and 2.55 people per car, the number of cars seeking to park on or near the site will be approximately 174. With a total of 29 spaces provided this leaves 145 cars parking on the surrounding streets, compared with 107 from 2011.
- 6.67 Many of the objections received commented on the impact currently experienced on residential streets surrounding the church site as a result of car parking demand on a Sunday. With the proposal to increase the size of the church this pressure can be expected to increase. Whilst the Travel Plan endeavours to encourage the congregation to restrict car parking demand in the area, the scale of the application inevitably means that the demand will increase, to the detriment of local residents.

f) Refuse

- 6.68 Refuse storage is proposed in the south west part of the site, adjacent to the boundary with 2 Lampmead road. Although full details have not be submitted with the application, had the development be acceptable in all other respects then the refuse storage location and collection strategy could be satisfactory addressed by condition.

Noise

- 6.69 Several of the objections received make reference to the potential noise impacts from the proposed church building and increased comings and goings to the site. The application was accompanied by an acoustic report that included data regarding background noise levels and mitigation measures for the new development.
- 6.70 It is however considered that as a new building, the church building could be built to a standard of adequate insulation to avoid noise breakout and disturbance to surrounding properties from activities within the building. Furthermore the residential units could also be built with noise insulation to protect residents from excessive noise from the proposed church and also from traffic on Lee High Road.
- 6.71 The noise to surrounding sites resulting from the church may be able to be managed through adequate insulation, however the impacts from increased comings and goings to the site, although not fully understood as exact numbers of visitors are not known, can be expected to increase. As the proposal will intensify the use of the site it is inevitable that this will result in further on site activity and the potential to result in increased numbers of vehicle movements.

Impact on Adjoining Properties

- 6.72 DM Policy 44 states that all applications for places of worship will be required to demonstrate that there will be no detrimental effect on local amenity through noise, hours of operation or any other environmental impacts. DM 32 states that in relation to housing design, new developments should provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours.
- 6.73 The proposed scale of the church building and proximity to surrounding properties is considered to result in a development which is overbearing and unneighbourly. As shown on the VSC study within the Daylighting Report, as a result of the development there will be a significant loss in current light levels to 2 Lampmead Road. The survey claims that as existing light levels are unknown it is not possible to fully appreciate the harm. However the current site does not have such significant levels of built form and around the side of number 2 Lampmead Road is predominantly open and as such the light levels can be expected to be significantly higher currently. Although officers acknowledge that the redevelopment of this site will bring forward a higher intensity of development on site, it is considered the layout and massing could be designed so as to minimise harm.
- 6.74 The proposed increase in size of the church building and operations will see an increase in activity on site and comings and goings to the site. Although the full extent of the church operations is not known as yet, with figures of visitors based on predictions rather than capacity, it can be seen that the number of people visiting the site will increase. Whilst the design has sought to incorporate parking on site to minimise the levels of additional on-street car parking demand, the expected congregation numbers on Sundays will still see a notable increase in parking demand which cannot be absorbed within the site and will therefore increase demand on surrounding streets.
- 6.75 Overall the impact on adjoining properties is considered to be significant due to the intensification of the use on site and also the scale of the development proposed. While it is considered the site could accommodate a redevelopment for a new church in addition to an element of residential development, the scale and site layout have not fully considered the impacts on surrounding properties and highway network and as such it is considered detrimental to occupiers of adjoining properties.

Impacts on Heritage Assets

- 6.76 The submitted Heritage Statement concludes that the impact on the setting of the conservation area as a result of the development will be neither substantial nor less than substantial. It does recognise however that in relation to the almshouse and already lost almshouses, as locally listed buildings the impact is substantial as they will be lost. However the statement highlights that policy allows that such substantial harm can be outweighed by substantial public benefits, which this proposal would bring through enhanced facilities for worship and facilities to benefit the wider community.
- 6.77 Officers have considered the proposal and consider that with the demolition of the almshouses, a heritage asset of cultural significance to the borough has been lost. The proposed development will not mitigate this loss by development in its place that would be of equally good quality with the potential of perhaps in the

future to gain cultural significance to the borough. The proposed development as outlined in the sections above is considered to have a harmful effect on the area due to the scale and design.

- 6.78 Whilst public benefits will no doubt derive from a new enlarged church building and community facilities they are not considered to be substantial enough to outweigh the harm caused to the borough by the loss of an undesignated heritage asset and harm to the townscape quality. For this reason, officers do not consider that the design of the proposal contributes to the character of the adjacent conservation area or wider area as a whole.

Sustainability and Energy

- 6.79 Core Strategy Policy 7, Climate change and adapting to the effects states that the Council will adopt a partnership approach to implement the principles of 'avoidance, mitigation and adaptation' to reduce Lewisham's CO2 emissions. This will be achieved by applying the London Plan policies relevant to climate change including those related to sustainable design and construction, decentralised energy works, renewable energy, urban greening, and living roofs and walls.

a) Renewable Energy

- 6.80 The application proposed to install PV panels and reduce its carbon emissions, with the church building seeking a BREEAM rating of excellence. The installation of the PV panels and BREEAM rating can be secured via condition.

b) Living Roofs

- 6.81 The application does not propose living roofs and had the proposal been acceptable in other respects this is a matter which the Council would have sought to address through application discussion and negotiation.

Planning Obligations

- 6.82 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. 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 NPPF 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

- 6.83 Regulation 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis.

- 6.84 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development. These would be site specific only and that the SPD calculator would not be applicable.
- 6.85 The application states that these obligations would be discussed as part of the application, however officers do not consider that the obligations could mitigate the impact of the development and make it acceptable in planning terms and overcome the reasons for refusal.

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 CIL liable.

9.0 Equalities Considerations

- 9.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.2 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) Foster good relations between people who share a protected characteristic and persons who do not share it.
- 9.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

- 9.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 9.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 9.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>
- 9.7 The matters of the application are such that the applicant is a religious organisation and therefore there is potential for an impact on equality. However, the recommendation made relates wholly to the impact of the proposal on heritage assets and planning considerations as set out in this report. The benefits that would arise from the proposal to the community have been carefully considered and weighed against the substantial harm that would be caused to the heritage asset, as required by national policy.

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 NPPF, London Plan, Lewisham Core Strategy and Development Management Local Plan all place a great emphasis on the importance of design. DM Policy 44 states that applications for places of worship must be delivered to the highest design standards. Officers consider that the application has failed to demonstrate that the design of the buildings proposed both individually and collectively would be of the highest design standards in this prominent location.

- 10.3 Furthermore the scale of development is such that it would dominate the site and be overbearing to adjoining sites, to the detriment to the amenities that residents currently enjoy.
- 10.4 The Council seeks to support churches and the important role they place in providing important community facilities. The Emmanuel Pentecostal Church clearly seeks to play an increasing role in supporting the community as well as accomodating a growing community. However the scale of the development required to support the congregation has lead to development which due to its scale, massing and design will be detrimental to the character of the area and amenity of surrounding residential properties. It is therefore considered that the application has not demonstrated that the site can satisfactorily support the scale of the proposal.
- 10.5 Officers voiced concerns with the scheme prior to submission and during the application and this concern has not be addressed by the application. The scale of the scheme is considered to great for the size of the site, the massing overbearing and imposing onto adjoining sites and the design of a poor quality which neither enhances the appearance of the site nor the wider area.
- 10.6 The design of the scheme requires a fundamental redesign without which this proposal can not be supported by officers.

11.0 RECOMMENDATION

- 11.1 Refuse Permission for the following reasons : -
- (1) The proposed basement level car parking would result in a conflict of traffic flow at the entrance to the car park due to the poor quality and cramped layout of the car park entrance and demarcated bays resulting in a highway safety risk to users and as such is contrary to policy 14 of Lewisham Core Strategy and DM 29 of the Development Mangement Local Plan 2014.
 - (2) The proposed development by reason of its poor design and excessive scale and massing would fail to provide buildings of satisfactory architectural and townscape quality in this prominent position and fails to justify the amount of development proposed on the site. The conflicting architectural styles results in an incoherent and incongruous form of development, detrimental to the existing townscape and adjacent conservation area contrary to policies 15 and 16 of the Lewisham Core Strategy and DM 30, 32, 36 and 44 of the Development Mangement Local Plan 2014.
 - (3) The proposed Place of Worship building, by reason of its scale, bulk, mass and poor quality detailing, would appear incongruous and excessively dominant and would appear of poor quality, overly prominent in the streetscene and harmful to the character of the area contrary to Section 7 of the NPPF, Policies 15 and 16 of the Core Strategy (2011) and Policies DM 30 and DM 36 of the Development Management Local Plan (2014) and Policy 7.6 of the London Plan (2011).
 - (4) The proposed Place of Worship development, by reason of the building's scale, bulk and mass would result in loss of amenity to neighbouring properties on Lampmead Road by reason of overbearing impact, loss of

outlook, light and privacy and increased sense of enclosure and activity, would be contrary to policies DM 30 and DM 44 of the Development Mangement Local Plan 2014.

- (5) The proposed residential development, by reason of the design and massing results in a dominant and visually intrusive form of development being of poor design quality which has failed to demonstrate a coherent relationship to the surrounding area to the detriment of the surrounding townscape and adjacent Lee Manor Conservation area contrary to policies 15 and 16 of the Lewisham Core Strategy 2011 and DM 30, 32 and 36 of the Development Mangement Local Plan 2014.

INFORMATIVES

- (1) 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, pre-application advice was sought and advice was given regarding the proposal being unacceptable. These discussions involved the Council planning and design officers and concerns over the design and massing in relation to the size of the site and context within the wider area. The planning application was subsequently submitted and as limited changes had been made by the applicant to address the concerns raised at pre-application stage it was considered that further discussions during the life of the application could not resolve the outstanding concerns.

372 Lee High Road



Scale: 1250

Base on the
Ordnance Survey map
Licence no: 100017710
London, SE6 4RU

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Committee	PLANNING COMMITTEE A	
Report Title	Sydenham School, Dartmouth Road, London SE26 4RD	
Ward	Forest Hill	
Contributors	Suzanne White	
Class	PART 1	12.03.15

<u>Reg. Nos.</u>	DC/14/87189
<u>Application dated</u>	08.04.14 (final revisions dated 17.02.15)
<u>Applicant</u>	Lewisham Schools for the Future LEP/Costain
<u>Proposal</u>	Erection of 4 no. external lighting columns of 8metres in height to provide additional lighting of Multi Use Games Area at Sydenham School, Dartmouth Road, SE26.
<u>Applicant's Plan Nos.</u>	SG-BWL-E-S-E0-L-90004, KL3695, D22012, Light fitting 'Scorpius' and 'Sport 7' specification, Kingfisher lighting column specification, External Lighting Assessment, Planning Statement Covering Letter, Bat Survey Report (September 2014), Lighting Letter Statement (January 2015).
<u>Background Papers</u>	(1) Case File LE/458/A/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Undesignated. Existing school site (Use Class D1).
<u>Screening</u>	N/A

1.0 **Property/Site Description**

- 1.1 This application relates to part of Sydenham School, which is located on the north-western side of Dartmouth Road, at its junction with Cheseman Street. The main school building is a three-storey Edwardian building which fronts Dartmouth Road. There is also a five-storey building fronting Dartmouth Road and Cheseman Street. The site is presently the subject of extensive construction works, which will in time involve the demolition of the 5 storey building.
- 1.2 The part of the school site to which the application relates is to the rear of the main school building, in the western portion of the site. The application site is located within the construction compound and is presently used for the storage of materials relating to the construction works, though has permission for the laying out of a Multi-use Games Area (MUGA) with associated fencing. The MUGA floodlighting is due to be provided as part of the current construction works.

1.3 Directly north of the application site is an existing sports court in the school's use. Beyond the school boundary to the northeast are the rear gardens of residential properties in Radlet Avenue and Round Hill.

1.4 The site is not located in a conservation area and there are no listed buildings either on site or in the immediate vicinity.

2.0 Planning History

2.1 1992: p.p. for the erection of a single storey prefabricated building at Sydenham Girls School Dartmouth Road SE26 for use as a drama classroom.

2.2 1994: p.p. for the provision of 5 additional car parking spaces at Sydenham Girls School Street of a 1.8m high close boarded timber fence along part of the Dartmouth Road frontage link fence on top of the existing dwarf brick wall along the Cheseaman Street frontage and the formation of a new path.

2.3 2009: p.p. for the provision of a covered cycle stand for 40 cycles adjacent to the front entrance gates of Sydenham School, Dartmouth Road SE26.

2.4 Aug 2012: p.p. for the construction of a temporary two storey building to provide teaching and administration facilities, associated offices, storage accommodation and toilets.

2.5 Oct 2012: p.p. for demolition of existing buildings with the exception of the original c1917 main school building (Block G) which will undergo reconfiguration and refurbishment works, together with the construction of up to four storey plus lower ground floor buildings, comprising (9042 sq m) D1 floor space with internal linkages, new pedestrian entrance, alterations to the existing vehicle entrance and exit routes, new car park to provide 60 car parking spaces, cycle spaces, associated landscaping to include hard play area, ball courts and associated facilities including 2 external amphitheatres, installation of external lighting, solar panels and the construction of green and brown roofs.

2.6 May 2013: non-material amendment approved for changes to the elevations including panel detailing, movement and alterations to windows and doors and inclusion of a pond as approved under the p.p. dated Oct 2012.

3.0 Current Planning Application

The Proposals

3.1 The current application seeks full planning permission for the erection of 4 no. external lighting columns of 8metres in height to provide additional lighting of the Multi Use Games Area.

3.2 The Multi Use Games Area (MUGA) was approved as part of the planning permission (DC/12/80654/X) dated October 2012 and which is now under construction. The Officer's Report to Committee for that application stated that floodlighting was proposed to the MUGA, however this was subsequently amended by an Addendum Report which stated that no floodlighting was proposed to the MUGA. The installation of floodlighting to the MUGA has not therefore been considered previously.

- 3.3 The application scheme consists of the erection of 4 x 8m lighting columns, placed in each corner of the approved MUGA. There would be 2 light fittings at the top of each column. The dimensions of the lighting fittings would be 0.6m (l) x 0.42m (h) x 0.54m (w).
- 3.4 It is understood that the floodlit MUGA will be available for use by the school and public during the evenings and at weekends.
- 3.5 No changes are proposed to the amenity and security lighting across the wider site, which are shown on the proposed plans and already have approval under the 2012 permission.

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 and businesses in the surrounding area and the relevant ward Councillors.
- 4.3 Objections were received from 4 local residents. The points raised can be summarised as follows:
- Concern over height of columns. Request shorter alternatives.
 - Concern over impact on amenity caused by lighting left on late at night, which is in addition to a car park and lighting nearby on the school site
 - Concern over strength of floodlights and possibility of light pollution to properties on Round Hill to the north which are elevated in relation to the MUGA, particularly during the winter when trees are bare.
 - Previous use of the site for netball and tennis courts did not include floodlighting and therefore was not used late in the evenings
 - Concern that floodlights will impact on amenity, privacy, possessions and quality of life
 - Object to inclusion of floodlighting in this area, which was not proposed in the original application. Concern that it is a 'Fait Accompli'
 - Misleading pre-application consultation by applicant
 - Lighting survey needs to be updated to include this area
 - Increased noise and air pollution arising from additional use of area and traffic accessing the site
 - Proposal would be contrary to Article 8 of the Human Rights Act in relation to peaceful enjoyment of the home

- Should the application be approved, request a restriction on the operation of the floodlights to between 10am and 9pm only Monday- Saturday and not at all on Sunday.
- Suggest additional landscaping to the boundary to screen the floodlighting from residential properties.

4.4 The Council's Environmental Health, Highways and Ecological Regeneration Departments were also consulted.

4.5 The Council's Environmental Health Officer has advised that the proposed lighting meets the necessary guidance levels with regards the lighting effects on nearby residential premises and therefore has not raised any objections to the lighting.

4.6 The Council's Ecological Regeneration Manager raised concerns, dated 31st July 2014, in respect of protected species. He advised that the mature trees bordering the application site may have features suitable for bat roosts and that, if this were the case, the lighting could have significant impact on those roosts. As a consequence, he advised that bat activity surveys were conducted during the months May - September by a CIEEM registered consultant in order to determine if and how bats are using the northern boundary of the site and specify mitigation as appropriate.

4.7 Following receipt of a Bat Survey Report, the Ecological Regeneration Manager advised as follows:

"I am happy to concede that the proposed lighting will not have a significant adverse impact to the trees to the north west (T3-T5). I am happy that a reasonable effort has been made to determine that there are no roosts in T1 & T2 so in this respect there is no legal barrier to consenting to the lighting scheme.

Please note that there was low to moderate bat activity recorded in the vicinity of T1 & T2 and the consultant has stated that if the appropriate mitigation measures proposed are adopted then the current development plans would be compliant with relevant legislation and planning policy in relation to bats.

I foresee the problem is that the best practice recommendations that the consultant proposes [in 7.1.1] from i. ii. iii. etc through to x. is unachievable in respect the lighting specification that the applicant is submitting.

If you discover that it will indeed comply and that the applicant is willing to incorporate the additional biodiversity enhancement as recommended then I would support this application, in principle."

4.8 A further statement received from the applicant responds to this point and is discussed in Section 6 below.

4.9 No comments were received from the Highways Authority.

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 any determination under the planning acts must be made in accordance with the development 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:

Light pollution

Natural Environment

Noise

Open space, sports and recreation facilities, public rights of way and local green space

Use of Planning Conditions

London Plan (July 2011)

5.6 The London Plan policies relevant to this application are:

Policy 1.1 Delivering the strategic vision and objectives for London

Policy 2.9 Inner London

Policy 3.18 Education facilities

Policy 3.19 Sports facilities

Policy 7.19 Biodiversity and access to nature

Core Strategy

5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the London Plan and the saved policies of the Unitary Development 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 5 Areas of Stability and Managed Change

Core Strategy Policy 12 Open space and environmental assets

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

Core Strategy Policy 20 Delivering educational achievements, healthcare provision and promoting healthy lifestyles

Development Management Local Plan

5.8 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 24 Biodiversity, living roofs and artificial playing pitches

DM Policy 26 Noise and vibration

DM Policy 27 Lighting

DM Policy 30 Urban design and local character

DM Policy 41 Innovative community facility provision

6.0 Planning Considerations

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

- a) Principle of Development
- b) Education and Sports Provision
- c) Impact on Adjoining Properties
- d) Design
- e) Biodiversity
- f) Highways and Traffic Issues

Principle of Development

6.2 The site is not subject to any constraints that would preclude this form of development. It is an established school site, with existing sports facilities. The addition of lights associated with those sports facilities is considered acceptable in principle, subject to an assessment of their impact on residential amenity and biodiversity and the specification of appropriate mitigation if required. These matters are considered below.

Education and Sports Provision

6.3 The provision of new and enhanced sports facilities is supported at all levels of planning policy. London Plan Policy 3.18 Education supports the provision of new and enhanced education facilities and encourages development proposals which maximise the extended or multiple use of education facilities.

6.4 The corresponding Core Strategy Policy 20 supports the Local Education Authority's programmes to improve all schools within the Borough.

6.5 Policy 3.19 of the London Plan relates to sports facilities and aims to increase participation in, and tackle inequality of access to, sport and physical activity in London. The policy advises that development proposals that increase or enhance the provision of sports and recreation facilities should be supported. Moreover, multi-use public facilities should be encouraged. Specifically in relation to floodlighting of sports facilities, the Policy states that:

"The provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to local community or biodiversity".

6.6 Core Strategy Policy 19 states that the Council will work with its partners to ensure that a range of education, sports and leisure facilities are provided, protected and enhanced across the borough. The policy goes on to state that the preferred location for such facilities will be in areas that are easily accessible by public transport and close to town centres. Multi-use facilities will be encouraged.

6.7 There is therefore considerable support in planning policy for the increased supply of, and access to, sports facilities, including floodlighting where appropriate.

Impact on Adjoining Properties

i) Light spill

6.8 Development Management Plan Policy 27 deals specifically with lighting and requires applicants to protect local character, residential amenity and the wider public, biodiversity and wildlife from light pollution and nuisance, by taking appropriate measures in lighting design and installation in line with the Institute of Lighting Professionals' Guidance Notes for the Reduction of Obstructive Light (2011) to control the level of illumination, glare, spillage of light, angle and hours of operation.

6.9 The distance from the nearest floodlight to the rear elevation of the closest residential property (No. 19 Radlet Avenue) would be 30metres.

6.10 The proposed floodlighting is supported by an External Lighting Assessment and a light spill diagram. The Assessment concludes that the lighting proposed has been designed to follow the Guidance notes for the reduction of obtrusive light (GN01) produced by The Institution of Lighting Engineers.

6.11 The Report identifies that the light fittings proposed have been specified to minimise the upward spread of light and to reduce light spill and glare to neighbouring properties.

6.12 The light spill diagram shows that a degree of light spill will extend into a small part of the rear gardens of No. 13-17 Radlet Avenue. The diagram shows that this could be up to 50Lux in the garden of No.15, however the diagram does not take account of the planting on this boundary. Lux levels on the MUGA itself will range between 460-782Lux.

6.13 Lux is the measurement of light reaching a surface where 1 Lux is the amount of light from one candle one metre distant from a surface of 1 square metre. Secured by Design guidance provides the following reference points for Lux levels:

Situation	Lux level
<i>Sunny June day</i>	<i>80000 Lux</i>
<i>Bad light stopped play at Lords</i>	<i>1000 Lux</i>
<i>A well-lit office</i>	<i>500 Lux</i>
<i>Main road lighting</i>	<i>15 Lux</i>
<i>A residential side street</i>	<i>5 Lux</i>
<i>A clear moonlit night</i>	<i>0.2 Lux</i>

6.14 In respect of the floodlighting to the MUGA, the report concludes that the lighting specification complies with the Institute of Engineers guidance. It finds that the

light emission from the floodlights would satisfy the levels deemed appropriate in urban locations and, in fact, would also meet the more stringent standards specified for rural/dark locations. The report further notes that this assessment has not taken into account the existing planting on the boundary and therefore constitutes a worst case scenario.

6.15 The Council's Environmental Health Officer has reviewed the report and specifications submitted for the lighting and confirmed that it meets the required standards.

ii) Hours of operation

6.16 The amenity and security lighting will have an automatic shut off time of 11pm, which is the closing time of the school buildings. The applicant has sought the same time limit for the floodlights, however it is considered that an earlier time would be appropriate. This is on account of the height of these particular lights, their position close to residential boundaries and the appropriateness of managing activity levels in the interests of neighbouring amenity.

6.17 It is worth noting that the MUGA and other facilities at the school site can be used up to 11pm at night irrespective of whether this application is approved. This application will enable the MUGA to be used in the evenings outside of the summer months. Officers consider that a time limit of 10pm on operation of the floodlights would be appropriate in order to protect the amenity of neighbouring occupiers. This has been discussed with the applicant, who has agreed, though they have advised that any further reduction could jeopardise the viability of public use of the facilities.

6.18 A condition has been attached in order to restrict the hours of usage of the floodlights.

iii) Noise

6.19 Concern has been raised with regard to noise generated by the operation of the facilities into the evening. The MUGA comprises a relatively small area of the school site. Although the sports hall and other buildings may be in use during the evening also, their operation up to 11pm has been set by a previous permission.

6.20 The car park adjoining the properties on Round Hill is the subject of a condition on the 2012 permission which restricts its hours of use so that no vehicles shall enter or leave between the hours of 23.00 hours and 06.00 hours on any day of the week.

6.21 The level of additional activity generated by the MUGA, over and above that of the sports hall, is considered likely to be low. Were noise levels to become unacceptable, the Council's Environmental Health Team has powers to serve notices on the school or operator to control this.

6.24 It is considered that the potential for noise of a level to cause a material loss of amenity to residential occupiers is low and outweighed by the benefits of the facilities to the local community as a whole.

Design

- 6.25 Concern has been raised regarding the number and height of the floodlighting columns. The application proposes 4 columns of 8metres in height.
- 6.26 The applicant has stated that this is the minimum number of columns that are required to adequately light the pitch and that their location has been carefully considered to provide adequate light levels to the pitch that are required to meet Sport England's standards. Similarly, they state that shorter columns would result in darker areas at the centre of the pitch which would render it unsuitable for use.
- 6.27 The columns are wider at the base (420mm) and taper (to 60.3mm) as they increase in height. They will each hold 2 no. light fittings.
- 6.28 It is accepted that 4 columns is the minimum required to light the MUGA. Although the columns would be 8metres in height, they will taper off as they increase in height, thereby minimising their bulk in views from the surrounding area. In the context of the fencing to the MUGA, the boundary planting and scale of the adjacent sports hall, it is considered that the design of the columns will not appear out of character within their context.

Biodiversity

- 6.29 The application site is not located near any designated wildlife sites, though there are trees on the boundary and in Baxter Park which could provide habitat.
- 6.30 The Council's Ecological Regeneration Manager raised concerns over the potential impact the lighting scheme may have on biodiversity, in particular with regard to bats, as it can act as a barrier for commuting and foraging. He requested that a survey was completed by a suitably qualified CIEEM ecologist.
- 6.31 London Plan Policy 3.19 and DM Policy 27 seek to ensure that new lighting proposals will not give rise to adverse impacts on biodiversity.
- 6.32 A Bat Survey Report dated September 2014 was submitted in response to the Ecological Regeneration Officer's comments. The scope of the survey included a ground level assessment of surrounding trees, two dusk / dawn surveys and monitoring of bat activity along the tree line to the north-west of the proposed MUGA. The surveys were carried out during August and September 2014.
- 6.33 The report concluded that the trees had negligible to moderate potential to support roosting bats. The dusk/dawn surveys showed very low/low incidental bat activity levels during three surveys and moderate bat activity levels during one survey in one location. The species recorded using the site were common pipistrelle bats, soprano pipistrelle bats and an unidentified pipistrelle bat species.
- 6.34 The affect of the lighting proposals will be to increase lux levels to 5 or less on the tree line to the north-west of the MUGA. The Bat Report states that this increase in lux levels is unlikely to have a significant affect on bats commuting and foraging behaviour, particularly as the north-western side of the tree line will be unaffected by the lighting proposals.
- 6.35 The report also notes that the only bat species group recorded using the site were pipistrelle bats which have been found to take advantage of the concentration of

insects around white street lights as a source of prey (BCT,2014). Therefore this species may be less affected than others by lighting proposals generally.

6.36 The Council's Ecological Regeneration Manager accepts the conclusions of the report and has advised that the scheme would be acceptable provided that the mitigation measures proposed in the Bat Report are implemented.

6.37 However, he did query whether the lighting specification would be able to meet these mitigation requirements. The applicant submitted a statement in response. The recommended mitigation measures and proposed response (in italics) are set out below :

i. Excessive lighting be avoided and the spread of light be minimised to ensure that only the task area is lit;

➤ *Floodlights with a hood have been selected to minimise light spill*

ii. The times that lights are on are limited and suit human as well as wildlife needs;

➤ *Hours of operation will be controlled by condition*

iii. For most sports and area lighting installations the use of luminaires with double asymmetric beams designed so that the front glazing is kept at or near parallel to the surface being lit should, if correctly aimed, ensure minimal obtrusive light;

➤ *Fittings are to be flat to ground*

iv. The height of lighting columns be considered carefully, as a lower mounting height can create more light spill or require more columns;

➤ *A relatively low mounting height of 8m is proposed, compared with the floodlighting that would be required for larger pitches, grounds etc*

v. Reflective surfaces beneath the lighting be avoided;

➤ *Not applicable as the MUGA surface is not reflective*

vi. Flat cut-off lanterns or accessories / hooded lighting should be used to shield or direct light only to where required;

➤ *Hooded light fittings are proposed*

vii. Narrow spectrum light sources and those that emit minimal ultra-violet light should be used to lower the range of species affected by lighting;

➤ *The lights have a low UV content*

viii. Light wavelengths (visible to the human eye between 390-700nm) should peak higher than 550 nm;

➤ *Peak wavelength is higher than 550nm*

ix. White and blue wavelengths of the light spectrum should be avoided to reduce insect attraction; and

➤ *A UV shield has been specified to reduce blue and green light*

x. Where white light sources are required, in order to manage the blue short wave length content they should be of a warm / neutral colour temperature <4,200 kelvin;

➤ *The colour temperature of the proposed lamp is 3500 kelvin (yellowish white/orange hue)*

6.38 The Council's Ecological Regeneration Manager has reviewed the proposed mitigation measures and confirmed that they are sufficient to ensure that any potential impact on biodiversity caused by the lighting is satisfactorily mitigated.

- 6.39 On the basis of the above measures, which will be secured by condition, it is considered that the level of illuminance and light spillage beyond the boundaries of the MUGA will be adequately controlled. It is proposed to limit the use of the floodlights so that they cannot be used between the hours of 10pm and 8am.
- 6.40 It is therefore concluded that with the appropriate measures in place the possible negative impact or harm to the protected specie or local biodiversity will be substantially lessened.

Highways and Traffic Issues

- 6.41 The application relates only to the MUGA floodlighting and therefore only traffic impacts associated with their use, which is likely to be greatest in the winter months, with some use in spring and autumn also. During the summer, the MUGA could be used up to 11pm under an existing permission. The highways and traffic impact was assessed at that time and deemed acceptable.
- 6.42 As the facilities are associated with evening and weekend use and the school's cycle and vehicular parking will be available to users, it is considered unlikely that the proposals would give rise to traffic or parking impacts.

7.0 Community Infrastructure Levy

- 7.1 The above 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:-
- (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.
- 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 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 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 Officers consider that the proposed scheme will deliver community benefits by virtue of increasing access to sporting facilities, in accordance with London Plan Policies 3.18 and 3.19 and Core Strategy Policies 19 & 20. The facilities proposed are of a high standard, meeting Sport England specifications. The proposed lighting has been designed to limit light spillage, thereby minimising potential harm to neighbouring occupiers and biodiversity. This will be secured by limiting the hours of operation of the floodlights and restricting the lighting specification by condition.

9.3 For these reasons, the scheme is therefore considered acceptable and it is therefore recommended that planning permission be granted.

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:

SG-BWL-E-S-E0-L-90004, KL3695, D22012, Light fitting 'Scorpius' and 'Sport 7' specification, Kingfisher lighting column specification, External Lighting Assessment, Lighting Letter Statement and Bat Survey Report.

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) The floodlighting hereby approved shall not be operated between the hours of 10pm and 8am on any day of the week.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Policies DM 26 Noise and vibration and DM 27 Lighting of the Development Management Local Plan (November 2014).

- (4) The Lux levels generated by the floodlighting hereby approved shall not exceed those shown on submitted plans D22012 and SG-BWL-E-S-E0-L-90004.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

- (5) The floodlighting hereby approved shall be operated in accordance with the measures (I-X) listed in the approved Lighting Letter Statement dated 26th January 2015.

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 Policies DM 24 Biodiversity, living roofs and artificial playing pitches and DM Policy 27 Lighting 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 an amended form of development being agreed.

Sydenham School



Scale:2500

Base on the
Ordnance Survey map
Licence no:100017710
London, SE6 4RU

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Committee	PLANNING COMMITTEE A	
Report Title	74 Culverley Road, London, SE6 2LA	
Ward	Catford South	
Contributors	Elizabeth Donnelly	
Class	PART 1	12 th March 2015

<u>Reg. Nos.</u>	(A) DC/14/88242
<u>Application dated</u>	30.06.14 [as revised on 20.01.2015]
<u>Applicant</u>	Mr G Graham Associates [Agent]
<u>Proposal</u>	The construction of two dormer windows to the rear roof slope, the installation of one conservation roof light to the side roof slope, together with a new window to the front facing gable end at 74 Culverley Road SE6.
<u>Applicant's Plan Nos.</u>	6221/30.6.14/01A; 6221/30.6.14/02A; Site Location Plan; Design and Access Statement and Design and Heritage Statement; Photographs (Received 3rd July 2014); 6221/8.1.15/03B; 6221/8.1.15/04B; 6221/8.1.15/05B; Vertical Sliding Sash - Technical Guide (Received 20th January 2015)
<u>Background Papers</u>	(1) Case File LE/752/74 (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	(1) Area of Archaeological Priority - Thames and Ravensbourne Terrace Gravels (Catford) (2) PTAL 4 (3) Culverley Green Residents Association (4) Culverley Green Article 4 Direction (5) Local Open Space Deficiency
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 This application relates to a two storey, semi-detached, Edwardian single family dwelling. It is located on the southern side of Culverley Road. The property is located within the Culverley Green Conservation Area and is subject to an Article 4 direction. It is not a listed building, nor in the vicinity of a listed building. The road is unclassified.
- 1.2 The existing windows in the front elevation are white UPVC casements. The existing windows in both the side and rear elevations are white painted timber sash windows. Surrounding properties uphold a mix between original timber sash

windows and UPVC casements. The property has an original double storey projection with an additional single storey extension to the rear.

- 1.3 The property is located in a residential street which consists mainly of single family dwellings and flat conversions. There is also a primary school in the street. The building style in the street is of the Edwardian era; the Culverley Green Conservation Area is mainly a residential Edwardian suburb. It is the building detail that gives the area its special interest and includes carved and moulded capitals and window surrounds, terracotta window dressings, sash windows, solid timber doors and stained glass.
- 1.4 There are a number of properties in the street and surrounding conservation area that have undertaken loft conversions and have the addition of roof lights to their roof slopes. There are also a number of properties that have inserted a rectangular timber sash window into the front facing gable end.

2.0 Planning History

- 2.1 In 2011, a Lawful Development Certificate (proposed) was issued for the construction of an outbuilding to the rear at 74 Culverley Road SE6 (DC/11/76947).

3.0 Current Planning Applications

The Proposals

- 3.1 The original application related to the construction of two dormer windows to the rear roof slope, the installation of conservation roof lights to the side and front roof slopes together with the installation of a new window into the front facing gable end at 74 Culverley Road SE6.
- 3.2 The proposed dormer windows to the rear roof slope would consist of double glazed UPVC sliding sash windows. The proposed dormers would be constructed from hung tiles to match the existing roof with felt flat roofs.
- 3.3 The original proposal included conservation roof lights located on the side and front roof slopes. However, the proposal was amended to remove two of the proposed roof lights. The revised plans include one conservation roof light that would be located on the side roof slope behind the chimney stack that is positioned towards the front of the property.
- 3.4 The proposal includes the installation of a window into the front facing gable end. It would be rectangular in shape and measure 890mm x 1421mm. It would be located centrally on the wall of the gable end. The plans were revised to show a timber sliding sash window opposed to the UPVC originally proposed.

Supporting Documents

- 3.5 Design and Access Statement and Design and Heritage Statement; Vertical Sliding Sash – Technical Guidance; Photos.

4.0 Consultation

- 4.1 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 A site notice was displayed and four neighbouring properties were consulted by letter. The Councillors for Catford South and the Culverley Green Residents Society were also consulted.
- 4.3 The Amenity Societies' Panel and the Councils Conservations team were consulted.

Written Responses received from Local Residents and Organisations:

Two letters of objection were received. The objections raised the following concerns:

Culverley Green Residents Association

- Concerned that Design and Access Statement is inaccurate stating that there are no residents association in the area.
- The two dormer windows in the rear are neat and if in materials to match the existing house would be wholly acceptable.
- Concerns centre around the proposal to include a window in the front facing gable, a roof light on the front facing roof slope and the proposed roof lights on the side roof slope particularly forward on the chimney stack.
- Aware that there has been a number of unfortunate alterations to properties in the street in the past, including windows in the gable, roof lights and even dormers in the front roof slopes but this should not be allowed to set a precedent for the further erosion of the architectural integrity of the buildings in the street which the Article 4 direction is intended to prevent.
- We would therefore argue that the Council should resist the proposed window in the front gable as well as the roof light in the front roof slope and should consider the set back of the roof lights in the side roof slope to behind the chimney.
- In our view, the proposals as they stand serve neither to preserve nor enhance the Conservation Area and would serve to a further erosion of the architectural cohesiveness of the Edwardian villas typical of the estate.
- If, despite objection, the Council does proceed to agree this proposal then it should ensure that the window in the gable is a timber sliding sash, that the roof lights are definitely conservation type and that no waste/soil pipes from the proposed first floor bathroom are allowed to intrude onto the front elevation of the building.

Neighbouring Occupiers at no. 121 Inchmery Road

- The positioning of dormer windows on the roofline of the property, albeit the rear roofline, would seem to go against the priorities of the conservation area which include preserving the architectural integrity of the buildings here.
- Allowing such development is the thin end of the wedge.
- The rooflights/velux manage to maintain the roof line and so are acceptable; the dormers do not and should be dissuaded.

[Letters are available to members]

Pre-Application Consultation

4.4 Pre-application advice was not sought in this instance.

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 and Development Plan Document (DPD) (adopted in June 2011). 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 With regards to Heritage assets, the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should

require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

- 5.5 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

- 5.6 The other relevant national guidance is:

Conserving and enhancing the historic environment
Design

London Plan (July 2011)

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

Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

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 London Plan and the saved policies of the Unitary Development 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
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 (2014)

- 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:-

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 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 (August 2006)

- 5.10 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

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

- a) Principle of Development
- b) Design and impact on the Conservation Area
- c) Impact on Adjoining Properties

Principle of Development

- 6.1 The proposed external alterations provide for a loft conversion which would add an additional two bedrooms to the existing dwelling. The Council supports the principle of such applications provided that the proposal does not detract from the character and appearance of the host dwelling or surrounding area or harm the amenities of neighbouring properties.

Design and Impact on the Conservation Area

- 6.2 Core Strategy Policy 15 and DM Policy 30 and 31 seek to ensure that a high standard of design is upheld; proposals must compliment the existing development, townscape and character. Core Strategy Policy 16 and DM Policy 36 seek to preserve and enhance the special architectural, historical character of conservation areas, in this case, the Culverley Green Conservation Area.
- 6.3 The Character Appraisal for the Culverley Green Conservation Area refers, amongst other things, to the impacts of incremental changes, and particularly that changes such as the insertion of roof lights into the front roof slope have seriously damaged the buildings and the character and appearance of the Conservation Area. It is for this reason that the Council strongly resists the siting of roof lights towards the front of the buildings.
- 6.4 It is however recognised that there is an increased desire to convert roof spaces into habitable rooms, resulting in the need to light the new spaces. This can be achieved through roof lights, gable end windows and dormers. Historically roof lights were few in number, small in size (about the size of an A3 sheet of paper), and located discreetly. On the other hand large, contemporary roof lights introduce a visually obtrusive element, presenting a shiny surface during the day and a lit element within a dark roof slope at night, which detracts from the

roofscape of these houses which are characterised by the unbroken slate covered roof slopes with a matt finish. Therefore, roof lights and dormers in visible locations present serious challenges with regards to the preservation of the Conservation Area. The Council consider that gable end windows are a traditional element on a number of houses in the street and can provide an acceptable solution for lighting habitable roof spaces, subject to suitable design and detailing.

- 6.5 The proposed alterations originally incorporated the addition of three roof lights. Following discussions with Conservation Officers, the proposal was amended to remove two of the three proposed roof lights. The roof lights located on the front roof slope and the first roof light on the side roof slope were considered to be unacceptable. They would have been highly visible from the public highway and surrounding conservation area, creating an incongruous addition to the original roof slope. It is not considered that the level of visual harm that they would have caused can be justified. One of these roof lights would have served the proposed bedroom to the front of the property which would also benefit from the remaining roof light and the window in the gable end. The other would have served the bathroom where it is considered acceptable not to have an external window.
- 6.6 The remaining proposed roof light would be located behind the chimney on the side roof slope. This is considered to be acceptable as it would be heritage style and obscured from public view by the chimney. Whilst the Culverley Green Residents Society and neighbouring occupiers at no.121 Inchmery Road raise objection to the principle of the addition of roof lights in general, Officers feel that because of the positioning of this roof light to the side and behind the chimney, it would not give rise to a significant level of harm to the Conservation Area.
- 6.7 The proposal includes a rectangular window that would be located in the centre of the gable end of the front facing roof slopes. It would measure 890mm x 1421mm. The original submission proposed a UPVC sliding sash. Taking into the consideration the special characteristics of the conservation area, Officers requested that the plans were revised to incorporate a timber sliding sash.
- 6.8 The Culverley Green Residents Association raise objections to the addition of a window in the gable end, stating that it would give rise to the further erosion of the architectural cohesiveness of the Edwardian villas typical of the estate.
- 6.9 While a window of this kind may not be an original feature of this particular house, there is an established precedent for gable end windows, most prominently within Culverley Road itself, but also within the wider Conservation Area. Examples of gable end windows within the street have been included below. They fall into three main categories: original features, historic additions (probably pre-1947) and more recent examples:
- Numbers 13, 19 and 19a, 35, 41, 43, 39, 54, 61, 79, 125, 127, 133, 135, 141, 143, 145, 147, 153, 155, 165, 167, 169 and 171 Culverley Road.
- 6.10 Therefore, it is not felt that the introduction of a timber sash window would threaten the architectural integrity of the building in the way that roof lights in the front roof slope would. From a conservation point of view, an additional window to the front elevation of the building - where the presence of window openings is

wholly established – would not appear out of place nor detrimental to the appearance of the host building and the surrounding conservation area.

- 6.11 Whilst Officers generally accept the principle of gable end windows as a solution for the lighting of habitable roof space, consideration is given to the way in which the proposed window relates to the ridge height and gable pitch. Officers therefore expect there to be a sufficient area of blank gable brickwork to enable a functionally and aesthetically satisfactory window. The sizing and positioning of the proposed window at No.74 is considered to respect this, presenting a positive relationship between the proposed window and the ridge height and gable pitch.

This approach has been taken on various applications of the same nature within the Culverley Green Conservation Area because it is considered to better preserve the character of the conservation area than using roof lights in the visible roof slopes. It must be noted that there may be instances where planning permission has granted but has not yet been implemented. Examples of recently approved precedents include:

DC/14/86728 at Flat 5, 83 Bargery Road

DC/13/83822 at 54 Inchmery Road

DC/12/81037 at 54 Culverley Road.

DC/14/86321 at 134 Bargery Road

These applications were granted planning permission under delegated powers given that no objections were received from local residents nor the Culverley Green Residents Association.

DC/ 13/85893 at 17a Bargery Road

DC/14/87984 at 79 Culverley Road

DC/ 13/85893 was considered by Planning Committee B at its meeting on 13 March 2014 following an objection from the Culverley Green Residents Association to the gable window element of the application. The objection was heard by the Committee, which, having considered it, decided to grant planning permission in line with the recommendation.

Similarly, DC/14/87984 was considered by Planning Committee C at its meeting on 9 October 2014 following an objection from the Culverley Green Residents Association and another resident. Members resolved to defer determination of the application to the following meeting of Planning Committee C in order for further information to be provided by Officers with regard to precedents of gable end windows (historic and recent) within the street and the surrounding Conservation Area. On 18 November 2014, at Planning Committee C, planning permission was granted in line with the recommendation.

- 6.12 The proposal also includes two dormer windows to the rear roof slope. Given that the rear of this property is not visible from the public realm, Officers are satisfied that they would not harm the appearance of the conservation area. Officers also feel that design and size of the dormers respects the character and appearance of

the host dwelling and would appear a subservient addition to the original roof slope. They are therefore considered to be acceptable.

- 6.13 In light of the above, the proposed development is not considered to give rise to any impact upon the special character and appearance of the host building and surrounding Culverley Green Conservation Area.
- 6.14 In conclusion, the revised proposal is considered to be in accordance with Council policy that seeks to ensure good design and protect the special characteristics of the Culverley Green Conservation Area.

Impact on Adjoining Properties

- 6.15 Core Strategy Policy 15 states that new development should be designed in a way that is sensitive to the local context. More specific to this, DM Policy 31 seeks to ensure that residential extensions should result in no significant loss of privacy and amenity to adjoining houses and their back gardens. It must therefore be demonstrated that proposed extensions are neighbourly and that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, loss of outlook or general noise and disturbance.
- 6.16 The proposal involves the addition of various window openings to the upper level front elevation and side and rear roof slopes. Given the positioning of the proposed roof light and dormer windows, they would not be expected to give rise to an increased impact with regards to overlooking or loss of privacy. Further to this, the proposed sash window would not be considered to give rise to a level of overlooking over and beyond what is already established by the existing windows.
- 6.17 The Culverley Green Residents Association also raised concerns relating to the inaccuracy of the Design and Access Statement as it states that there was not a residents association in the area. Officers are satisfied that the consultation process, especially with regards to the Culverley Green Residents Association's knowledge of the proposal, has not been affected as a result of this.
- 6.18 For the above reasons, Officers are satisfied that significant harm would not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss of privacy or general noise and disturbance. The proposal is therefore considered to be acceptable with regards to Core Strategy Policy 15 and DM Policy 31.

7.0 Conclusion

- 7.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 7.2 The proposed development is considered to be acceptable with regards to design. It is in accordance Policy 15 of the Core Strategy (2011) and DM Policy 30 and 31 of the Development Management Local Plan (2014).
- 7.3 The proposal is also considered to respect the special characteristics of the surrounding Culverley Green Conservation Area and is therefore considered to be in accordance with Policy 16 of the Core Strategy (2011) and DM Policy 36 of the Development Management Local Plan (2014).

7.4 With regards to impact on adjoining properties, the proposal is considered to be acceptable and in line with Policy 15 of the Core Strategy (2011) and DM Policy 31 of the Development Management Local Plan (2014).

7.5 For the above reasons, it is recommended that the proposed development is granted planning permission.

7.6 **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:

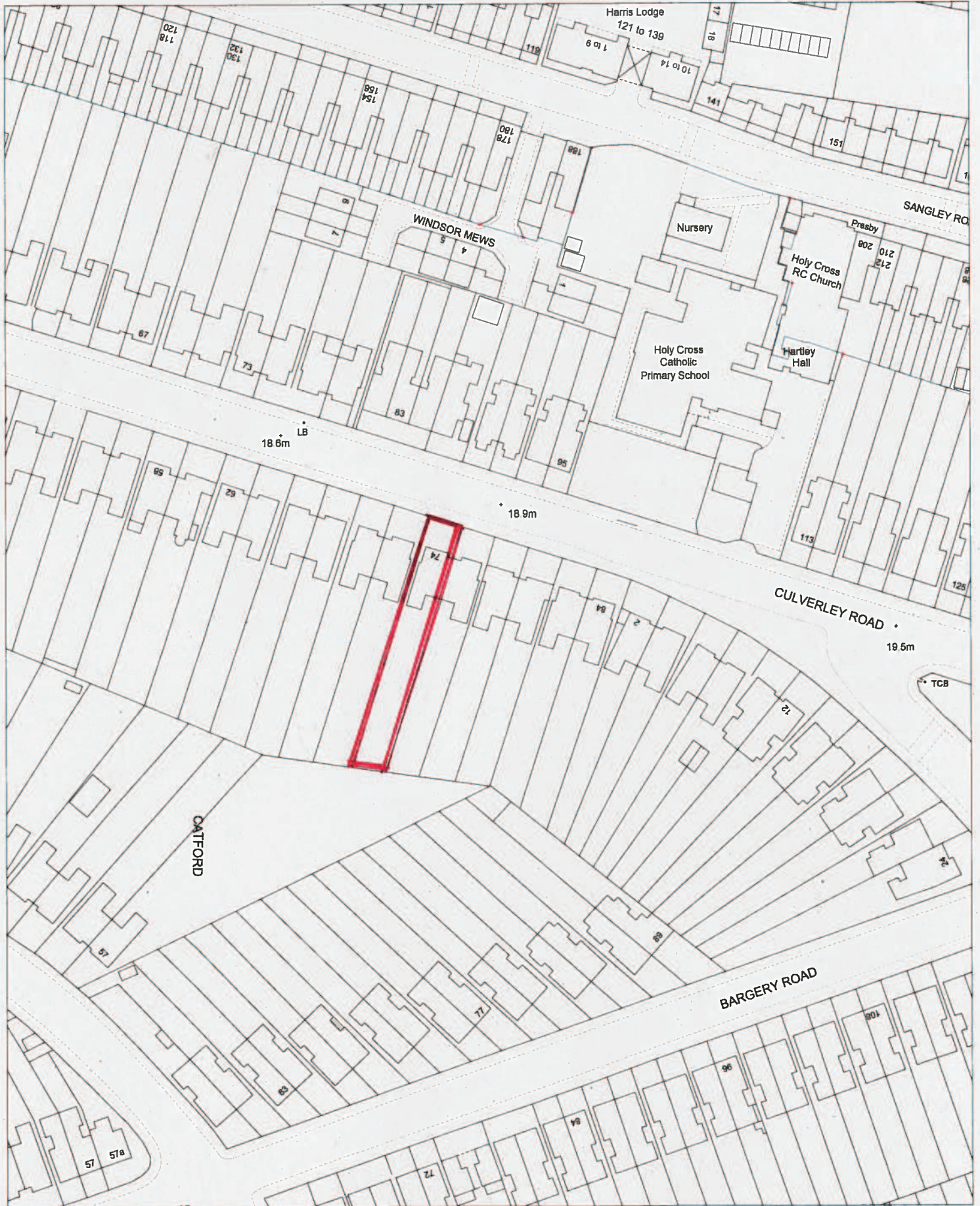
6221/30.6.14/01A; 6221/30.6.14/02A; Site Location Plan; Design and Access Statement and Design and Heritage Statement; Photographs (Received 3rd July 2014); 6221/8.1.15/03B; 6221/8.1.15/04B; 6221/8.1.15/05B; Vertical Sliding Sash - Technical Guide (Received 20th January 2015)

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.

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.

74 Culverley Road



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