

## PLANNING COMMITTEE C

Date of Meeting: **THURSDAY, 28 AUGUST 2014 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:**

**Paul Bell (Chair)  
Suzannah Clarke (Vice-Chair)  
John Coughlin  
Maja Hilton  
Simon Hooks  
Helen Klier  
Ami Ibitson  
Olurotimi Ogunbadewa  
John Paschoud  
Jonathan Slater**

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  
5<sup>th</sup> Floor Laurence House  
1 Catford Road  
London SE6 4RU  
Date: Tuesday, 19 August 2014**

**For further information please contact:  
Patricia Simpson Committee Co-ordinator  
3<sup>rd</sup> Floor Laurence House  
Telephone No: 020 314 6245  
Email: [planning@lewisham.gov.uk](mailto:planning@lewisham.gov.uk)**



<b>Order Of Business</b>			
<b>Item No</b>	<b>Title of Report</b>	<b>Ward</b>	<b>Page No.</b>
1.	Declarations of Interests		1 - 4
2.	Minutes		5 - 6
3.	1 Crossfield Street, SE8	Evelyn	7 - 32
4.	Heathside and Lethbridge Phase 4	Blackheath	33 - 54

Committee	PLANNING COMMITTEE (C)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 28 AUGUST 2014

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

**(1) Personal interests**

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

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

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

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

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

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

### (3) Other registerable interests

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

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

### (4) Non registerable interests

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

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

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

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

**(6) Sensitive information**

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

**(7) Exempt categories**

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

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

This page is intentionally left blank

Committee	PLANNING COMMITTEE (C)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date: 28 AUGUST 2014

### MINUTES

To approve the minutes of Planning Committee (C) meeting held on the 17 July 2014..

This page is intentionally left blank



Committee	PLANNING COMMITTEE C	
Report Title	1 CROSSFIELD STREET, DEPTFORD SE8 3PH	
Ward	Evelyn	
Contributors	Michael Forrester	
Class	PART 1	28 AUGUST 2014

Reg. Nos. DC/14/87202

Application dated 02.01.2014

Applicant Mr J Pile

Proposal The demolition of the existing building and the construction of a part single, part two storey, three bedroom house on land at 1 Crossfield Street SE8 (rear of 156 Deptford High Street)

Applicant's Plan Nos. 001, 002, 003A, 004A, existing site plan, 004A existing site plan walls to be demolished, 013A, 010A, 011A, 012A, 020B, 007, 016, 07A, 07B, 005, 006, 006A, 019A, 020, 020A, 016C, 018A proposed Crossfield Street elevation 1:20, 018C, 18A facade detail section A, 018B, 014, 015, 015A, 016A, 008, 017, 009, 022A, 022, overshadowing diagram, 021, Rubbecover, Design and Access Statement, Sustainability Statement, Sadolin Safety Data Sheet, Sadolin Superdec Opaque Wood Protection, Velvac 229 reversable opening light, Sustainability Monitoring Form, Daylight and Sunlight Assessment, Materials and Detailing, Heritage Statement, Living Roof Design, Code for Sustainable Homes 2010 Design Stage Pre-assessment.

Background Papers

- (1) Case File DE/156/M/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) Local Development Framework Documents
- (4) The London Plan

Designation [Core Strategy or Adopted UDP] - Existing Use

## **1.0 Property/Site Description**

1.1 The application site is an irregularly shaped, largely open yard at the rear of 150-156 Deptford High Street. The site has a 10.4m frontage to Crossfield Street with a 2.5 metre high brick boundary wall with 2.6 metre high piers, constructed in second hand stock bricks. The yard is in use for car repairs and is accessed by inward opening timber gates. Inside the yard are a portable building used as an office, an open sided timber shed and a stable of possible Victorian date located to the rear of No 150.

The boundary of the site does not correspond to the OS plan for the area and appears to have been assembled from land originally part of No. 150 with access onto Crossfield Street. The site has been widened to the north to include land previously part of No. 156 Deptford High Street (formerly the Brown Bear public house). The boundary wall appears to have been constructed by the Council as part of improvement works to the public realm in the late 1970s.

- 1.2 While there is no record of planning permission having been granted for use of the land for vehicle repairs, it appears to have been in this use for more than 10 years and is therefore now likely to be lawful. Working conditions in the yard are extremely poor with sanitation comprising only a chemical toilet. The site is littered with car parts and is unattractive in appearance. The access gates are normally left open during the day and the untidy appearance of the premises has a detrimental effect on the public realm. The site has never been previously occupied by a dwelling.
- 1.3 The properties fronting Deptford High Street date from the late 1600s, the oldest surviving property being 150. Until recently this still possessed its original roof. No. 152 is a modern rebuilding in the style of no. 150 and Nos. 154 to 156 is a Victorian public house of the 1850s.
- 1.4 The only features of significance at the site are the stable building at the rear of No. 150 with its stone floor and the modern wall to the street frontage, which is well constructed and screens the site activity from public view.
- 1.5 The site is in the Deptford High Street Conservation Area and borders the St Paul's Conservation Area which is dominated by the Grade 1 Listed St Paul's Church which was built by Thomas Archer in the early 1700s. The site is also within an archaeological priority area.

## **2.0 Planning History**

- 2.1 DC/10/76223 – The construction of a single storey, two bedroom dwellinghouse on land at the rear of 156 Deptford High Street, SE8 – permission granted 30/05/2012, not implemented.

## **3.0 Current Planning Applications**

### **The Proposals**

- 3.1 Permission is sought for the demolition of existing buildings to the rear of 156 Deptford High Street and the construction of a single storey plus roofspace, three bedroom house.
- 3.2 Access is from Crossfield Street, behind the retained boundary wall. A gate would open onto a courtyard where the entrance leads to two bedrooms and a staircase leads to a first floor comprising a work/studio room. Behind the ground floor bedrooms is an open plan kitchen/ living room which runs along the western edge of the plot, creating space for a central courtyard. To the rear of the site enclosing the courtyard is a third bedroom.
- 3.3 The dwelling would occupy the full width of the plot facing Crossfield Street at 10.4m, with the bedroom block to the rear measuring 5m deep as a maximum. The connecting kitchen/living room block projects a total of 11.4m with the rear bedroom block projecting a further 4.2m to the rear site boundary.

The first floor element measures 5m deep by 8.7m in width and is set in from the western boundary to the rear of the Deptford High Street properties by 2m.

- 3.4 The two storey element of the building has a total height of 6.2m to the ridge of the pitched roof.
- 3.5 The building is proposed to be clad in black stained timber.

#### Supporting Documents

- 3.6 Design and Access Statement – this document describes the level of residential accommodation, the sustainability aspirations to reach Code Level 4 and some historical context. Details on the impact of views/ neighbour consultation and materiality are also provided.
- 3.7 Sustainability Statement, monitoring form and pre-assessment – this details the proposed sustainability measures including use of recycled materials and provides a pre-assessment score of 68.63%.
- 3.8 Daylight and Sunlight Assessment - this statement, to be read in conjunction with the submitted drawings, describes the impact upon daylighting.
- 3.9 Materials and Detailing – this document provides a detailed description of the proposed materials for the timber cladding, windows and detail of the Crossfield Street boundary treatment.
- 3.10 Heritage Statement – this document provides an analysis of the sites historical context including the Deptford High Street Conservation Area and St Paul's Conservation Area and the surrounding historic buildings, namely St Paul's Church which is Grade I listed. The visual impact of the building is described in detail.
- 3.11 Living Roof Design – this provides a detail of the living roof specification
- 3.12 Sadolin Safety Data Sheet and Superdec Opaque Wood Protection – these documents to be read in conjunction with the Materials and Detailing Statement provides further information as to the finish of the timber cladding.
- 3.13 Velvac 229 reversible opening light – this is a specification sheet for the proposed windows.

#### **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 business in the surrounding area and the relevant ward Councillors.

#### Written Responses received from Local Residents and Organisations

- 4.3 Four objections have been received from neighbouring properties nos. 152 (comprising the ground floor commercial unit and flat at first floor, 152a and the back yard of 150 Deptford High Street). The issues raised are summarised below.

- loss of views towards St. Paul's Church and gardens
- loss of privacy and overlooking from first floor windows
- loss of light
- inappropriate scale of development
- would set clear precedent for larger buildings in Crossfield Street

4.4 A letter of support has also been received from a local resident at 84 Speedwell Street, stating that the use of the black stained timber is sympathetic for the area.  
(Letters are available to Members)

4.5 The Amenities Societies Panel have objected to the proposals stating that the mezzanine level is inappropriate. This site has historically comprised rear yards and single storey buildings ancillary to the High Street properties, hence the existing permission for a wholly single storey dwelling with a green roof on the site. The proposed structure clad in vertical black timber would be highly visible and severely detract from the character and appearance of both the Deptford High Street and St Paul's Conservation Area as well as the setting of the St Paul's Church, which is one of only a few Grade I listed buildings in the Borough.

#### Sustainability Manager

4.6 Proposals meet Code Level 4 by 0.83%, a condition is required to ensure that the proposals meet Level 4 at construction stage.

#### Conservation Officer

4.7 Crossfield Street has lost its historic development as a result of slum clearances of the 1970s. The street would in our opinion benefit from re-development with housing facing the street. The isolated position of the property in question allows for the contemporary approach and would add to the group of more recent contemporary self-build infill development within the side streets off the High Street. As a high quality representative of its time, the proposed building would preserve the special interest of the conservation area and enhance the character of Crossfield Street by re-developing a plot of land that since the 1970s clearances has remained under-maintained. I therefore have no objections to this proposal.

#### Highways and Transportation

4.8 Unobjectionable in principle, Construction Logistics Plan is required by condition.

#### English Heritage

4.9 No objection. Proposals should be determined in accordance with national and local planning policy.

### **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 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, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham Unitary Development Plan (July 2004) that have not been replaced by the Core Strategy and Policies in the London Plan (July 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 Officers have reviewed the Core Strategy and saved UDP policies 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:
- Climate change
  - Conserving and enhancing the historic environment
  - Design
  - Housing and economic development needs assessments
  - Housing and economic land availability assessment

Renewable and low carbon energy

Travel plans, transport assessments and statements in decision-taking

Tree Preservation Orders and trees in conservation areas

London Plan (July 2011)

5.6 The London Plan policies relevant to this application are:

Policy 2.14 Areas for regeneration

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 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 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)

London Plan Best Practice Guidance

5.8 The London Plan Best Practice Guidance's relevant to this application are:

5.9 Development Plan Policies for Biodiversity (2005)

Control of dust and emissions from construction and demolition (2006)

Core Strategy

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

Spatial Policy 2 Regeneration and Growth Areas  
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 15 High quality design for Lewisham  
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

#### Unitary Development Plan (2004)

5.11 The saved policies of the UDP relevant to this application are:

STR URB 1 The Built Environment  
STR URB 4 Regeneration Areas  
URB 3 Urban Design  
URB 6 Alterations and Extensions  
URB 12 Landscape and Development  
URB 13 Trees  
URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas  
HSG 4 Residential Amenity  
HSG 5 Layout and Design of New Residential Development  
HSG 7 Gardens  
HSG 8 Backland and In-fill Development  
HSG 9 Conversion of Residential Property  
HSG 10 Conversion of Office and other Commercial Space to Residential Accommodation  
HSG 11 Conversion of Space Above Shops to Residential Accommodation  
HSG 12 Residential Extensions

#### Residential Standards Supplementary Planning Document (August 2006 revised 2012)

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.

#### Emerging Plans

5.13 According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

5.14 The following emerging plans are relevant to this application.

#### Development Management

5.15 The Council submitted the Development Management Local Plan (DMLP) for examination in November 2013. The Examination in Public has now concluded, and the Inspector has issued his report on 23 July 2014 finding the Plan sound subject to 16 main modifications. The 16 main modifications had previously been published by the Council for public consultation on 29<sup>th</sup> April 2014.

5.16 The Council expects to formally adopt the DMLP in autumn 2014.

5.17 As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process. The DMLP as amended by the 16 main modifications has undergone all stages of plan making process aside from formal adoption, and therefore holds very significant weight at this stage.

5.18 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 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 28	Contaminated land
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

## **6.0 Planning Considerations**

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

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



### Principle of Development

- 6.2 Policy 3.4 'Optimising housing potential' of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.
- 6.3 Saved Policy HSG 8 of the UDP sets out criteria to assess whether infill and backland development is appropriate, subject to an assessment of the impact of the proposal on the appearance/ character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.
- 6.4 DM Policy 33 of the Development Management Local Plan states that if a site is considered suitable for development, planning permission will not be granted unless the proposed development is of the highest design quality, relates successfully and is sensitive to the existing design quality of the streetscape, and sensitive to the setting of heritage assets. This includes the importance of spaces between buildings which may be as important as the character of the buildings themselves, and the size and proportions of adjacent buildings.
- 6.5 The acceptability of the principle of development will depend on how the site is classified and also on the character of the area and the urban design function a space fulfils. If a site is considered suitable for development, planning permission will only be granted for development of the highest design quality that successfully relates to the streetscape and character of the surrounding buildings and site layouts.
- 6.6 The proposal has been specifically designed to fit the site and surroundings well and to respect the character of the surrounding streetscape. The details of the application demonstrate how the proposal seeks to address issues of design, parking and residential amenity. However considering the proposal in light of the site context and planning policy, the principle of developing this site for a single residential dwelling is considered acceptable subject to a high standard and sustainable design and a layout which responds to the site context, and which takes account of the amenities of neighbouring properties.
- 6.7 The site is well served by public transport, with Deptford Station in close proximity, bus stops located in Deptford Church Street, and Deptford Bridge DLR station nearby. The site has a PTAL rating of 4 and is therefore considered a sustainable location and would utilise previously developed land. The proposals do not result in the loss of existing residential gardens or public open space and accordingly the principle of development can be considered acceptable in principle.
- 6.8 It is noted that planning permission was granted for a single dwelling on this site under reference DC/10/76223 on 30.5.2012, for which permission is still extant, therefore the principle of residential development of the site has been established.

### Design

- 6.9 Paragraph 63 of the NPPF states 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'.

- 6.10 Policy 3.5 'Quality and design of housing developments' of the London Plan states that housing developments should be of the highest quality internally, externally and in relation to their context. Policy HSG 5 of the UDP states that the Council expects all new residential development to be attractive and high quality.
- 6.11 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure 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. Policy DM 30 of the Development Management Local Plan states that the Council will require all developments to attain a high standard of design.
- 6.12 The site is located within the Deptford High Street Conservation area, with a frontage onto the St. Paul's Conservation Area. The existing site is in poor condition. Officers welcome the reuse of this site in principle as it could offer enhancement to the streetscene and conservation area.
- 6.13 The approved scheme comprises a single storey dwelling built behind the existing wall and finished with a living roof. This would have been of minimal visibility from surrounding view points and as such the wider conservation area. The revised proposal submitted here proposes a larger dwelling, part of which would be two storeys in height, with single storey projections to the rear, also finished with a living roof. The higher element of the building is located against the wall facing Crossfield Street and as such would create a building visible in the streetscene.
- 6.14 The principle of a dwelling in this location is established and it therefore falls for consideration as to whether the additional storey is acceptable. The applicant has prepared a detailed Design and Access/Heritage Statement which includes detailed design options and historical analysis as to the buildings which would have typically existed in the area around the time of the construction of St Pauls Church. It is noted that a building or stable has existed on the site since 1868. The massing of the proposed new building comprises a projected barn style roof with a steep roof pitch and gable ends to reference, but not copy traditional vernacular massing. This would be clearly visible above the retained front boundary wall, creating a distinct visual separation between old and new.
- 6.15 Officers consider that the case for the massing has been well presented and that the provision of a two storey block facing Crossfield Street is acceptable in principle, subject to the highest quality design and detailing.
- 6.16 The building is proposed to be clad in black stained timber, this would be punctuated on the front elevation at eaves level by a dormer window, shown as a single sheet of glass with crisp detailing. The rear is punctuated by two smaller windows. The design is contemporary in approach, exploring clean simple lines and massing, articulated by single panes of glass, however, the materials make a reference to vernacular architecture, utilising the stained timber and is considered to be appropriate in the locality and would view well next to the retained London stock boundary wall. A high quality contemporary building of sympathetic design is considered preferable to a pastiche design.

- 6.17 Detailed drawings have also been submitted including profiles of the timber cladding, guttering detail, cladding of the dormer windows and finish to the front boundary including entrance gate, door frames and door furniture. Specifications for the windows, and stain finish have been submitted. These collectively are considered to provide a realistic detailed impression of the appearance of the building and would provide for a high quality contemporary dwelling. However, it is recommended that the submission of samples of the timber in the proposed painted finish are secured by condition, given the importance of the materials to the acceptability of the project.
- 6.18 Officers consider the contemporary approach to be an acceptable response to the sites context, where a pastiche interpretation of historical architecture would be inappropriate. No objection has been received from the Councils Conservation Officer, and it is considered that the proposal has demonstrated a suitably high quality design which would make a positive contribution to the streetscene and wider conservation area.
- 6.19 The building would be visible from surrounding view points and be visible in context of St. Paul's Church, however, the site is considered to be at a sufficient distance from the grounds of the church, so as to not appear overbearing or intrusive given the width of Crossfield Street and presence of several trees within the setting of the church. The building is considered to be modest in scale and of high quality and that it would enhance the character of the streetscene.

### Housing

#### *a) Size and Tenure of Residential Accommodation*

- 6.20 The proposal is for a single family dwelling in private tenure.

#### *b) Standard of Residential Accommodation*

- 6.21 Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing developments to be of the highest quality internally, externally and in relation to their context. This policy sets out the minimum floor space standards for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and circulation, in line with Lifetime Home Standards. The accompanying London Plan Housing SPG is also a material consideration, and contains further guidance on internal layout. The dwelling has a proposed gross internal area (GIA) of 144.6 square metres which is above the minimum as set out in the London Plan for a 4 bedroom dwelling.
- 6.22 Policy HSG 5 Layout and Design of New Residential Development of the UDP states that the Council expects all new residential development to meet the functional requirements of its future inhabitants. It states that new dwellings should provide a satisfactory level of privacy, outlook and natural lighting with an appropriate level of amenity space.
- 6.23 Core Strategy Policy 1 requires all new dwellings to be built to meet Lifetime Homes standards. An annotated plan has been submitted stating that the dwelling would be able to meet Lifetime Homes, with the exception of criterion 1 (car parking) as this is a car free scheme. A condition is recommended which ensures that the completed development achieves this.

- 6.24 The dwelling is accessed via Crossfield Street via a gate which opens into a courtyard. This is flanked by bedrooms and the open plan kitchen/ living room which projects into the site, opening out into a central courtyard, behind which is a further bedroom. The first floor is accessed by the main entrance and opens out onto an open plan room designed as a work space for the applicant. It is considered that the internal layout and courtyard arrangement is acceptable and would provide a high quality living environment.
- 6.25 The London Plan Housing SPG (2012) states that 5sqm of private outdoor amenity should be provided for 1-2 person dwellings and an extra 1 sqm for each additional occupant. The proposal is for a 4 bedroom, 6 person dwelling. Amenity space is provided within a central courtyard approximately 24.09 sqm. in area, incorporating areas for planting and seating. Officers consider the amenity provision to be of an acceptable size and shape and to benefit from acceptable levels of privacy.

#### Highways and Traffic Issues

##### a) *Access*

- 6.26 Access into the site would remain off Crossfield Street. This raises no objections given it is an existing access.

##### b) *Cycle Parking*

- 6.27 Two cycle spaces are proposed which is acceptable, these would be located within the entrance courtyard and would therefore be secure.

##### c) *Car Parking*

- 6.28 The proposals do not include off street car parking. The site is located within close proximity to Deptford Rail Station and Deptford Bridge DLR and has a PTAL rating of 4. Officers consider a car free approach to be acceptable.

##### d) *Refuse*

- 6.29 An area is shown on plan for the storage of refuse and recycling within the ground floor courtyard. This has access both from the courtyard and via a door opening onto Crossfield Street. This arrangement is considered acceptable.

#### Impact on Adjoining Properties

- 6.30 Policy HSG 4 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 6.31 The nearest residential properties are to the west at Nos. 150-156 Deptford High Street which is characterised by ground floor commercial uses with residential accommodation above. This terrace has a varied rear building line, characterised by various extensions. The associated ground floor yards to these properties vary in size and are again characterised by various extensions and outbuildings. The rear elevations of these properties (at first floor and above) are set between 6m and 7m from the western boundary of the site due to the changing boundary line, which is enclosed by a brick wall. There are a number of sheds and outbuildings located at ground floor closer to the boundary with the proposed dwelling.

- 6.32 At ground floor level the proposed dwelling would extend to the rear boundaries shared with Nos. 150-156 Deptford High Street (as per the approved scheme) with the first floor set between 1.5m and 2m from the western boundary, creating minimum back to back distances of between 7.5m and 9m from Nos. 154-156. However, the first floor element of the proposed house is set at an angle, projecting away from No. 152 Deptford High Street where the back to back distance measures between 10.5m, rising to 16.5m which is considered acceptable.
- 6.33 Nos. 150 and 152 Deptford High Street have upper floor rear windows and a large balcony at first floor level which face onto the site and towards St. Paul's Church. The ground floor is in commercial use (DIY store). Representations received have objected to the first floor element and to the loss of the views towards St. Paul's Church. However, the loss of a particular view is not a material planning consideration upon which a refusal of planning permission could be based. The applicant within their Design and Access Statement has addressed the impact upon views, and whilst the first floor part of the proposed building would be visible, the tall spire of St Paul's would remain visible in the background. These views as shown however, are taken from site levels rather than specific photographs.
- 6.34 The objections also relate to the loss of light from the mass and bulk of the first floor element. It is noted that the height of the building proposed at 6.2m is lower than that of the traditional two storey projections of the buildings facing Deptford High Street. The existing balcony at 152 Deptford High Street is located south of the two storey part of the proposed house, facing the single storey element of the building (with a view onto the two storey section). Overshadowing diagrams provided show that throughout the year (the diagrams show overshadowing at 9am, 12pm and 3pm on the 21<sup>st</sup> December, March and June) the two storey bulk of the building is set sufficiently away from the boundary as to not cause overshadowing, beyond that already created by existing buildings.
- 6.35 The applicant has submitted section drawings of the proposed house in the context of rear windows of properties in Deptford High Street. The nearest first floor windows (at nos. 154-156 Deptford High St) are located 6m from the western boundary. The drawings submitted show that these windows would not be subject to loss of light and would be located outside of the 25 degree visible sky angle.
- 6.36 The ridge line of the proposed house would marginally be located within the 25 degree visible sky angle of the ground floor of Nos. 154-156 Deptford High Street (Deli X), however, this is a commercial unit and although there is an existing rear courtyard for the café/ deli the impact of the proposal is considered to be minor, such as to not warrant a reason for refusal.
- 6.37 The overshadowing diagrams also show the area to the rear of the existing buildings on Deptford High Street and the application site to be in shadow for much of the time, due to the westerly orientation of Deptford High Street. The existing boundary wall already partly shades the courtyard to the rear of Deli X, however, this has previously been considered acceptable on the extant approval. The first floor element creates shadow over the roof of the ground floor, rather than the adjacent courtyard serving Deli X.

- 6.38 The proposed building is considered to have a modest impact, which Officers consider would not result in significant unacceptable impact upon neighbouring amenity. The submitted drawings show the proposed building being visible from neighbouring windows, however, the visibility of a building, rather than impact upon satisfactory outlook and daylighting is not considered an adverse impact in itself, and is not a ground upon which a refusal reason could be substantiated. It is not considered that the bulk of the first floor would give rise to an excessive sense of enclosure or be visually detrimental, given the slope of the roof and extent of the two storey element of the proposed building.
- 6.39 Representations received from Nos. 150-152 and 152a Deptford High St also object to the proposed first floor rear windows which may cause overlooking and a consequent loss of privacy. These windows are set at an oblique angle from these existing properties and as such do not face directly into adjacent windows or their balconies. However, given the relative distances of between 11.5m and 14.5m to No. 152 and 10m to No. 150 and tight urban context, together with the use of this first floor room as work space, it is considered that an element of privacy screening should be secured by condition for the window in front of the staircase, closest to the rear of the Deptford High Street properties.
- 6.40 It is recommended that given the physical constraints of the site, and proximity to neighbouring buildings that all permitted development rights are removed.

#### Sustainability and Energy

- 6.41 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.
- 6.42 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
1. Be Lean: use less energy
  2. Be clean: supply energy efficiently
  3. Be green: use renewable energy
- 6.43 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policy 8 requires all new residential development to meet a minimum of Code for Sustainable Home Level 4 and commercial buildings to achieve a BREEAM rating of 'Excellent'.
- 6.44 The applicant has stated that the proposals would meet Code Level 4, and with reference to renewable energy includes the use of solar thermal panels to the single storey rear bedroom block. The Code Level rating is to be secured by condition.

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

## **9.0 Conclusion**

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

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

- (1) Time limit

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) Accordance with Plans

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

001, 002, 003A, 004A, existing site plan, 004A existing site plan walls to be demolished, 013A, 010A, 011A, 012A, 020B, 007, 016, 07A, 07B, 005, 006, 006A, 019A, 020, 020A, 016C, 018A proposed Crossfield Street elevation 1:20, 018C, 18A facade detail section A, 018B, 014, 015, 015A, 016A, 008, 017, 009, 022A, 022, overshadowing diagram, 021, Rubbecover, Design and Access Statement, Sustainability Statement, Sadolin Safety Data Sheet, Sadolin Superdec Opaque Wood Protection, Velvac 229 reversable opening light, Daylight and Sunlight Assessment, Sustainability Monitoring Form, Materials and Detailing, Heritage Statement, Living Roof Design, Code for Sustainable Homes 2010 Design Stage Pre-assessment.

**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) Archaeology Programme

No development shall commence on site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority.

**Reason:** To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (July 2011)

(4) Construction Management Plan

No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
  - (i) Rationalise travel and traffic routes to and from the site.
  - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity.



- (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Saved Policies ENV.PRO 9 Potentially Polluting Uses and HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

(5) Construction Logistics Plan

No development shall commence on site until a Construction Logistics Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall demonstrate the following:-

- (a) Rationalise travel and traffic routes to and from the site.
- (b) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity.
- (c) Measures to deal with safe pedestrian movement.
- (d) Storage of construction materials and hoarding lines.

The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

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

(6). Site Contamination

- (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
  - (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
  - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or

not) has been submitted to and approved in writing by the Council.

(iii) The required remediation scheme implemented in full.

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

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

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

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with Saved Policy ENV.PRO 10 Contaminated Land in the Unitary Development Plan (July 2004).

(7) Land contamination

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

(iii) The required remediation scheme implemented in full.

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

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

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

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with Saved Policy ENV.PRO 10 Contaminated Land in the Unitary Development Plan (July 2004).

(8) Materials

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

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).

9. Living roofs

- (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. Living Roof Design 'Sky Garden Green Solutions' and drawings 020B, 020, 020A, hereby approved and maintained thereafter.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

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

10. Lifetime Homes

The dwelling hereby approved shall meet the relevant Lifetime Home Standards (in accordance with the 2010 (Revised) document) as shown on drawing nos. 021 hereby approved.

**Reason:** In order to ensure an adequate supply of accessible housing in the Borough in accordance with Saved Policy HSG 5 Layout and Design of New Residential Development in the Unitary Development Plan (July 2004) and Core Strategy Policy 1 Housing provision, mix and affordability and Core Strategy Policy 15 High quality design for Lewisham (June 2011).

11. Plumbing or pipes

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

**Reason:** It is considered that such plumbing or pipes would seriously detract from the appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).

12. Removal of permitted development rights

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

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

14. No new windows

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in the elevations of the building other than those expressly authorised by this permission.

**Reason:** To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties in accordance with Saved Policy HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

15. Use of flat roofs

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

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Saved Policy HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

16. Privacy Screening

No development shall commence on site until a detailed scheme of privacy screening for the western rear dormer window has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally, to ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Saved Policies HSG 4 Residential Amenity and URB 3 Urban Design in the Unitary Development Plan (July 2004) and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

(17). Cycle Parking Provision

- (a) A minimum of 2 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

## **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, no pre-application advice was sought. However, as the proposal was clearly in accordance with the Development Plan, permission could be granted without any further discussion.
- (2) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- (3) In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.
- (4). It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Developer Services will be required. They can be contacted on 0845 850 2777.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes you are recommended to contact Thames Water to discuss their status in more detail, You can contact Thames Water on 0845 850 2777 or for more information [www.thameswater.co.uk](http://www.thameswater.co.uk).

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/ minute at the point where it leaves Thames Water pipes. The developer should take account of this

This page is intentionally left blank





This page is intentionally left blank

Committee	PLANNING COMMITTEE C	
Report Title	HEATHSIDE AND LETHBRIDGE ESTATE, BLACKHEATH HILL SE10	
Ward	Blackheath	
Contributors	Helen Milner	
Class	PART 1	28 AUGUST 2014

<u>Reg. Nos.</u>	DC/14/87335
<u>Application dated</u>	22.04.14
<u>Applicant</u>	BPTW Partnership on behalf of Family Mosaic Housing
<u>Proposal</u>	<p>Application submitted under Section 73 of the Town and Country Planning Act 1990 for minor material amendments to the planning permission DC/09/72554 dated 22 March 2010, as amended by planning permissions DC/10/75267 dated 29 September 2010, DC/10/75395 dated 11 November 2010 and DC/12/81165 dated 24 January 2013, for the redevelopment of the Heathside and Lethbridge Estates, Blackheath Hill and Lewisham Road SE10, comprising outline planning permission (Phases 2-6) for up to 512 square metres of retail floorspace, 768 square metres of community floorspace, an energy centre and 1,054 residential units in buildings ranging from 3 to 17 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space and detailed planning permission (Phase 1) for the redevelopment of land fronting onto Blackheath Hill for 138 residential units in buildings ranging from 4 to 7 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space; <i>to allow for the provision of an additional storey on blocks Db, Dc, Fa and Fb and associated changes in the footprint and elevational treatment of blocks (D and F) in Phase 4.</i></p>
<u>Applicant's Plan Nos.</u>	<p>CD, CIL, Planning Statement, Daylight Report Phase 4, Whole Phase: Plan Views, 13-011/MMAA-002b, 003b, 004a, 005b, 006b, 007b, 008b, 009b, 010b, 011b, 012b, 013b, 014b, 015b, 016b, 100b, 101b, 102b, 103b, 104b, 105b, 106b, 107b, 108b, 109b, 110b, 111b, 112b, 113b, 114b, 115b, 116b, 201c, 202c, 203c, 204c &amp; 511c</p>
<u>Background Papers</u>	<ol style="list-style-type: none"> <li>(1) Case File LE/H30/TP</li> <li>(2) NPPF</li> <li>(3) Adopted Unitary Development Plan (July 2004)</li> <li>(4) Local Development Framework Documents</li> <li>(5) The London Plan</li> </ol>

Designation

PTAL 3 and 4  
Local Open Space Deficiency  
Not in a Conservation Area

Screening

A Screening Opinion was issued on 3 July 2014 which determined that an updated EIA was not required.

**1.0 Background**

- 1.1 This application was considered by Members at the meeting of Planning Committee C held on 17 July 2014. Members resolved to defer determination of the application to the following meeting of Planning Committee C in order for further information to be provided on the financial viability of the proposal in relation to the provision of social housing. Members also requested that additional information be provided with regard to the number of units that would be lost should the development remain within the building envelope as approved in the outline planning permission.
- 1.2 Members are referred to the report considered at that meeting which is included as an appendix to this report, and which contains a full description of the site and its planning history, the details of the application, an explanation of the planning policy background and an assessment of the main planning issues raised by the application.

**2.0 Additional Information Submitted**

- 2.1 The applicant has submitted further information in relation to the viability of Phase 4, with a revised financial model produced looking specifically at the viability of Phase 4, which has been independently reviewed. In addition, data demonstrating the number of units (and tenure mix) that could be provided within the building envelope of the scheme approved at outline stage, compared to that of the scheme now proposed, has also been submitted.

**3.0 Planning Considerations**

- 3.1 The main planning considerations raised by the application are assessed in the appendix.

*Viability and Affordable Housing*

- 3.2 The application was deferred by Committee C on 17 July on the basis that there should be further assessment of the viability of Phase 4 owing to the proposed increase in scale and massing to determine the potential for the scheme to deliver an increased level of affordable housing. A viability assessment has now been submitted in support of the application which has been assessed by an independent consultant who found that many of the assumptions made in the viability assessment were reasonable. Whilst the report prepared by the independent assessors raised some queries concerning the developer's overall expected financial outputs, it is agreed that Phase 4 cannot deliver any increase in affordable housing.

- 3.3 The Phase 4 scheme would provide 236 units, 121 affordable rent and 115 for private sale. Fifteen of the private sale unit are to be shared equity units due to the fact that there are a number of existing 'right to buy' units on site that are to be re-provided within Phase 4. However unlike shared ownership units, shared equity will not deliver any rent to the developer and so cannot be considered in the same light as full private sale units.
- 3.4 It should be noted that since the original hybrid application was granted planning permission in 2010, HCA funding has been significantly withdrawn, therefore the inclusion of private units is necessary for viability. The scheme is also redelivering 1:1 replacements for existing affordable housing tenants, and additional costs derive from the fact that all the affected blocks cannot be demolished at the same time to enable appropriate decanting of existing residents to new accommodation.
- 3.5 To scrutinise the viability of Phase 4 the independent assessment examined how changes to sales values and building costs may impact on the viability. The assessment showed that a 5% reduction in build costs and a 10% increase in sales values will increase the anticipated viability of the scheme. However this increase is not sufficient to generate a surplus which could be used to support additional affordable housing.
- 3.6 Phase 4 will deliver circa 54% of its units as affordable, which is greater in total than the current Lewisham or London Plan policy target. Whilst a number of these units are replacement units for the existing dwellings within this part of the estate, it is noted that there are no other developments currently hitting this proportion (without grant support) in London. Phase 4 would not be viable as a stand alone scheme. However in the context of the wider redevelopment of the estate, comprising six phases, the developer will be able to balance out the costs of the current scheme in future phases, as the next two phases are envisaged to deliver a greater proportion of private sale units. The viability assessment confirms the reasonableness of this approach and therefore the current delivery proposal is supported.
- 3.7 It is materially relevant for the Council to consider the likelihood of a proposed development being carried into effect and the planning consequences should a scheme be unviable, with the result that it would not be delivered in accordance with the approved plans. Having given the applicant the opportunity to respond to the concerns about the viability, the assurances provided about their intention and willingness to proceed, despite a level of return lower than normally accepted, and the commitment to deliver the scheme as designed, are welcomed.
- 3.8 Officers consider that the acceptability of this scheme in principle is inextricably linked with the design and quality that is inherent within it. The acceptability of the scale, massing, alignment and positioning is inseparable from the design specification and delivery of the development as a whole, including the high quality landscaping of the external areas. The scheme as submitted is consistent with the application for approval of Reserved Matters for Phase 4 which is currently under consideration. The applicant has provided the details considered to be necessary as part of the submission and they have confirmed they will deliver the scheme as designed, accordingly it is felt that the proposal would be acceptable in this regard and the quality of the proposal would be safeguarded.

*Loss of units from decrease in height/massing:*

- 3.9 The proposed amendments to Phase 4 would increase the height and massing of both blocks D and F. There would be no increase in the number of units, with the loss of one unit in comparison with the approved scheme for Phase 4. The dwelling sizes would be slightly increased in size. The increases in unit size have been made to improve the standard of accommodation and to comply with more recent London Plan housing standards. The Committee raised questions about the impact on the number of units which could be provided if blocks D and F of Phase 4 were to remain within the building envelope of the approved outline scheme parameters.
- 3.10 The agents have provided a high level overview of the impacts, on the basis of floorspace of the different dwelling sizes and ceiling height. The figures set out in the tables below have been reached by calculating the floorspace of the dwellings within the approved scheme compared to that now proposed and reducing the number of units in line with the percentage spread of 1-4 bed units across both blocks. Tables A and B below show the effect on the numbers of private sale and affordable rent units respectively.

Table A: Impact of reduced floorspace on Private Sale units

Current Planning Application no. units private sale	Predicted no. of units	No. of units lost
<b>1 bed – 50</b>	41	9
<b>2 bed – 44</b>	36	8
<b>3 bed – 20</b>	16	4
<b>4 bed – 1</b>	1	0
<b>Total – 115</b>	93	22

Table B: Impact of reduced floorspace on Private Sale units

Current Planning Application no. units affordable rent	Predicted no. of units	No. of units lost
<b>1 bed – 35</b>	28	7
<b>2 bed - 34</b>	28	6
<b>3 bed – 41</b>	33	8
<b>4 bed – 11</b>	9	2
<b>Total - 121</b>	98	23

- 3.11 By reducing the footprint a total of 45 units overall would be lost. In addition to this by reducing the height of Blocks D and F back to the originally approved heights, a further 18 units would be lost, 12 from Block D and 6 from Block F. In total this would result in a reduction of 63 units from Phase 4, which would have significant implications for the delivery of affordable units as well as private sale units within the scheme and consequently on the overall viability of this Phase of the redevelopment of the estates.
- 3.12 Officers have reviewed the conclusions of both the viability and floorspace studies and are of the view that Phase 4 cannot accommodate any increase in the number of affordable units. It is also considered that reducing the height and massing of the scheme now proposed would jeopardise further the viability of Phase 4. Accordingly the proposed application for Minor Material Amendments is considered acceptable.

#### Other Matters

- 3.13 At the previous meeting of the Committee comments were also received regarding the noise impact on the proposed scheme compared to the outline scheme and the potential daylight, sunlight and overshadowing impacts on the adjacent Brain Injury Unit and sites to the east of the application site.
- 3.14 The applicants have confirmed that they have raised the noise issue with their retained noise specialists, who have confirmed their view that the probability of the Phase 4 Blocks having a perceptible effect from reflected noise is unlikely.
- 3.15 The impact of the increased height on the neighbouring Blackheath Business Centre and the Blackheath Brain Injury Rehabilitation Centre has also been further considered. With regard to the Business Centre, impact on commercial property is not normally considered significant, however it has been noted that the property has a significant number of rooflights, which due to their orientation (facing directly skywards) will continue to provide ample daylight to the units.
- 3.16 On account of its use as a place of recovery, the Blackheath Brain Injury Rehabilitation Centre would have a greater requirement for Daylight and Sunlight. A preliminary BRE Guideline test shows that the proposed development would not breach a 25 degree plane measured at the lowest window, and therefore the facility would not be materially affected in relation to Daylight and Sunlight. Daylight and Sunlight.

#### Planning Obligations

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

- 3.17 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 3.18 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development.

#### **4.0 Local Finance Considerations**

- 4.1 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).
- 4.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 4.3 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.

#### **5.0 Community Infrastructure Levy**

- 5.1 The above development is CIL liable.

#### **6.0 Equalities Considerations**

- 6.1 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.
- 6.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.3 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.
- 6.4 In this matter there is considered to be no impact on equality

#### **7.0 Conclusion**

- 7.1 The local planning authority has considered the particular circumstances of the application against relevant planning policy set out in the London Plan 2011, the Council's adopted Core Strategy 2011 and saved policies in the Council's adopted Unitary Development Plan (July 2004) and emerging Development Management



Local Plan. The local planning authority has further had regard to the Mayor of London's Supplementary Planning Guidance as well as Government Planning Policy, and other material considerations including comments received in response to third party consultation and the conditions to be imposed on the permission.

7.2 It is considered that the proposal is appropriate in terms of its form and design and would not result in material harm to the appearance or character of the surrounding area or the amenities of neighbouring occupiers, or occupiers of the scheme and would be capable of delivering the approved vision for the site. The proposal is thereby in accordance with Policies 3.4: Optimising Housing Potential of the London Plan 2011, CSP15 High Quality Design for Lewisham of the 2011 adopted Core Strategy and URB 3 Urban Design and HSG 5 Layout and Design of New Residential Development in the adopted Unitary Development Plan (July 2004).

## 8.0 **RECOMMENDATION**

Upon the completion of a Deed of Variation to the original Section 106 authorise the Head of Planning to **Grant Permission** subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.
- (2) Unless minor variations are otherwise approved in writing by the local planning authority, the development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed in the Schedule overleaf.
- (3) Time Limit of Outline Element
  - (a) Applications for approval of Reserved Matters for Phases 2 and 3 must be made not later than the expiration of 5 years beginning with the date of the grant of the original planning permission DC/09/72554 as revised dated 22 March 2010.
  - (b) Applications for approval of Reserved Matters for Phases 4, 5 and 6 must be made not later than the expiration of 10 years beginning with the date of the grant of the original planning permission DC/09/72554 as revised dated 22 March 2010.
  - (c) The development to which this outline permission relates must be begun not later than the expiration of 2 years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- (4) Reserved Matters details for Phases 2 to 6

No Phase of the development shall be commenced until layouts, plans, sections, elevations and other supporting material for that Phase detailing:

  - (i) design of the buildings (including internal layouts);
  - (ii) external appearance (including samples of the materials and finishes to be used for all external surfaces and including, but not limited to roofs, elevation treatment, glazing);

- (iii) landscaping of all public and other areas (including locations of trees and play equipment). have been submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the local planning authority, the development shall in all aspects be carried out in accordance with the details approved under this Condition 30.

(5) Detail for all Phases

No Phase of the development shall be commenced until details of the following matters in respect of that Phase have been submitted to and approved in writing by the local planning authority:

- (i) on-site vehicle servicing and parking;
- (ii) footpath layout, including all surface treatments;
- (iii) hard and soft landscaping and planting;
- (iv) site boundary treatments;
- (v) foul and surface water drainage, including on site and off site connections/improvements;
- (vi) daylight and sunlight information for all habitable room windows (except for those in Phase 1);
- (vii) wind tunnel testing and wind mitigation measures (except for Phase 1);
- (viii) updated air quality assessment and mitigation measures;
- (ix) detailed elevational drawings and sections to a scale of 1:50 and 1:100;
- (x) details of ground levels around each building; and
- (xi) details of compliance with Code for Sustainable Homes standards.
- (xii) details of means of access to the development for people with disabilities; and
- (xiii) details, including drawings and information relating to energy performance, of roof mounted photovoltaic arrays (except for Phase 1) or other renewable energy measures to be submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved details

(6) Compliance with Approved Application Details

Unless minor variations are otherwise approved in writing by the local planning authority, the development shall be carried out strictly in accordance with the application documents, plans and drawings hereby approved as detailed in the SCHEDULE

(7) Detailed Waste Management Plans

- (i) A detailed waste management plan (WMP) (to include details for the disposal, processing, recycling and storage of waste and for the provision of composting facilities) for each Phase shall be submitted to

and approved in writing by the local planning authority no later than three months from the commencement of a particular Phase.

- (ii) The development of each Phase shall be carried out and operated in accordance with the approved WMP relating to that Phase unless minor variations are otherwise approved in writing by the local planning authority.

(8) Habitat Management Plans

A habitat management plan (HMP), including details of monitoring arrangements, for each Phase shall be submitted to and approved in writing by the local planning authority not later than three months from the commencement of that Phase.

(9) Living Roofs

- (i) Details (including sections, details of proposed substrate, plant species and management and confirmation that the roofs shall not be used as outdoor amenity spaces) of the living roofs shall be submitted to and approved in writing by the local planning authority not later than three months from the commencement of construction of each Phase to which they relate.
- (ii) Prior to the occupation of a Phase, the approved details and sections relating to that Phase shall be implemented.
- (iii) Thereafter the roofs shall be retained in accordance with the approved details and sections for the Phase to which they relate.

(10) Bird and Bat Boxes

- (i) Details of bird and bat boxes to be provided shall be submitted to and approved in writing by the local planning authority prior to commencement of the Phase in which they are to be located.
- (ii) Thereafter the approved bird and bat boxes shall be retained in accordance with approved details.

(11) District Heating

A district heating network supplying every dwelling in the development shall be installed and shall be sized to the space heating and hot water requirements of the development. The network shall have the following characteristics:

- (a) It shall be operational prior to the occupation of the first dwelling in Phase 2 and shall thereafter serve all completed apartments within the development;
- (b) It shall be supplied with heat generating plant installed in a single energy centre or an external district heating network; and
- (c) By the completion of the 1,100th dwelling combined heat and power capacity shall be installed in the single energy centre with an electrical output capacity of 400 kW.

(12) Sustainable Design and Construction

The development shall meet all of the “essential” (except E1.3) and the majority of the “preferred” requirements in the Mayor of London’s SPG on Sustainable Design and Construction 2006.

(13) Ventilation

Any building ventilation systems shall be designed and operated so that air is not drawn from the ground level on the Blackheath Hill elevations of blocks A, B, C and D.

(14) Electric Vehicle Charging Points

- (i) Full particulars of electric vehicle charging points to be provided on site and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to commencement of the building at which they are to be located.
- (ii) The said electric vehicle charging points shall be installed and maintained in accordance with the approved particulars and programme of installation and maintenance.

(15) CHP Plant

- (i) Details of suitable measures to mitigate emissions to air for the combined heat and power (CHP) plant in the Energy Centre shall be submitted to and approved by the local planning authority before the CHP plant is first brought into use.
- (ii) The approved means of mitigation shall be installed and brought into operation at the same time that the CHP plant is first brought into use and shall be retained in operation and in accordance with the manufacturer’s instructions thereafter for as long as the CHP plant is operational, unless minor variations are otherwise approved in writing by the local planning authority.

(16) Biomass Boiler Management

- (i) Details of the proposed biomass boiler (or other solutions approved in writing by the local planning authority) type, design, type of fuel, supply chain, thermal net input, and method of start-up and means of mitigating emissions to air shall be submitted to and approved by the local planning authority in writing before it is first brought into use.
- (ii) The approved means of mitigation shall be installed and brought into operation at the same time that the biomass boiler (or other solutions approved in writing by the local planning authority) is first brought into use and shall be retained in accordance with the manufacturer’s instructions thereafter for as long as it is operational.

(17) Noise Insulation

- (i) Details of glazing, balcony doors and ventilation (including Whole House Ventilation Systems) of the dwellings shall be submitted to and approved in writing by the local planning authority within three months from the commencement of each Phase.
- (ii) All dwellings shall be constructed so as to provide sound insulation against external noise, to achieve levels not exceeding 30dB LAeq

(night) and 45dB LAmax (measured with F time-weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with windows shut and other means of ventilation provided, including both passive and rapid systems unless the local planning authority approves alternative internal noise levels in writing in advance of dwellings being occupied.

- (iii) For dwellings where with assumed mitigation of R<sub>w</sub>45 specification glazing, high performance balcony door and Whole House Ventilation in place it is predicted that the noise levels referred to in (ii) will not be achieved, detailed predicted internal noise levels for all rooms in those dwellings shall be submitted to and approved in writing by the local planning authority before work commences on the building in which the dwelling(s) are located.
- (iv) Any glazing, balcony door and ventilation within the dwellings shall be provided in accordance with approved details and no dwelling shall be occupied until a report in relation to that dwelling, verifying that the dwelling accords with the approved details or noise levels, has been submitted to and approved in writing by the local planning authority.
- (v) Thereafter, the works undertaken pursuant to the approved scheme shall thereafter be retained in accordance with the details approved therein.

(18) Noise from Fixed Plant and Machinery

- (i) The rating level of the noise emitted from fixed plant and machinery on the development shall be 5dB below the existing background level at any time, as measured at the façade of any noise sensitive receptor. The measurements and assessments shall be made according to BS 4142:1997.
- (ii) Design, operation and maintenance details of a scheme for compliance with paragraph (i) of this Condition shall be submitted to and approved in writing by the local planning authority within three months from the commencement of development of a Phase.
- (iii) No building shall be occupied until the approved scheme has been implemented in its entirety in relation to that Phase.
- (iv) Thereafter, the approved scheme shall be retained and maintained in accordance with the approved details.

(19) Noise from Energy Centre

- (i) No development of the Energy Centre shall commence until design, operation and maintenance details of a scheme of noise mitigation has been submitted to and approved in writing by the local planning authority.
- (ii) The Energy Centre shall not be occupied until the approved noise mitigation scheme has been implemented in its entirety.
- (iii) Thereafter, the approved scheme shall be retained and maintained in accordance with the approved details.

(20) Sound Insulation where Non-Residential adjoins Residential

Full written details, including relevant drawings and specifications, of works of sound insulation against airborne noise to meet  $D'_{nT,w} + C_{tr}$  dB of not less than 55 between the ground floor and first floor, and between the first floor and second floor, where residential parties non-residential use, shall be submitted to and approved in writing by the local planning authority. The residential units within that Phase that are located adjacent to the non-residential uses hereby permitted shall not be occupied until the sound insulation works have been implemented in accordance with the approved details. The sound insulation shall be retained permanently in accordance with the approved details.

(21) Flood Risk Assessment

The development shall be carried out in accordance with the Flood Risk Assessment appended to the ES.

(22) Surface Water

- (i) No Phase shall commence until details of impact studies of the existing water supply infrastructure (to determine the magnitude of any additional capacity required in the system and a suitable connection point) and of a scheme for complying with the surface water management measures hereby approved, have been submitted to and approved in writing by the local planning authority, in consultation with the Environment Agency and Thames Water.
- (ii) Each Phase shall be carried out in accordance with the approved scheme for that Phase and thereafter the approved scheme is to be retained in accordance with the details approved therein.

(23) Waste Water

- (i) No development shall commence until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved in writing by the local planning authority, in consultation with the sewerage undertaker.
- (ii) No foul or surface water from the development shall be discharged into the public system until the drainage works referred to in an approved strategy have been completed.

(24) Contaminated Land

- (a) No development shall take place until each of the following has occurred:
  - (i) a site investigation has been carried out to survey and assess the extent of potential contamination and its effect (whether on or off site);
  - (ii) a report comprising the results of that site investigation and recommendations for treatment of any contamination (whether by remedial works or not) has been submitted to and approved in writing by the Council; and

- (iii) all measures or treatments identified in that report as being necessary or desirable for the remediation of the site have been implemented in full.

If during any works at the site (whether pursuant to paragraph (a) of this condition [“paragraph a,,] or implementation of this planning permission generally) contamination is encountered which has not previously been identified (“the new contamination,,), then works on the affected part of the site will cease and paragraph (a) shall apply to the new contamination and no further development shall take place on the affected part of the site until the requirements of paragraph (a) have been complied with in relation to the new contamination. The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

The closure report shall include details both of the remediation (including waste materials removed from the site, an audit trail demonstrating that all imported or reused soil material conforms to current soil quality requirements as approved by the Council) and any post-remediation sampling that has been carried out.

(25) Controlled Waters

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- (i) A preliminary risk assessment which has identified: - all previous uses; - potential contaminants associated with those uses; -a conceptual model of the site indicating sources, pathways and receptors; - potentially unacceptable risks arising from contamination at the site.
- (ii) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (iii) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved. - Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

(26) Trees - 5 year Replacement

All planting, seeding or turfing forming part of the details of landscaping hereby approved, relating to or corresponding to a Phase, shall be carried out in the first planting and seeding seasons following the first occupation of that Phase and, in any event, no later than the completion of the whole of the development. Any trees or plants which within a period of 5 years from the completion of the whole development die, are removed, or are diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority has given written consent to any minor variation.

(27) Trees - Protection During Construction

No development of any Phase shall commence until adequate steps have been taken in accordance with Section 8 of BS 5837 Trees to safeguard all trees to be retained within or adjacent to that Phase against damage, prior to or during building works, including the erection of fencing. These fences shall be erected to the extent of the crown spread of the trees, or where circumstances prevent this, to a minimum radius of 2 metres from the trunk of the tree and such protection shall be retained until the development has been completed. No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage to the root structure of the trees.

(28) External Materials

No development shall commence on any Phase on site until details of all facing materials (including their colour and texture) to be used on the building(s) in that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, unless the local planning authority agrees in writing to any variation.

(29) Landscaping Details

No development of any Phase shall commence on site until drawings showing the use of any part of the Phase not occupied by buildings and the treatment thereof (including planting, tree species and location, paving, walls and fences), and details of the management and maintenance of the landscaping, have been submitted to and approved in writing by the local planning authority and all works which form part of the landscaping scheme for a particular Phase shall be completed in the first planting season following the completion of that Phase, unless the local planning authority has given written consent to any variation. Any trees or plants which within a period of 5 years from the completion of a Phase die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority has given written approval to any variation.

(30) Ecological Enhancement

Development shall not commence on any Phase until a detailed scheme for ecological enhancement and mitigation (including details of exclusion zones, and updated ecological survey information) for that Phase has been submitted to and approved in writing by the local planning authority and no



part of that Phase shall be occupied until the approved scheme has been implemented in full.

(31) External Lighting

- (i) Details of all external lighting to be installed within each Phase, including details of directional hoods and measures to prevent light spillage, shall be submitted to and approved in writing by the local planning authority not later than six months from the commencement of works in that Phase.
- (ii) All such external lighting shall be installed in accordance with the approved details before any dwelling in the relevant Phase is occupied and thereafter any external lighting (including any directional hoods), shall be retained in accordance with the approved details.
- (iii) Details submitted for approval pursuant to paragraph (i) of this Condition, shall be accompanied by a supporting statement which demonstrates that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

(32) Viewing Platform

No work shall commence on Phase 6 until detailed drawings of the proposed public viewing platform have been submitted to and approved in writing by the local planning authority. The viewing platform shall then be constructed in accordance with the approved drawings.

(33) Car Club Car Parking

- (i) A minimum of 4 car parking spaces within the site shall be reserved for Car Club use only.
- (ii) Details of the proposed location, size and layout of the spaces to be provided pursuant to paragraph (i) of this Condition shall be submitted to and approved in writing by the local planning authority before Phase 2 commences.
- (iii) The said spaces shall be provided and made available for use before any part of Phase 2 is occupied. Thereafter the spaces shall be retained and used only for parking cars associated with the Car Club.

(34) Use of Car Parking

All car parking spaces within the development shall be reserved for and used by vehicles of the occupiers or users of the development only.

(35) Cycle Parking

- (i) A minimum of 1,192 cycle parking spaces shall be provided within the development, as follows:-
  - a. Within block A - 64 spaces
  - b. Within block B - 49 spaces
  - c. Within block C - 55 spaces
  - d. Within block D - 78 spaces
  - e. Within block E - 168 spaces

- f. Within block F - 175 spaces
  - g. Within block G - 194 spaces
  - h. Within block H - 264 spaces
  - i. Within block I - 145 spaces
- (ii) A minimum of 178 visitors' cycle parking spaces shall be provided.
- (iii) No Phase shall be occupied until the cycle parking spaces to be provided within that Phase have been provided and made available for use. Thereafter, such spaces shall be retained and used only as cycle parking for use as provided for in paragraphs (i) and (ii) of this Condition.

(36) Motorcycle Parking

- (i) A minimum of 30 motorcycle parking spaces shall be provided within the Development.
- (ii) No Phase shall be occupied until the motorcycle parking spaces to be provided within that Phase have been provided and made available for use. Thereafter such spaces shall be retained and used only as motorcycle parking for use as provided for in paragraph (i) of this Condition.

(37) Code of Construction Practice

- (i) No works (including demolition and construction other than demolition in Phase 1) shall commence on a Phase until a code of construction practice (CoCP, incorporating a Construction Environmental Management Plan) for that Phase has been submitted to and approved in writing by the local planning authority.
- (ii) No such works shall be carried out other than in accordance with the approved CoCP.

(38) Construction Traffic Management Plan

- (i) No works (including demolition and construction, other than demolition in Phase 1) shall commence in a particular Phase until a construction traffic management plan (CTMP) (incorporating a Construction Logistics Plan) for that Phase has been submitted to and approved in writing by the local planning authority. All CTMPs shall set out proposals to reduce the impact of construction traffic, including proposed lorry routeing.
- (ii) No such works shall be carried out other than in accordance with the relevant approved CTMP.

(39) Delivery Hours

No deliveries to or from the site in connection with demolition or construction works shall take place outside the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and no such deliveries shall take place at all on Sundays or public holidays, unless otherwise agreed in writing with the local planning authority.

(40) Deliveries and Servicing

No work shall commence on any Phase until a Delivery and Servicing Plan for that Phase has been submitted to and approved in writing by the local planning authority.

(41) Archaeology

No development shall take place on the site until the applicant, or any successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, observation and recording which has been submitted to and approved in writing by the local planning authority.

8.1 **Reasons**

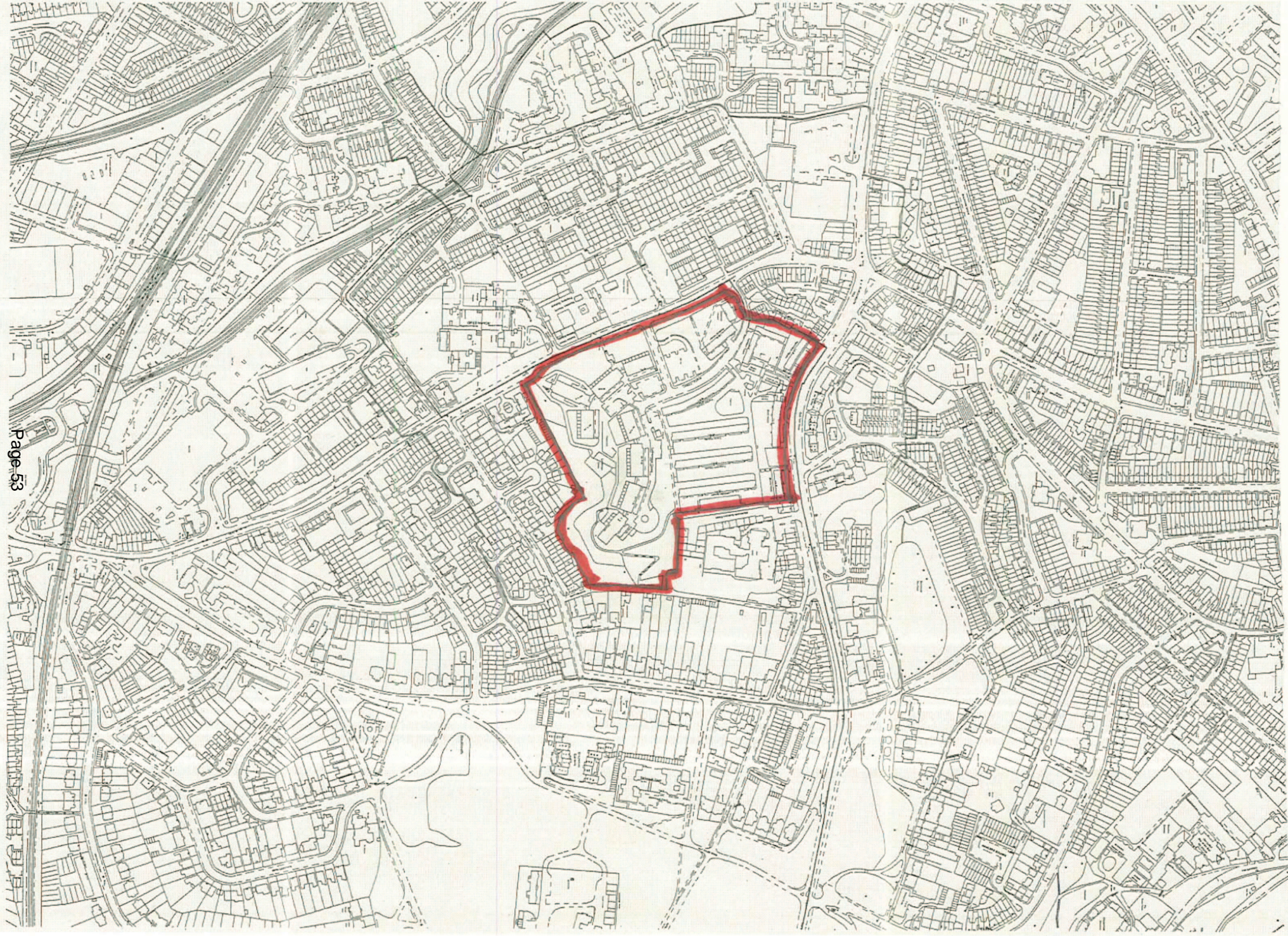
- (1) As required by Section 91 of the Town and Country Planning Act 1990.
- (2) To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.
- (3) To comply with Section 92 of the Town and Country Planning Act 1990.
- (4) In order that the local planning authority is satisfied with the details of the proposed development.
- (5) In order that the local planning authority is satisfied with the details of the proposed development.
- (6) To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and acceptable to the local planning authority.
- (7) To ensure that waste is minimised as far as practicable and managed in an environmentally sustainable way and to comply with Policy 13 Addressing Lewisham's waste management requirements in the Core Strategy (June 2011).
- (8) To ensure that the development incorporates adequate sustainable drainage techniques and enhances biodiversity and complies with Policy 12 Open space and environmental assets in the adopted Core Strategy (June 2011).
- (9) To ensure that the development enhances biodiversity and complies with Policies 5.10 Urban Greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 sustainable drainage and 7.19 Biodiversity and access to nature in the London Plan (July 2011).
- (10) To ensure that the development enhances biodiversity and complies with Policy 12 Open space and environmental assets in the Core Strategy (June 2011) and Policy 7.19 Biodiversity and access to nature in the London Plan (July 2011).

- (11) To ensure adequate provision of combined heat and power and to comply with Policies 5.2 Minimising Carbon Dioxide Emissions, 5.3 Sustainable Design and Construction and 5.6 Decentralised Energy in Development Proposals in the London Plan (July 2011).
- (12) To ensure the development meets a high standard of sustainable design and construction and to comply with Policy 5.3 Sustainable Design and Construction in the London Plan (July 2011).
- (13) To ensure adequate air quality for the future occupiers of these Buildings and to comply with Policy 7.14 Improving Air Quality in the London Plan (July 2011).
- (14) To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving Air Quality in the London Plan (July 2011).
- (15) To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving Air Quality in the London Plan (July 2011).
- (16) To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving Air Quality in the London Plan (July 2011).
- (17) To ensure a satisfactory living environment for the future occupiers of the Dwellings and so as to comply with Policy ENV.PRO11 Noise Generating Development in the adopted Unitary Development Plan (July 2004).
- (18) To ensure a satisfactory environment for the future occupiers of buildings and so as to comply with Policy ENV.PRO11 Noise Generating Development in the adopted Unitary Development Plan (July 2004).
- (19) To ensure a satisfactory environment for the future occupiers of these buildings and so as to comply with Policy ENV.PRO11 Noise Generating Development in the adopted Unitary Development Plan (July 2004).
- (20) To ensure a satisfactory environment for the future occupiers of these buildings and so as to comply with Policy ENV.PRO11 Noise Generating Development in the adopted Unitary Development Plan (July 2004).
- (21) To ensure the development is designed safely in reference to flood risk in accordance with Policy 10 Managing and reducing the risk of flooding of the adopted Core Strategy (June 2011).
- (22) To prevent the increased risk of flooding and to improve water quality in accordance with Policy 10 Managing and reducing the risk of flooding of the adopted Core Strategy (June 2011) and Policy 5.13 Sustainable drainage in the London Plan (July 2011) and ensure that water supply infrastructure has sufficient capacity to cope with additional demand.

- (23) To ensure that the development does not lead to sewage flooding and that sufficient drainage capacity is made available to cope with the development and in order to avoid adverse environmental impact.
- (24) To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with Policy ENV.PRO 10 Contaminated Land in the adopted Unitary Development Plan (July 2004).
- (25) To prevent pollution of controlled waters and to comply with Policy ENV.PRO 17 Management of the Water Supply in the adopted Unitary Development (July 2004).
- (26) To protect the visual amenity of the neighbouring occupiers and to comply with the duty imposed on the local planning authority by Section 197 of the Town and Country Planning Act 1990 and to comply with Policies URB 3 Urban Design, URB 12 Landscape and Development and URB 13 Trees in the adopted Unitary Development Plan (July 2004).
- (27) To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policies URB 3 Urban Design, URB 12 Landscape and Development and URB 13 Trees in the adopted Unitary Development Plan (July 2004).
- (28) To ensure that the Development is of a satisfactorily high design standard to ensure that it makes a positive contribution to the appearance of the locality and to comply with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).
- (29) In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies URB 3 Urban Design, URB 12 Landscape and Development and URB 13 Trees in the adopted Unitary Development Plan (July 2004).
- (30) In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policy 12 Open space and environmental assets in the adopted Core Strategy (June 2011) and Policies URB 3 Urban Design and URB 12 Landscape and Development in the adopted Unitary Development Plan (July 2004).
- (31) To ensure that the lighting is installed and maintained in a manner which will minimise possible light pollution to neighbouring properties and to comply with Policies ENV.PRO 12 Light Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).
- (32) In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies URB 3 Urban Design and URB 12 Landscape and Development in the adopted Unitary Development Plan (July 2004).

- (33) To limit car ownership/use and encourage sustainable modes of transport in accordance with Policy 14 Sustainable movement and transport in the adopted Core Strategy (June 2011).
- (34) To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the buildings does not increase on-street parking in the vicinity and to comply with Policy 14 Sustainable movement and transport in the adopted Core Strategy (June 2011).
- (35) In order to ensure adequate provision for cycle parking and to comply with Policy 14 Sustainable movement and transport in the adopted Core Strategy (June 2011).
- (36) In order to ensure adequate provision for motorcycle parking and to comply with Policy 14 Sustainable movement and transport in the adopted Core Strategy (June 2011).
- (37) To ensure that the demolition and construction processes are carried out in a manner which will minimise possible noise, vibration, dust and mud pollution and minimise disturbance from road traffic and safeguards road safety in accordance with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).
- (38) To ensure that the demolition and construction processes are carried out in a manner which will minimise possible disturbance from road traffic and safeguards road safety in accordance with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004) and that all reasonable measures have been taken to improve construction freight efficiency by reducing CO2 emissions, congestion and collisions in accordance with Policy 14 Sustainable movement and transport in the adopted Core Strategy (June 2011) and Policy 6.14 Freight in the London Plan (July 2011).
- (39) In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004)
- (40) In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004)
- (41) To ensure adequate access for archaeological investigations in compliance with the advice contained in the Department of Communities and Local Government Planning Policy Statement No.5, entitled 'Planning for the historic environment' (June 2010) and to comply with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the adopted Core Strategy (June 2011) and Policy 7.8 Heritage assets and archaeology of the London Plan (July 2011)

HEATHSIDE AND LETHBRIDGE ESTATE, BLACKHEATH HILL, SE10



This page is intentionally left blank