

## PLANNING COMMITTEE C

Date of Meeting: **TUESDAY, 18 NOVEMBER 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  
Ami Ibitson  
Helen Klier  
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  
Lewisham Town Hall  
London SE6 4RU**

**For further information contact:  
Yinka Ojo`  
Committee Co-ordinator  
3<sup>rd</sup> Floor Laurence House  
Catford Road SE6 4RU**

**Date: Thursday, 6 November 2014**

**Telephone No: 020 8314 9785  
Email: [Yinka Ojo`@lewisham.gov.uk](mailto:Yinka.Ojo@lewisham.gov.uk)**



## **RECORDING AND USE OF SOCIAL MEDIA**

You are welcome to record any part of any Council meeting that is open to the public.

The Council cannot guarantee that anyone present at a meeting will not be filmed or recorded by anyone who may then use your image or sound recording.

If you are intending to audio record or film this meeting, you must :

- tell the clerk to the meeting before the meeting starts
- only focus cameras / recordings on councillors, Council officers, and those members of the public who are participating in the conduct of the meeting and avoid other areas of the room, particularly where non-participating members of the public may be sitting.
- ensure that you never leave your recording equipment unattended in the meeting room.

If recording causes a disturbance or undermines the proper conduct of the meeting, then the Chair of the meeting may decide to stop the recording. In such circumstances, the decision of the Chair shall be final.

<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.	Grove Park Railway Station, Baring Road SE12	Grove Park	7 - 36
4.	Brockley Police Station, Howson Road SE4 2AS	Ladywell	37 - 64
5.	79 Culverley Road SE6 2LD	Catford South	65 - 82
6.	3A Eliot Park SE13 7EG	Blackheath	83 - 102
7.	41 Gellatly Road SE14 5TU	Telegraph Hill	103 - 114
8.	4 Leathwell Road SE8 4JL	Lewisham Central	115 - 124

This page is intentionally left blank

Committee	PLANNING COMMITTEE C	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	18 November 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 no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000.**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in

consideration of the matter and vote on it unless paragraph (c) below applies.

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

## **(6) Sensitive information**

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

## **(7) Exempt categories**

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

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

This page is intentionally left blank

Committee	PLANNING COMMITTEE C	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	18 November 2014

### MINUTES

To approve the minutes of the meetings of Planning Committee C held on 28 August 2014 and 9 October 2014

This page is intentionally left blank

<b>Planning Committee C</b>		
<b>Report Title</b>	'Access for All' improvements at Grove Park Railway Station, Baring Road SE12	
<b>Key Decision</b>	<b>NO</b>	
<b>Ward</b>	Grove Park	
<b>Contributors</b>	Suzanne White	
<b>Class</b>	PART 11, Class A, Schedule 2 (GPDO)	18 November 2014

## 1. Purpose

- 1.1. This item relates to an application for prior approval that was withdrawn by the applicant, Network Rail, on the 22<sup>nd</sup> September. As an application for station improvements that generated significant public interest, it was considered appropriate to update Members on the outcome of the application as an information item.

## 2. Recommendation

- 2.1. Members are asked: To note the content of the report.

## 3. Policy Context

- 3.1. The application was for prior approval not planning permission. The relevant legislation against which it would have been considered was The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

## 4. Background

- 4.1. The application sought prior approval for the siting and design of works to install lifts, stairs and a replacement bridge at Grove Park Station in order to bring the station facilities in line with the Equality Act.
- 4.2. The application for prior approval was reported to Committee on the 17<sup>th</sup> July 2014. A copy of the Committee Report is appended to this report.
- 4.3. In response to representations received earlier that day from residents, requesting that alternative plans be put forward, the Committee resolved:

*“that in respect of town planning application DC/14/86845, that a decision be deferred for six weeks pending further consultation with Network Rail on the alternative proposals set forward by local residents.”*

## 5. Consultation update

- 5.1. On the 17<sup>th</sup> September, a petition of 1,139 signatures was received, which called on the Council to intercede with Network Rail to ensure an alternative Access for All Plan was considered for Grove Park Station.

- 5.2. To date, 25 other objections have been received in response to the scheme. This compares with 15 received at the time that the application was reported to Committee in July.

## **6. Alternative options assessment**

- 6.1. In conjunction with their letter withdrawing the application, Network Rail submitted a Briefing Note, dated 17<sup>th</sup> September, responding to the request from Committee Members to provide further information on the option selection process.
- 6.2. The note also provides feedback on a consultation event held by Network Rail in May and considers the possibility of introducing a subway tunnel instead of replacing the footbridge and of changing the proposed materials to address concerns. This information was also provided as part of an earlier Briefing Note and is considered under Section 6 of the 17<sup>th</sup> July Committee Report (attached).

## **7. Project Options Assessment**

- 7.1. The briefing note provides an overview of the options considered to improve access at Grove Park Station. Under the legislation, an LPA can only refuse prior approval or impose conditions where they are satisfied that the *“development ought to be and could reasonably be carried out elsewhere on the land”*. This options appraisal would therefore have been of relevance to the determination of the application, had it not been withdrawn.
- 7.2. The options appraisal process began in 2005 with a feasibility study of three options completed by ARUP for the Strategic Rail Authority. In August 2007 Mott MacDonald produced a report considering five options, with further variations. Network Rail produced a further options assessment, Option Selection Report DfT “Access for All” Programme Grove Park Station, in June 2011. Each of these reports are included as appendices to the briefing note and illustrations are provided for most options. The briefing note forms part of the application documents and is available to view on the online planning application file.
- 7.3. Officers have identified nine broad options from these reports, which are described in brief below.

Option 1 - replacement of the existing footbridge with a new bridge with 3 no. lifts. The ramps to platforms 2/3 and 4/5 remain. Discounted because it did not address the non compliant access to platforms 4/5 with the result that passengers would need to change level 3 times to access platform 1.

Option 2 - replacement of the existing footbridge with a new bridge with 3 no. lifts. The ramp on 2/3 is retained and a lift is installed. All passengers that would like to use the lifts to gain access to the busiest platforms would need to use three lifts despite access through a non compliant route remaining available. This option would significantly increase the travelling distance of those wishing to use the lifts and take a train from either platform 4 or 5.

Option 3 - replacement of the existing footbridge with a new bridge with 3 no. lifts. The ramp on 2/3 is retained. The ramp to platform 4/5 is replaced with a winding ramp and a lift. Multiple changes in direction (rather than stairs or a straight ramp) causes issues of congestion for those passengers not using the

lift. A variation on this option leaves the existing footbridge in place, and places a new footbridge slightly further north.

Option 4 – demolition of the existing elevated walkway and construction of a new walkway above the height of the existing canopy, which in turn leads to a new over bridge. Would require substantial alteration (or complete demolition) of the waiting room buildings on platforms 2/3 and 4/5, as the lift tower and stairway structures would be mostly within their present outline. Likely to be costly and highly disruptive to the station.

Option 5 - existing elevated walkway demolished with a larger and longer elevated walkway being constructed adjacent to Pullman Mews. This would lead to a new over bridge to the north of the existing footbridge. Discounted due to visual intrusion, longer construction period and demolition/construction likely to give rise to greater noise and dust emissions.

Option 6 - longer elevated walkway above platform 2/3, leading to a new over bridge. This would require the demolition of the ramp leading to platform 2/3 as well as the canopies and columns. It would also likely require demolition, or significant alteration of the platform buildings on platform 2/3 as well as the waiting room on 4/5.

Option 7 - A lift placed adjacent to the edge of platform 2, with the ramp being retained, and a new bridge being constructed to the north of the existing footbridge which would require the demolition of the platform building on platform 4/5. A variation to this option involves constructing a lift and stairs in place of retaining the ramp. Lift users would change level 3 times to access platform 1 as well as platform 4/5.

Option 8 - replacement of the ramp leading to platform 4/5 with a stairs and lift, and alteration of the existing elevated walkway to provide lift access to platform 1. As no new footbridge is provided, step free interchange between platform 1 and platform 4/5 would be via a circuitous route past the booking office, resulting in those wishing to use a step free interchange between the busiest platforms needing to travel approx. 200m further than those who are able or willing to continue to use the existing bridge.

Option 9 (application scheme) - not without its drawbacks, for example step free access to platform 1 still requires use of 3 lifts. This drawback is offset by the benefits that access to the busiest platform, platform 4/5 is achieved via only one lift, and the step free interchange between platforms 1 and 4/5 is as short as is possible.

- 7.4. The briefing note considers how this option could be modified to address the concerns raised. On whether a lift could be provided whilst retaining the ramp leading to platform 4/5, Network Rail state that the benefit of removing the ramp and installing stairs and a lift means that an open landing area can be constructed at the top of the new stairs.
- 7.5. Also, if the ramp was retained, access to a lift would need to be at the top of the ramp, meaning either a second long narrow walkway would be necessary at high level to get passengers using the lifts the 40m from the top of the ramp to a lift positioned in a similar location as the current proposal, or alternatively assuming

enough space is present, a lift constructed at the top of the ramp, and passengers made to travel the 40m to the platform in areas that would not necessarily be visible. This compares to the proposed solution, which provides for an inclusive step free route that does not force those that wish to use a lift to use a drastically different route to those who do not.

- 7.6. They also state that the option proposed, would limit the creation of areas that may attract people who wish to engage in antisocial behaviour within the station.

## 8. Withdrawal of application

- 8.1. In their letter of the 22<sup>nd</sup> September, Network Rail advise that they decided to withdraw the application having received confirmation from the Department for Transport to suspend the delivery of the Access for All scheme for Grove Park station. They state that they are:

*“unable to deliver the project within agreed funding and timescales. The challenges that the scheme presented were significant. This, combined with delays already incurred has made the project unfeasible at this time.”*

- 8.2. They go on to advise that the Department for Transport may wish to re-visit the decision should funding become available in the future.
- 8.3. Access for All proposals are part of a major Department for Transport programme known as the Rail for All Programme aimed at improving accessibility at train stations nationwide by installing lifts, ramps (where appropriate) and ensuring future passive provision for such facilities. Step-free stations offer accessible routes from entrance to platform. Such access benefits disabled people or those with reduced mobility, as well as people with children, heavy luggage or shopping, and the elderly.
- 8.4. Grove Park Railway Station had been identified as being a station that is in great need of improved accessibility due to the high volume of passengers that utilise the station everyday.
- 8.5. The Access for All programme is funded over 5 year periods. The last funding period, of which the Grove Park Station improvements were a part, ended in April this year. Officers at TfL have advised that the funding was likely diverted to another station.
- 8.6. It is understood that access improvements for Grove Park Station could be revisited as part of the current funding period, which will run to April 2019. It is anticipated that, for this to happen, Network Rail and the Department for Transport would need to be confident of a successful outcome.

## 9. Background documents

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Committee Report	17.07.14	Laurence House	Development Management	Gavin Cooper	No

If you have any queries on this report, please contact Gavin Cooper, Development Management, 3rd floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 8774.

This page is intentionally left blank

## APPENDIX

Committee	PLANNING COMMITTEE C	
Report Title	Grove Park Railway Station, Baring Road SE12	
Ward	Grove Park	
Contributors	Kirstin McCartney	
Class	PART 1	17 July 2014

Reg. Nos. DC/14/86845

Application dated 10 March 2014

Applicant Network Rail

Proposal Prior Approval under Part 11 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 in respect of the part demolition and replacement of the connecting walkway providing access to Platforms 4 & 5 with a new enclosed level walkway incorporating a access lift to platform level, the demolition and replacement of an existing non compliant platform footbridge that links platforms 1, 2 & 3, and 4 & 5 with a new compliant footbridge with lift access to both platforms 1 and 4 & 5 and future passive provision to platforms 2 & 3 at Grove Park Railway Station Baring Road SE12, together with enabling works associated with the scheme will include the installation of shallow and piled foundations and the part removal of the platform canopy of platform 1.

Applicant's Plan Nos. AFA RED LINE PLAN; DS03122-212 REV P2; DS03122-213 REV P1; DS03122-217 REV P3; DS03122-218 REV P1; DS03122-219 REV P2; DS03122-220 REV P6; DS03122-222 REV P2; DS03122-230 REV P2; DS03122-231 REV P2; DS03122-232 REV P1; DS03122-240 REV P2; DS03122-250 REV P2; DS03122-251 REV P1; DS03122-270 REV P2; DS03122-370 REV P1; DS03122-371 REV P1; DS03122-500 REV P1; DS03122-501 REV P1; UN12398/GRP/P/800 A; UN12398/GRP/P/801 A; UN12398/GRP/P/802 A; UN12398/GRP/P/803 A; UN12398/GRP/P/804 A; UN12398/GRP/P/806 A; UN12398/GRP/P/807 A; UN12398/GRP/P/805 A; GROVE PARK RAILWAY STATION - AERIAL VIEW

Background Papers

- (1) Case File LE/302/K/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) Local Development Framework Documents
- (4) The London Plan

Designation

PTAL3  
PTAL4  
Green Corridor  
Local Open Space Deficiency  
Flood Risk Zone 2

Screening

18 December 2013

**1.0 Property/Site Description**

- 1.1 The subject site is Grove Park Railway Station which is situated to the east side of Baring Road. It is bounded by Amblecote Meadows to the north east and Pullman Mews to the south east. At present, the station can be accessed via Baring Road. The station has five operational island platforms that sit beneath the main station booking hall within a railway cutting. Access to the platforms is via ramps and stairs, which are connected to the ticket office.
- 1.2 Platform 1 is 225 metres in length and is accessed via both a walkway and staircase. It serves the Bromley North branch line that provides a direct connection between Grove Park and Bromley North Station.
- 1.3 Platforms 4 & 5 are 266 metres in length and are accessed via a ramp. They are on the South Eastern Main Line which runs from Charing Cross to Hastings.
- 1.4 Platforms 2 & 3 are 266 metres in length and are accessed via a ramp. They are also on the South Eastern Main Line which runs from Charing Cross to Hastings. These platforms are not currently utilised on a daily basis and have no regular services scheduled. They are used when regular maintenance work is carried out along the operational railway.
- 1.5 The site is not located in a conservation area, there is no Article 4 Direction and the buildings are not listed.
- 1.6 The station is immediately surrounded to the north and south by a predominately residential suburban environment. Amblecote Meadows to the north of the station runs the entire length of the station immediately parallel to platform 5 and consists of 68 terraced houses that sit between five to seven metres from the operational railway. Pullman Mews to the south of the station also runs the entire length of the station immediately parallel to platform 1 and consists of 20 semi detached houses that sit between nine and fifteen metres from the operational railway.

**2.0 Planning History**

- 2.1 DC/13/82353: Prior Approval for the siting and design of works to install lifts at Grove Park Station. The works would include the part demolition of the existing walkway and staircase leading to platform 4 and the installation of a new level walkway and enclosure with incorporated lift to platform level. Works would also include the demolition of the existing footbridge that links platform 1, 2 & 3, and 4 & 5 and the installation of a new footbridge with lift access to platforms 1 and 4 & 5.
- 2.2 Prior approval was granted under delegated powers. This was subsequently challenged by Judicial Review and the Council consented to judgement on the

basis that the decision was issued without lawful authority. The application was subsequently withdrawn on 15 October 2013.

2.3 DC/13/85736: A Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 for the part demolition and replacement of the connecting walkway providing access to Platforms 4 & 5 with a new enclosed level walkway incorporating a access lift to platform level, the demolition and replacement of an existing non compliant platform footbridge that links platforms 1, 2 & 3, and 4 & 5 with a new compliant footbridge with lift access to both platforms 1, 2 & 3 and 4 & 5 and future passive provision to platforms 2 & 3 at Grove Park Railway Station Baring Road SE12, together with enabling works associated with the scheme will include the installation of shallow and piled foundations and the part removal of the platform canopy of platform 1.

2.4 The screening opinion concludes that the Council considers that the works proposed by Network Rail in relation to Grove Park Train are not EIA development.

### **3.0 Current Planning Applications**

#### The Proposals

3.1 The present application is for prior approval for the siting and design of works to install lifts, stairs and a replacement bridge at Grove Park Station.

3.2 The works include:

- Part demolition of the existing ramped walkway to platforms 4 & 5 and replacement with a level walkway and lift down to platform level.
- Demolition of the existing footbridge that links platforms 1, 2 & 3 and 4 & 5 and the installation of a new footbridge with lift access to platforms 1 and 4 & 5

3.3 No works are proposed to the walkway and stair access to Platform 1 or to the current ramp access to Platforms 2 & 3.

3.4 These works will provide an Equality Act compliant lift to platform 4 & 5 and a Equality Act compliant footbridge with lift access to both platforms 1 and 4 & 5 and future passive provision to platforms 2 & 3.

### **4.0 Consultation**

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

4.2 There is no obligation on the part of the Council to undertake any consultation on "Part 11" applications and it is not normal practice to do so. However for the application at Grove Park Station the Council have recognised the local interest and have undertaken to consult those residents directly affected by the application by letter and posting site notices.

4.3 A total of 114 consultation letters were sent out to local residents on 13 March and the 31 March. These were sent second class mail. The Council also consulted

English Heritage, the Environment Agency, Grove Park Residents Association and Grove Park Community Group.

4.4 Four A3 size site notices were also put up on the 10 April 2014. These were placed in the following locations:

- Directly outside the station entrance
- On the corner of Chinbrook and Baring Roads
- On the corner of Chinbrook and Amblecote Roads
- On the corner of Baring Road and Pullman Mews

4.5 The initial consultation period ran to 21 April 2014 but due to issues with viewing the application drawings on the Council's website this consultation period was extended to 30 May 2014.

4.6 New site notices were put up the 28 April and a further set of letters were sent out the 29 April 2014 to advise of this extended date.

4.7 15 objections have been from Local Residents and Organisations. A summary of the key points is provided below:

- Taking out ramps and putting in stairs and a lift will hinder access for the majority of station users who travel with a pushchair. At the moment the ramps are easy to use. Steps and a lift will be much more inconvenient.
- The station is only partially manned and any failure of the lifts after hours could result in difficult entering or leaving the station.
- The design of the footbridge linking the platforms will adversely impact my home. It will restrict light, increase noise and reduce privacy.
- The old footbridge should be left as it is. There is precious little heritage in Grove Park.
- The slopes currently available to access the main platforms are perfectly adequate.
- Grove Park functions perfectly well although would be enhanced with a better/cleaner waiting room and a little action in the flowerbeds.
- Ticket barriers in place to avoid the inevitable holdups caused by ticket inspectors.
- The design of the footbridge linking platforms 4 & 5 with platform 1 will adversely impact 31 Amblecote Meadows. The tallest part of the lift shaft will be directly behind this property and, as it looks to be taller than this property it will restrict light, increase noise levels and reduce privacy.
- The project will involve overnight work for over 12 months resulting in significant disruption to residents.
- Despite assurances from Network Rail, I do not believe that they will be able to undertake such a major development overnight without causing significant disruption from floodlights, dozens of workers on site and the use of heavy machinery.
- As outlined in the application, platforms 2 & 3 are not regularly used; Network Rail should be able to use these platforms during the works facilitating day-time development.

- Request Network Rail to consider a subway in place of a bridge linking platforms 4 & 5 with platform 1.
- Place a restriction on noise levels overnight so the use of heavy machinery (e.g. used to drill foundations) is limited to day times.
- Provide residents a mechanism to object if noise levels become unacceptable that would result in Network Rail ceasing work at unsociable times.
- Despite assurance to the contrary from Network Rail, there still has not been a consultation with the residents impacted by the plans.
- The project is billed as an “Access for All” project; however this multi-million pound project will at best only result in a 20% improvement in accessibility. The proposed lift-shafts will be situated metres from the rear of the properties in Amblecote Meadows.
- The structure itself will be taller than the houses, the walkway and steps will be on a level with bedrooms and bathrooms adversely affecting light, privacy and noise levels.
- This is a very high price to pay for a project with little actual benefit.
- This proposal does not give access for all, it destroys local heritage assets and it ruins the historic appearance of the station.
- There has still been no consultation with the residents impacted by the plans, in fact it appears that Lewisham Council is intent on acting in an entirely undemocratic manner. Furthermore the consultation groups mentioned on the planning application do not necessarily represent the views of the residents that will be adversely impacted by this development.
- The primary reason for ruling out the most viable alternative of a subway tunnel as opposed to a footbridge is disruption to the residents and the railway service but given last year’s petition along with this year’s concerns raised by residents only recently, I can confirm that the local residents take a long-term view on this situation. We would much prefer a prolonged construction period in the present day in order to build a subway tunnel which gives more long-term benefit to all concerned rather than the proposed bridge which will give less benefit for commuters, is more environmentally unfriendly and has considerable opposition from the community.
- The question now appears to be why Lewisham Council does not want to act in the interests of its residents and I am confident that in an election year the voters are entitled to know what is going on here. I for one do not expect my council taxes to be spent supporting any attempt to undemocratically push forward an unbeneficial project which threatens our heritage.
- Travelling with suitcases will become more difficult.
- The bridge being higher in height than our own homes and only eight meters away it will over shadow the adjacent houses. In addition there will be a loss of light to the rooms in our homes, a loss of privacy with the walkway being on level with our bedrooms and bathrooms and there will be considerable additional noise pollution. Given these points this does constitute an injury to our amenity and if Lewisham Council ignores this and fails to refuse the prior approval application then the council is once again acting unlawfully.
- Hinder access for the majority of station uses who travel with young children in pushchairs.

- The station is only partially manned. Any failure of the lifts afterhours could result in difficulty in entering or leaving the station.
- Understand maintenance and upgrading the station to incorporate modernisation and safety measures.
- There is the risk of damage to the structure of our properties and there will certainly be adverse affects to light, noise and privacy in the long-term.
- Concerned about potential damage to properties from piling foundations.
- Pullman Mews will be used for heavy machinery which it is not designed for and could cause damage and restrict access for emergency vehicles.
- There is a nice, structurally sound footbridge already. The proposal is ulgy with huge concrete towers. Hold on to what we have.
- It would appear from your plans that actual step free access to platform 1 will only be possible by using three lifts, a bridge and walking round the entire station literally in a circle which is completely unreasonable.
- A simple solution would be to add one lift to the platform 1 walkway, keep the ramps to the remaining platforms and to efficiently link the platforms create an underpass whilst retaining the existing bridge for heritage.
- The heritage of Grove Park Station, home of the railway children, appears to have been completely ignored. Grove Park Station forms the gateway of a heritage driven neighbourhood plan supported by the princes foundation and the National Railway Museum York and the station sits opposite the locally listed Baring Hall Hotel and lies within the area of the heritage driven neighbourhood plan. The Edward VII heritage bridge, the ramps and other station features retain the architectural integrity of the station and town centre and local resident Edith Nesbit based her book The Railway Children on this station, the Network Rail one size fits all plan is therefore totally unsuitable for this area and any plans should reflect our heritage.
- The Princes Trust worked with the local community to development plans for the area. This proposal is not in line with the Princes Trust work.
- Access For All should be about reducing/removing steps not actually installing more. Access to this station is already good and it would be best served by retaining the ramps to all platforms and then linking the platforms by means of an underpass.
- The proposed bridge and lift-shafts linking platforms 4 and 5 with platform 1 will come at a significant cost to residents as it will be situated just 8 metres from the rear of the properties and the structure itself will be taller than the houses. Furthermore the walkway and steps will be on a level with bedrooms and bathrooms causing significant and permanent impact on light, privacy and noise levels. The rear side of almost all of our houses being no more than a few metres from the edge of platform 4 and 5 and being small 1/2 bedroom houses means that residents will have no option to relocate within their house to escape the impact of this development either during the work itself or after completion.

## 4.8 Conservation

- 4.8.1 Grove Park station was built in 1871. It consists of a simple but attractive brick station building containing the ticket office fronting Baring Road and two island

platforms with platform buildings and canopies. The platforms and station building are linked by long ramps and lattice-girder footbridges and walkways.

- 4.8.2 The station is a good and - with five platforms - a substantial example of its period. Its contribution as a catalyst for the development of Grove Park and its architecture, notably the characteristic lattice-girder footbridge and walkways, make it a heritage asset to the local area. The NPPF defines heritage assets as 'a building (...) identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.
- 4.8.3 The proposals involves a significant degree of intervention into the existing fabric notably loss of the ramp to platform 4/5 and its replacement with a walkway, stairs and lift to serve these platforms. The proposal involves further the replacement of the lattice-girder footbridge at the south-eastern end of the platforms that links all the five of them. The latter is an attractive feature that greatly adds to the character of the station.
- 4.8.4 The previous conservation officer dealing with the case was involved in pre-application discussions for this proposal and had requested the applicant to consider alternative options to the new footbridge i.e. the creation of an underpass to enable the retention of the historic structure. The 'Grove Park Station Footbridge Briefing Note' explains why the creation of an under-pass is neither practicable nor feasible.
- 4.8.5 Design wise the new footbridge appears to be of a standard design used elsewhere although the brick plinth detailing appears to respond to the local context. Due to its location to the south-east of the canopies, the impact of the new footbridge on the town centre of the neighbourhood as defined by the Grove Park Station building at Baring Road and the Baring Hall Hotel is somewhat mitigated by the distance and change in level. It is however very visible from the properties lining the railway tracks to the north-east and south-west.
- 4.8.6 The new footbridge would be in scale and mass significantly larger than the existing footbridge, notably due to the nature and height of the three solid lift shafts. I am not convinced that there are no other solutions to the external treatment of the lift towers available that would give a more aesthetically pleasing and light-weight appearance as opposed to the proposed Kingspan cladding. I would question the statement that 'glassed lift shafts are also considered to be unsuitable for external use given how it is affected by weather and exposure to the elements' in view of these being a common choice in other European capitals. In this respect I feel that the design of the lift shafts is reasonably capable of modification and you can consider attaching a condition to granting prior approval that would require improved design solutions for the lift shafts.

#### 4.9 Highways and Transportation

- 4.9.1 Currently Grove Park Station is inaccessible to disabled people and those with reduced mobility, and the existing ramps are not compliant with DDA standards. The proposed Access for All works to Grove Park Station will improve access for disabled people and will provide disabled people the same opportunities to travel as other people. The proposed footbridge and lifts will provide disabled people with an accessible route to all operational platforms at the station. In addition, throughout the proposed works the station will remain open to customers and the

railway will remain fully operational. As the proposed works will improve accessibility to the station, the proposal is unobjectionable.

#### 4.10 English Heritage

4.10.1 We do not consider that it is necessary for this application to be notified to English Heritage

#### 4.11 Environment Agency

4.11.1 We have no objections in principle to the proposal but we would recommend you ask the developer to submit further information with respect to groundwater protection and contaminated land prior to determination.

4.11.2 The site is located in Source Protection Zone 3 for a public water supply borehole that abstracts groundwater from the deep chalk aquifer. This aquifer lies beneath a layer of clay rock which protects it from direct contamination by any pollution present in soils near to the surface. We therefore consider there is no need to investigate for the presence of historic contamination for groundwater protection reasons beyond that required to create a suitable piling risk assessment, or to investigate any unsuspected contamination encountered during site work.

4.11.3 Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. We would therefore like to see evidence to demonstrate that the proposed piling will not result in contamination of groundwater.

4.11.4 Please ask the developer to provide a piling risk assessment to determine if this work will create any pathways that could allow contamination to migrate between any existing pollution sources and vulnerable receptors such as the groundwater in the deep chalk aquifer. With respect to any proposals for piling through made ground, we would refer you to the Environment Agency guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected By Contamination: Guidance on Pollution Prevention". NGWCL Centre Project NC/99/73. We suggest that approval of piling methodology is further discussed with the Environment Agency when the guidance has been utilised to design appropriate piling regimes at the site.

4.11.5 Piling or any other foundation designs using penetrative methods should not be used except in those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

4.11.6 We would further advise that if, during development, contamination not previously identified is found to be present at the site then no further development should be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination will be dealt with.

## 5.0 Policy Context

The application is for prior approval not planning permission. It is not considered against the Development Plan but the relevant legislation. This is provided below.

The Town and Country Planning (General Permitted Development) Order 1995 (as amended)

PART 11, DEVELOPMENT UNDER LOCAL OR PRIVATE ACTS OR ORDERS  
Class A,

**Permitted development**

A. Development authorised by—

- (a) a local or private Act of Parliament,
- (b) an order approved by both Houses of Parliament, or
- (c) an order under section 14 or 16 of the Harbours Act 1968 (orders for securing harbour efficiency etc., and orders conferring powers for improvement, construction etc. of harbours) which designates specifically the nature of the development authorised and the land upon which it may be carried out.

**Condition**

A.1. Development is not permitted by Class A if it consists of or includes—

The erection, construction, alteration or extension of any building, bridge, aqueduct, pier or dam, or the formation, laying out or alteration of a means of access to any highway used by vehicular traffic, unless the prior approval of the appropriate authority to the detailed plans and specifications is first obtained.

**Prior approvals**

A.2. The prior approval referred to in paragraph A.1 is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that—

- (a) the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or
- (b) The design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

**Interpretation of Class A**

A. 3. In Class A, “appropriate authority” means—

- (a) in Greater London or a metropolitan county, the local planning authority,
- (b) in a National Park in England, outside a metropolitan county, the county planning authority,
- (c) in any other case in England, the district planning authority<sup>49</sup>,
- (d) In Wales, the local planning authority.

**Railways Clauses Consolidation Act 1845 (“the RCCA 1845”) SECTION 16**  
Works to be executed

Subject to the provisions and restrictions in this and the special Act, and any Act incorporated therewith, it shall be lawful for the company, for the purpose of

constructing the railway, or the accommodation works connected therewith, herein-after mentioned, to execute any of the following works; (that is to say,).

They may make or construct in, upon, across, under, or over any lands, or any streets, hills, valleys, roads, railroads, or tram roads, rivers, canals, brooks, streams, or other waters, within the lands described in the said plans, or mentioned in the said books of reference or any correction thereof, such temporary or permanent inclined planes, tunnels, embankments, aqueducts, bridges, roads, ways, passages, conduits, drains, piers, arches, cuttings, and fences, as they think proper;

They may from time to time alter, repair, or discontinue the before-mentioned works or any of them, and substitute others in their stead; and

They may do all other acts necessary for making, maintaining, altering, or repairing, and using the railway;

Provided always, that in the exercise of the powers by this or the special Act granted the company shall do as little damage as can be, and shall make full satisfaction, in manner herein and in the special Act, and any Act incorporated therewith, provided, to all parties interested, for all damage by them sustained by reason of the exercise of such powers.

## **6.0 Planning Considerations**

6.1 The Development that is the subject of the present application is authorised under RCC ACT 1845 subject to the prior approval of the detailed plans and specifications by the LPA. However the as set out in paragraph 5 of this report the LPA can in the current circumstances only refuse such prior approval or impose conditions where they are satisfied that :

- (a) the development **ought to be** and **could reasonably be** carried out elsewhere on the land; or
- (b) the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

### *Development ought to be and could reasonably be carried out elsewhere on the land*

6.2 The proposal consists of two separate elements. These are independent of each other and are considered separately.

1. Part demolition of the existing ramped walkway to platforms 4 & 5 and replacement with a level walkway and lift down to platform level.
2. Demolition of the existing footbridge that links platforms 1, 2 & 3 and 4 & 5 and the installation of a new footbridge with lift access to platforms 1 and 4 & 5. There is provision to install lift access to platforms 2 & 3 at a future date if required.

6.3 In designing this scheme Network Rail have advised they need to comply with the certain standards and constraints. These include:

- Department for Transport design codes and standards,

- Relevant British Standards
- Relevant European standards

6.4 Network Rail has to consider the impact the length of construction for the different options in order to minimise disruption to the operational railway and rail passengers. Additionally, long-term maintenance costs have to be considered.

6.5 The evaluation of the options followed the Governance for Railway Investment Projects (GRIP) process which is accepted as the standard method of project delivery within the railway industry.

6.6 A summary of the different options considered by Network Rail are provided below.

*New Walkway and Lifts to Platform 4 and 5*

6.7 The test under part A.2.(A) is that prior approval is not to be refused by the appropriate authority nor are conditions to be imposed unless the development ought to be and could reasonably be carried out elsewhere on the land.

6.8 The proposed walkway and lift cannot be located elsewhere on the land as it connects the station hall to the platform. Therefore there are no grounds to refuse prior approval for the walkway and lifts to platforms 4 & 5 under part A.2. (A).

*Retaining the footbridge and modifying to be Equality Act compliant*

6.9 The proposed scheme is for the demolition of the existing footbridge that links platforms 1, 2 & 3 and 4 & 5 and replacement with a new bridge. The new bridge will be a fully compliant Access for All footbridge with lift access between platforms 1 and 4 & 5. Given that platforms 2 & 3 are not in regular use, the proposal allows for future provision of a lift to these platforms if required at some future point.

6.10 A number of objections have been received regarding the proposed demolition. Local residents and interested stakeholders would like the existing bridge to be retained on historic grounds, particularly in regards to links with The Railway Children.

6.11 The Conservation Officer has provided comments in relation to the proposal and the heritage implications. The full text of the comments are provided above. In summary the officer has concluded that while the proposals involves a significant degree of intervention into the existing fabric of the station the 'Grove Park Station Footbridge Briefing Note' explains why the creation of an under-pass is neither practicable nor feasible.

6.12 Network Rail advises that, due to the design and construction of the existing bridge it is not possible to modify it to incorporate Access for All requirements.

6.13 The existing bridge is constructed in such a way that there is no room within the existing structure to install a lift on platform 1 or platforms 4 & 5.

6.14 The bridge walkway does not extend to platform 1. Instead, the stairs have been placed at a right angle to the platform and reach over the railway line to join the bridge walkway. This leaves no place for a lift to be installed.

- 6.15 On platforms 4 & 5 the stairwell has two flights of stairs and a landing. The stairs turn the corner at the landing before reaching the bridge walkway. This configuration results in no room for a lift to be installed.
- 6.16 In order to modify the existing bridge to accommodate lifts, new walkway would need to be constructed to platform 1 and extended over platform 4 & 5 while the stairs on both platform 1 and platforms 4 & 5 would need to be moved or reconfigured. This would result in new/reconfigured stairs in different locations to existing, new lifts and new bridge walkway with the only original bridge span left in the middle over platforms 2 & 3.
- 6.17 Network Rail has advised that this would result in an awkward design and significant difficulties in construction. Additionally, there would be significant new structure required.
- 6.18 The existing footbridge is neither nationally nor locally listed as a heritage asset by English Heritage, nor is it located within the curtilage of a listed heritage asset or within a Conservation Area as defined within the National Planning Policy Framework.
- 6.19 Officers agree with this analysis regarding the difficulties of incorporating lifts into the existing bridge and consider it is not a reasonable alternative to the current proposal.

*Retaining the footbridge and providing the new bridge as well*

- 6.20 An option to locate a new footbridge south of the existing footbridge (further away from the ticket hall) was assessed. However, this is restricted due to platform 1 being at an angle from the other platforms. A bridge in this location would result in people having to travel further to reach the footbridge whilst the stairs would also be required to point away from the prominent direction of travel due to platform constraints.
- 6.21 A new footbridge to the south would also be required to increase in height (based on the currently proposed design) to ensure it did not interfere with or block an existing signal. Additional works would be required to alter the position of key railway infrastructure such as switches, crossings, and associated signalling.
- 6.22 An option to locate a new footbridge to the north of the existing footbridge (closer to the station) was also assessed. This would result in loss of the existing station platform buildings as well as a significant proportion of the station canopy which would again leave passengers exposed to the weather.
- 6.23 Having two bridges rather than one would result in additional impact on the amenity of adjoining neighbours. Both options require substantial additional work to the platforms compared with the current proposal.
- 6.24 It is considered, on balance, that neither option is a reasonable alternative to the current proposal.

*Providing a subway tunnel*

- 6.25 A subway/tunnel that links platforms 1, 2 & 3 and 4 & 5 with both stepped and lift access was assessed.

- 6.26 A number of objections suggested retaining the existing footbridge and providing a subway tunnel as well.
- 6.27 Network Rail has advised that the construction of an underpass would increase both the cost and the construction time by between 2.5 to 4 times that of the current proposal.
- 6.28 As with the current proposal, operationally the most convenient location would be within the footprint of the existing bridge (refer above for analysis). Therefore the underpass option would also mean the existing bridge would need to be demolished.
- 6.29 In terms of construction of an underpass, the existing footbridge would need to be demolished prior to works beginning. This would complicate station operations and inconvenience station users. This is because the existing bridge would need to be removed in order to begin works on an underpass, unlike the current proposal. Much of the work for a replacement bridge can be undertaken off line adjacent to the existing bridge, prior to its removal. The benefit of the replacement bridge solution is that passenger-walking routes will be disrupted for shorter periods and it would result in less disruption to local residents.
- 6.30 The disruption to the railway/station would be immense under this option. There is no space to push/jack a tunnel through, so an underpass would have to be tunnelled by hand. This cannot happen with trains running on top and therefore would result in considerable disruption. Alternatively, the underpass could be dug out and then covered over.
- 6.31 An underpass would need to be deep to avoid the track bed and drainage. This would mean having to dig down deeper than the height of the proposed bridge (9m), which would result in a significantly larger footprint for stair wells and lifts, taking up large areas of platform, construction would be very disruptive to local roads, line side neighbours and not least the station and would require significant closures of the railway.
- 6.32 Furthermore, Network Rail is unsure how this level of excavation would impact on groundwater sources and the natural drainage of the area.
- 6.33 The construction of a subway would require the railway line to be closed for the immediate construction phase due to excavation immediately below the track bed. There would also be need for speed restrictions after, during which adjacent construction activity would take place. Any such closure of the railway would require significant pre-planning for the routing of trains and carrying of passengers. This pre-planning and advance notice period would have serious effects on the project programme, as disruptive track access has to be agreed with Train Companies significantly in advance of the proposed construction programme.
- 6.34 There would be significant additional costs incurred by the industry for the provision of the replacement bus service, and substantial inconvenience and disruption to the travelling public.
- 6.35 The ongoing speed restrictions would have an impact on train performance, and potentially our ability to recover from operational incidents. By imposing speed restrictions for a long period of time there could be implications for key

performance indicators that the Office of the Rail Regulator uses to measure train performance and that of the network.

- 6.36 Furthermore, there will be a significantly larger land area required during the construction period for a subway than for any other option.
- 6.37 To construct this scheme Network Rail need to meet the requirements of Railway Group Standards. Construction of an underpass would require a greater width of platform to be hoarded off to enable the ground to be excavated, potentially resulting in a constriction in the platform width. Although this may be able to be mitigated, Network Rail does not believe sufficient width could be maintained due to the significant footfall that uses the existing bridge.
- 6.38 The amount of spoil being generated from the digging means spoil may need to be stored on the platform then reloaded onto road vehicles. The work would result in a substantial quantity of spoil being removed from site and a very large number of lorry movements in and around the station environment.
- 6.39 The construction of an underpass would generate significantly more noise and disruption to local residents, because of the construction techniques that would need to be utilised, the additional construction traffic and spoil handling.
- 6.40 Network Rail employs competent contractors to undertake works of this nature; however excavations of this size carry greater risks to adjacent properties if something did not go as anticipated.
- 6.41 Construction of a bridge allows elements of works to be fabricated in factory conditions with elements delivered to site assembled into manageable sections and installed.
- 6.42 The construction of a new bridge will provide a higher degree of passive surveillance than an underpass, and would not be dissimilar to the current bridge in that sense. A new bridge would have lighting and CCTV coverage above the levels currently present on the existing bridge. Use of underpasses are not uncommon in certain environments, however careful consideration needs to be given to the security and environment being created.
- 6.43 Although a subway would be the least visually intrusive solution, the public often oppose using them, particularly at night, and they can present an invitation to people with criminal intent, and anti-social behaviour. A subway at Grove Park would not be overlooked and this would further exacerbate a perceived safety risk. Previous discussions with the accessibility steering group DiPTAC was that vulnerable people or people who feel vulnerable don't like using subways as they can be frightening places and make people less likely to use it.
- 6.44 The depth of an underpass would also mean people using steps would have to travel a greater distance than with the current replacement bridge proposal.
- 6.45 There are concerns regarding flooding/water in a subway, and the on-going maintenance of a structure like this. Waterproofing and tanking would add cost as well as increased maintenance liabilities.
- 6.46 Due to the space requirements, and likely length, Network Rail do not consider providing ramp access to the underpass as a viable option. Therefore it would need to have stairs and lifts if it could be reasonably constructed.

- 6.47 Considering the above information, officers agree that the subway option is not a feasible alternative to the current replacement bridge proposal. Additionally, even if it were feasible from a construction point of view, the ideal location would be where the current footbridge currently stands. Therefore it would still require the demolition of the current footbridge.

*Summary*

- 6.48 Based on the above analysis of the different options considered by Network Rail, it is considered that the proposed footbridge ought not to be and could not reasonably be carried out elsewhere on the land
- 6.49 Therefore there are no grounds to refuse prior approval for the proposed footbridge under part A.2. (A).

*Injury to Amenity of the Neighbourhood*

- 6.50 Section A2(b) of the legislation states that prior approval is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that the design or external appearance of any bridge would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

*Level Walkway and Lift to Platforms 4 & 5*

- 6.51 The current walkway is 41m long with a maximum height of 8.3m lowering to 2.3m where it joins to the platform canopy at platform level. The ramp has a 1:10 gradient. The existing walkway itself is 2.7m high with an obscured lower portion, an open upper part and a canopy.
- 6.52 The proposed walkway is 44m long with a maximum height of 9m. At 35m from the station building the height of the footbridge starts to lower and is 3.3m where it joins the platform canopy. The lift shaft is located at the end of the walkway. It is 8.7m high and 3.5m wide. However, due to level changes it is 1.5m higher than the footbridge. The proposed walkway itself is 3m high with an obscured lower portion, a clear upper part and a canopy.
- 6.53 The walkway is a minimum of 19m from the rear of the flatted blocks in Chinbrook Crescent with large screening trees between them. It is considered that the impact of the proposed walkway to Chinbrook Crescent is acceptable due to the screening effect of the trees.
- 6.54 The proposed walkway, at 44m in length will extend as far as the rear garden of no. 8 Amblecote Meadows but will not extend as far as the dwelling itself. The walkway starts to descend in height before reaching the rear boundary of this property. There are trees between the property and the railway line which offer a considerable element of screening. The lift shaft is approximately 10m from the side boundary of no. 8 Amblecote Meadows.
- 6.55 The existing platform roof canopy is adjacent to this property. While is considered that there will be an impact on visual amenity from the lift shaft, it is not considered a significant impact given the screening provided by the trees, the existing walkway and the existing station roof canopy.

*New compliant ramp to Platforms 4 & 5*

- 6.56 A number of objections were received regarding the loss of the ramp and replacement with a lift. Objectors felt the current ramp was acceptable and a lift would result in considerable delays in accessing the platform. However, Network Rail has provided a detailed assessment setting out why retaining the existing ramp is not a reasonable option in terms of disability access.
- 6.57 The existing height difference between the booking hall and the platforms is 4.2 metres. The existing ramp to platforms 4 & 5 is 41 metres in length. To make the ramps Equality Act compliant it would be required to extend the ramps considerably.
- 6.58 The current gradient of the ramp is 1:10 which is considerably steeper than allowed under the Equality Act. Network Rail has advised that in order to comply with modern gradient standards the length of the ramp would need to increase to approximately 83 metres in length.
- 6.59 The extended ramp would require a canopy (as is provided now) for the full length to shelter station users from the weather as well as works to the existing covered parts of the platforms 4 & 5. This is likely to increase the impact of the proposals on adjacent residential properties at Amblecote Meadows due to the significant increase in the length of the ramp and canopy.
- 6.60 Network Rail have also advised that under this option key operational infrastructure such as switches, crossings and signalling equipment would need to be relocated due to the platform alterations.
- 6.61 Lift access to platform level would still be required with this option. The only location possible for a lift under this option is at the end of the platform beside the ticket hall. Locating the lift here would create an isolated alleyway running alongside the ramp which would create a blind spot in station security. Officers do not consider this would create an acceptable environment and could result in anti-social behaviour and crime.
- 6.62 The Equality Act compliant ramp would increase the distance passengers would be required to travel to reach the platform and create a pinch point due to the ramp discharging people on to the busiest part of the platforms.
- 6.63 In Network Rails view this option would require unnecessary additional alterations to the platform structures already in place as well as enabling works and would result in a significantly more expensive scheme than that currently proposed.
- 6.64 Officers agree with the analysis of Network Rail in regards to the ramp and consider that, given the constraints of the site as well as the design and operational requirements of a functioning train station the option of replacing the current ramp on platform 4 & 5 with a Equality Act compliant ramp is not as feasible as the proposed level walkway and lift option.

*Impact on amenity of replacement footbridge and lifts (connecting all platforms)*

- 6.65 In terms of amenity, the footbridge would be visible from Pullman Mews and Amblecote Mews. The ticket office and a large wall obscure much of the view from Baring Road.

- 6.66 The existing footbridge is located 13.2m from the rear elevation of Amblecote Mews and 16.6m from the front elevation of properties on Pullman Mews. The existing bridge is 7.2m at the highest point. The staircases are 3.7 long (running parallel with the platform) with a height of 3m at the lowest point, rising to 5.1 where it joins the bridge. The staircases join the existing canopies which cover the platforms. The canopies are 4m in height.
- 6.67 The proposed footbridge is located 13.8m from the rear elevation of Amblecote Mews and 17m from the front elevation of properties on Pullman Mews. It is 8m high. The staircases are 10.3m long (running parallel with the platform) with a height of 3m at the lowest point, rising to 7.6m where it joins the bridge.
- 6.68 The flank ends of the proposed footbridge are directly adjacent to nos. 26 and 27 Amblecote Mews and nos. 7 and 8 Pullman Mews. The proposal has one lift at each end (on platform 1 and platforms 4 & 5) The proposed lift shaft would measure 9.5m in height and 2.2m by 2m around the base.
- 6.69 The existing footbridge has a visual impact to the directly adjacent properties in Pullman Mews and Amblecote Meadows. It is accepted that there will be additional impact on the amenity of the directly adjacent properties in Pullman Mews and Amblecote Meadows by virtue of the increased height and massing of the bridge as well as additional bulk of the lift shafts at either end.
- 6.70 However, as residential properties run the full length of the railway line adjacent to the station, locating the footbridge elsewhere on the platform would not remove the impact on amenity, it would relocate it.
- 6.71 Additionally, Network Rail have provided justification in regard to alternative proposals and locations for the bridge. It is accepted that the bridge cannot be reasonably located elsewhere on the platform or an alternative, like a subway tunnel, be provided instead.

*Modifying the materials or design*

- 6.72 The current bridge proposal due to its bulk and mass will have a direct impact on nos 26 and 27 Amblecote Mews and nos. 7 and 8 Pullman Mews. It will have a visual impact on the other residents within these two streets. This needs to be justified in terms of design and materials within the context of the legislation.
- 6.73 It is considered that there is a minor impact on visual amenity to no. 8 Amblecote Meadows for the proposed lift shaft to platforms 4 & 5. The walkway element is screened an acceptable distance from the rear of Chinbrook Gardens and Amblecote Meadows to not have a significant visual impact.
- 6.74 The Conservation Officer has provided comments in relation to the proposal and the heritage implications. In terms of the design solutions, the conservation officer is not convinced that there are no other solutions to the external treatment of the lift towers available that would give a more aesthetically pleasing and lightweight appearance as opposed to the proposed Kingspan cladding.
- 6.75 Therefore, the Council requested Network Rail consider options to modify the materials to reduce the impact and create lighter weight structures.
- 6.76 Changes to the proposed materials and location for the lift shaft element are considered below.

### *The Bridge*

- 6.77 The clearance height of the bridge is dictated by operational requirements and therefore cannot be reduced.
- 6.78 The current design has a solid parapet to approx. 1.8m high at both flank ends and along the walkway. It uses both steelwork and glass. Mesh is used at high level for security purposes (i.e. people throwing items onto the track/trains). This design reduces the visual impact and creates a lighter weight structure but does not address overlooking and privacy concerns from the ends of the bridge.
- 6.79 However, the proposed footbridge is 13.8m from the rear elevation of Amblecote Mews and 17m from the front elevation of properties on Pullman Mews. There is overlooking into the gardens of Amblecote Meadows from the existing bridge and, although higher, it is not considered that the proposed footbridge would make this materially worse. Overlooking into the windows of these properties would be minimal due to the distance although perceived loss of privacy for the residents is a reasonable concern.
- 6.80 In certain instances, primarily within statutorily listed stations, bridges have been constructed without a roof and with glass 'walls' to the appropriate height for safety purposes to mitigate the visual impact of the bridge.
- 6.81 Taken in conjunction with the staircase (see below) this option would reduce the impact to Amblecote Meadows or Pullman Mews. However, it would be at odds visually with the current design of the station.
- 6.82 Additionally, it is considered unreasonable to not provide protection from the weather at Grove Park Station by means of a roof as the existing bridge does so.
- 6.83 However, it is considered that the materials of the bridge could potentially be reasonably modified to create a visually lighter weight structure, perhaps with the use of a similar lattice to the existing.

### *Stairwell*

- 6.84 As with the bridge the roof of the staircase could be removed and glass walls could be provided. However, the existing stairwell has a roof and it is considered that the current proposed stairwell roof has a similar impact in terms of visual amenity. Additionally, no protection would be offered from the weather.
- 6.85 Alternatively the proposed roof can be retained and a glass design or a similar lattice to the existing could be used for the staircase parapets.
- 6.86 This would help to reduce the impact of the proposals of the adjacent properties as the proposed stairwells are longer, at 10.3m than the existing at 3.7m.
- 6.87 The space beneath the two staircases at either end of the structure houses the equipment for the operation of the lifts. Any area with headroom of less than 2.5m is required to be inaccessible. On the current proposal this space is walled in brick to match the staircase. An alternative is to use mesh or a similar lattice to the existing in this location. Network Rail felt that using brick in this location results in a more streamlined look rather than introducing a change in materials.

- 6.88 Officers consider that changing the material to mesh or another open style of material may result in a reduced visual impact in terms of bulk subject to details.
- 6.89 It is considered that the materials of the stairwell could potentially be reasonably modified to create a visually lighter weight structure, perhaps with the use of a similar lattice to the existing.

#### *Lift shafts*

- 6.90 The proposed lift shafts are constructed of brick on the lower half with cladding to the upper part.
- 6.91 Lift shafts can be constructed of glass to help reduce visual impact. Network Rail have advised that glass lift shafts are considered to be unsuitable for external use and would also not respond to the privacy concerns that have been expressed by residents. It would introduce significant maintenance liabilities to the industry and would be significantly more expensive.
- 6.92 Alternatively, lift shafts can be constructed with one or two glassed elevations (both perpendicular to the track) with brick work forming the elevation parallel to the track (like Clapham Junction). However, this option would not reduce the visual impact of the structure for properties directly adjacent to the structure.
- 6.93 Network Rail has advised they could consider constructing the lift shafts entirely of brick rather than utilising cladding at upper levels if preferred. This could be designed to include more of the details currently present within existing brickwork on the platforms. However, it would have no impact in terms of bulk and massing.
- 6.94 The conservation officer has noted that glass lift shafts are a common choice in other European capitals and sufficient justification has not been submitted to discount glass as a material.
- 6.95 It is considered that the materials of the lift shaft could potentially be reasonably modified to create a visually lighter weight structure.

#### *The walkway and lift to platforms 4 & 5*

- 6.96 The visual impact of the proposed walkway and the proposed materials are both considered acceptable.
- 6.97 The proposed lift shaft is located at the end of the walkway and is constructed completely of brick.
- 6.98 Officers consider that moving the lift shaft closer to the station building to minimise the visual impact would create an isolated area running alongside the ramp. This would create a blind spot in station security. Officers do not consider this would create an acceptable environment and could result in anti-social behaviour and crime.
- 6.99 As detailed above, Network Rail have advised that glass is not considered an acceptable material for external use and has significant maintenance liabilities.
- 6.100 It is considered that the materials of the lift shaft could potentially be reasonably modified to create a visually lighter weight structure.

## Conclusion

- 6.101 Officers consider that Network Rail have provided sufficient justification as to why the existing ramp to platforms 4 & 5 can not be made Equality Act compliant and accept that the current proposal to provide a level walkway, stairs and a lift is the best option available. It is considered that there is no reasonable alternative. However, officers are not convinced that the materials and design solution cannot be reasonably modified to minimise the impact of the lift shaft.
- 6.102 Officers also consider that Network Rail have provided sufficient justification as to:
- why the existing footbridge can not be made Equality Act compliant;
  - why an new bridge can not be located elsewhere on the platform to retain the existing bridge; and
  - why a subway is not a viable alternative.
- 6.103 Officers consider that there is no reasonable alternative.
- 6.104 However, officers are not convinced that the materials and design solution cannot be reasonably modified to minimise the impact of the footbridge, stairwell and both lift shafts.
- 6.105 If Committee Members grant prior approval, a condition should be attached regarding further details of materials to be approved. Draft wording is provided at the end of this report.

## **7.0 Equalities Considerations**

- 7.1 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.
- 7.2 The protected characteristics under the Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 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.

## **8.0 The Assessment**

The proposals will provide compliant access for people with disability through the provision of lift access to platforms 4 & 5 and platform 1 with safeguarded provision for platforms 2 & 3. It is concluded that in this matter there is a positive impact on equality.

## **9.0 Conclusion**

- 9.1 This application has been considered in the light of legislative framework set out above.
- 9.2 Overall, Officers consider that the proposed replacement footbridge, walkway and lift to platforms 4 & 5 are acceptable. Officers consider that there is no reasonable alternative in terms of location or alternative subway scheme. However officers are not convinced that the materials cannot be reasonably modified to minimise the impact of the footbridge, stairwell and both lift shafts.
- 9.3 Therefore, Officers do not believe that there are grounds on which to refuse to grant prior approval. However in relation to the external materials of the ramp, lift shafts and footbridge Officers recommend that the grant be subject to a condition that requires further details of materials to be approved.

## **10.0 RECOMMENDATION**

Grant prior approval subject to a condition relating to materials.

### **CONDITIONS**

Prior to commencement of development a detailed schedule and specification of all external materials and external roof coverings to be used on the ramp, lift shafts and footbridge be submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

## **Minutes**

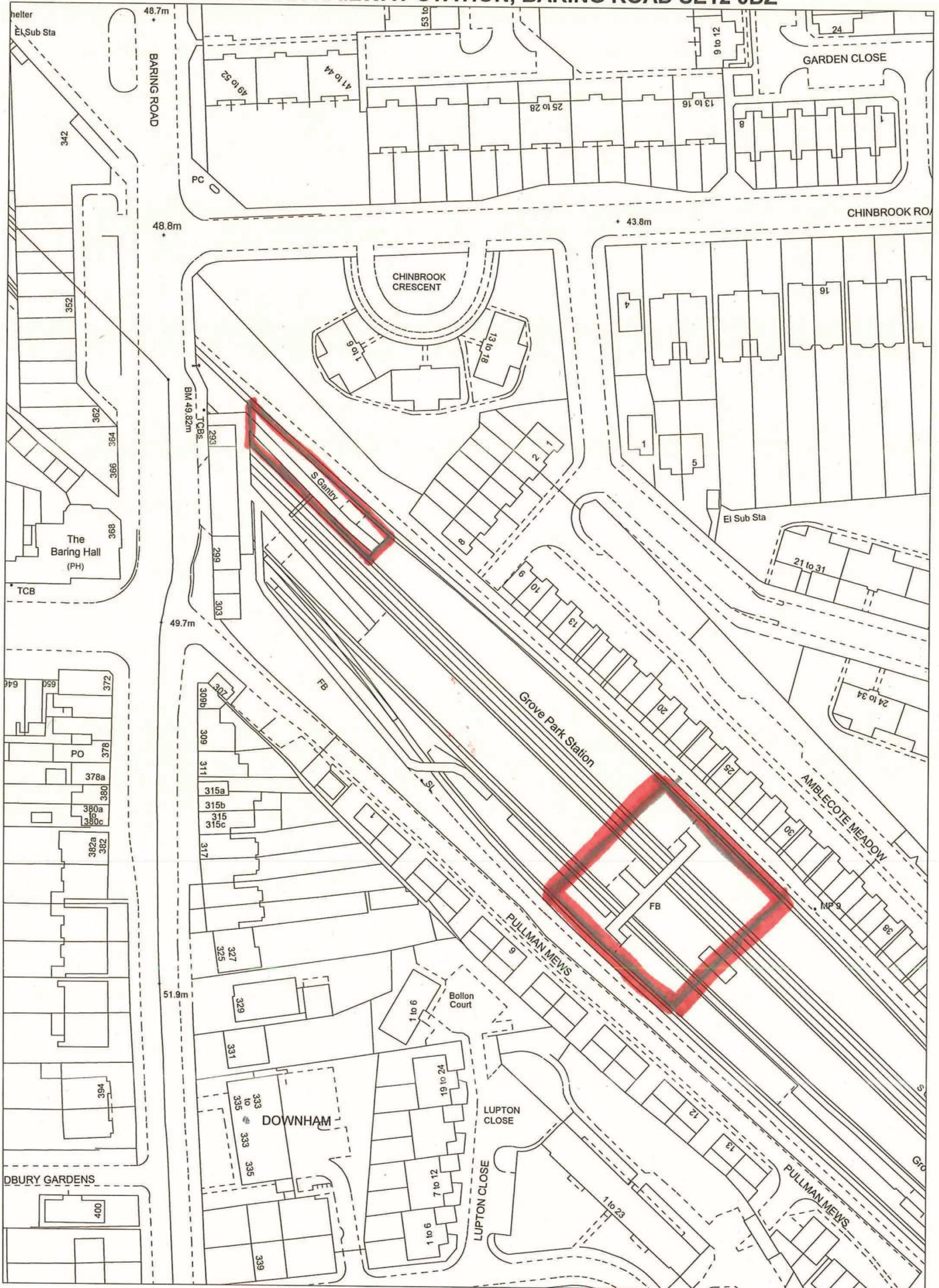
In light of further information received regarding the proposal, Councillor Bell moved the motion that a decision on this item be deferred until the next meeting of Planning Committee C pending further consultation with Network Rail on alternative proposals set forward by local residents.

Members voted as follows:

FOR: Councillors Bell (Chair), Coughlin, Hooks, Klier, Ogunbadewa, John Paschoud and Slater

**RESOLVED:** that in respect of town planning application DC/14/86845, that a decision be deferred for six weeks pending further consultation with Network Rail on the alternative proposals set forward by local residents.

# GROVE PARK RAILWAY STATION, BARING ROAD SE12 0DZ



This page is intentionally left blank

Committee	PLANNING COMMITTEE C	
Report Title	Brockley Police Station, Howson Road SE4 2AS	
Ward	Ladywell	
Contributors	Michael Forrester	
Class	PART 1	18 November 2014

Reg. Nos. DC/14/88272

Application dated 18/07/2014

Applicant PPM Planning Limited

Proposal Alterations and the conversion of the former Brockley Police Station, 4 Howson Road SE4 into 4 self contained dwellings together with the construction of 5 two storey terraced houses fronting Kneller Road with provision of associated refuse store/ bicycle storage and associated landscaping.

Applicant's Plan Nos. 0389 D 0 106A 01, 0389 D 0 105A, 000389 D 0 104A 00, 27BP-07, 27BP-08, 27BP05, 27BP-06, 0389 D 103, 0389 D 102, 0389 D 101, 0389 D 204, 0389 D 205, 0389 D 300, 0389 F 001, 0389 D 200 (Howson Road), 0389 F 001, 0389 F 100, 0389 F 101, 0389 F 102, 0389 F 201, 0389 F 200, 0389 F 30, Heritage Statement, Design and Access Statement, Transport Statement, Sustainability Statement, Energy Strategy, Daylight and Sunlight Assessment, Plant Schedule, CGI, Landscape Design Package pages 3-4 (new building-rear garden- 3D still); 27BP-01 27BP-02, 27BP-03 received 2/10/2014; 0389 D 202 01, 0389 D 206 01, 0389 D 200 01 (Kneller Road), 0389 D 203 01, 0389 D 100 01 received 28/10/2014.

Background Papers

- (1) Case File LE/2/4/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 site comprises the former Brockley Police Station, which is located at the junction of Howson Road and Kneller Road. The Brockley Police Station was built in 1881-3 to the designs of John Butler (1828-1900) FRIBA, Surveyor to the Metropolitan Police from 1881-95.

- 1.2 The original police station building has its main entrance on Howson Road and a return frontage on Kneller Road. There is a large yard area to the rear of the building with vehicular access from Kneller Road. Much of the boundary to the street in Kneller Road is formed by a high brick wall.
- 1.3 The police station was built at the same time as the surrounding residential streets but in a different architectural style, which is in contrast to later police stations, which were fitted into existing streetscapes. It survives in its original layout with reception, waiting room, charge room and offices on the ground floor, a canteen in the Kneller Road wing and the cells in the opposite wing, with the sergeant's family quarters upstairs. There is a drill yard to the west, bounded by high brick walls. Ancillary structures that lay within the drill yard have been demolished (July 2014).
- 1.4 Brockley Police Station is a locally listed building, but is not located within a conservation area. The site has a PTAL of 3-4 and is located approximately 200m from Brockley Station. The site is not covered by a Controlled Parking Zone.
- 1.5 The surrounding locality is predominantly residential in nature, characterised by two storey Victorian terraces, although there are a number of modern properties in the vicinity.

## **2.0 Planning History**

- 2.1 There is no relevant planning history on this site.

## **3.0 Current Planning Applications**

### The Proposals

- 3.1 Permission is sought for the conversion of the former police station building into 4 family dwellings. Units A-B are accessed using existing entrances from Howson Road. Units C-D would be accessed from entrances on the northern Kneller Road elevation. External changes to the building are limited to the creation of new entrances and windows along the Kneller Road (north facing) frontage and to the rear to allow access into the gardens.
- 3.2 To the rear of the police station is a linear communal courtyard which serves Units B, C and D, this courtyard opens out onto three private garden areas. Unit A has a private garden to the south of the site.
- 3.3 The rear yard facing Kneller Road is proposed to be developed with a terrace of 5 houses (Units E-I). These are set in line with the existing properties in Kneller Road and provide accommodation across three levels, with a bedroom in the roof space. This terrace measures 26.4m wide (along Kneller Road) by a maximum of 12m deep, rising to a maximum of 8.7m high.
- 3.4 Each dwelling in this terrace is provided with a courtyard style garden with units E-H also having access to a second floor roof terrace. The Kneller Road garden of Unit E is enclosed by a 1.8m high wall.

## Supporting Documents

- 3.5 Heritage Statement (Stephen Gray Consultancy) – this report provides a detailed description of the proposed building, its history, candidacy for listing and significance.
- 3.6 Design and Access Statement (BASE Associates) – this document provides a description of the proposals and the design evolution.
- 3.7 Transport Statement (TPP) – a parking beat survey has been submitted using the Lambeth Methodology, this demonstrates that there is sufficient parking in the area.
- 3.8 Landscape Design Package (London Garden Designer) – this provides further details of soft landscaping with visuals of the garden spaces for each dwelling. Details of planting species are also provided.
- 3.9 Sustainability Statement (AJ Energy Consultants) – a Code for Sustainable Homes pre-assessment for the new building dwellings confirms that they can achieve Code 4. A BREEAM pre-assessment for the conversion of the police station building confirms a score of ‘very good’, stating that the limitations of the building fabric mean that a score of ‘excellent’ would be difficult to achieve.
- 3.10 Energy Statement (AJ Energy Consultants) – this document details proposed renewable energy technologies. The report discounts on site CHP but states that photovoltaic panels are proposed at roof level.
- 3.11 Daylight and Sunlight (Herrington Consulting Limited) – this document details the impact of the proposals in terms of daylight and sunlight upon existing properties, together with a test for daylight upon the proposed dwellings. The report concludes that the introduction of the terrace on Kneller Road would not result in an adverse loss of light to no.1 Kneller Road and that the proposed dwellings would receive sufficient levels of daylight in accordance with BRE guidance.

## **4.0 Consultation**

- 4.1 This section outlines the consultation carried out by the applicant prior to submission and the Council following the submission of the application and summarises the responses received. The Council’s consultation exceeded the minimum statutory requirements and those required by the Council’s adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors.

## **4.3 Pre-Application Consultation**

- 4.4 A pre-application enquiry was submitted to the Council in February 2014. The retention of the police station was welcomed, and its sensitive conversion to family dwellings, rather than flats was considered to be acceptable. A new build terrace to the rear raises no objections in principle, however, the applicant was advised that the acceptability of a car-free approach would need to be demonstrated with parking surveys and a Transport Assessment.

- 4.5 The applicant was encouraged to consult with residents locally prior to the submission of a planning application. As a result of the consultation, an application was made from residents to English Heritage to formally list the police station, which was rejected in July 2014. Further details of the listing proposal are discussed in the report below.

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

- 4.6 Notification letters were sent to surrounding properties and to local ward councillors. 1 letter of support and 12 objections were received, these are summarised below.
- the scheme does not propose any off-street car parking
  - the new build terrace is vulgar and ugly
  - this is inappropriate development for this location
  - why can't the police station be converted for community uses? Such as a gym, offices, or a restaurant.
  - Proposed gardens are too small.
  - Lewisham Council should have listed the building.
- 4.7 In response to the local interest in the application proposal, a local meeting was held in accordance with the requirements of the Council's Statement of Community Involvement. The meeting was held on the 8<sup>th</sup> October 2014 at Brockley Social Club. A copy of the notes of the meeting is appended to this report.

All of the representations received are available to Members

#### Sustainability Manager

- 4.8 Proposals meet Code Level 4 which is acceptable. The applicant has submitted a BREEAM pre-assessment for the conversion of the police station which generates a 'very good' rating, any improvement to this score would be welcome.

#### Highways and Transportation

- 4.9 The scheme is unobjectionable in principle as the applicant has provided parking beat surveys using the Lambeth Methodology, which shows that there is sufficient on street parking.
- 4.10 The retention of the police station is welcome, and there is no objection to the proposed terrace to the rear. Conditions are required for samples of materials for the new build properties, boundary treatments and detailing of the new entrances on the police station to ensure they are of high quality.

### **5.0 Policy Context**

#### Introduction

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

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

A local finance consideration means:

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

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, 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

Ensuring effective enforcement

Flexible options for planning permissions

Renewable and low carbon energy

Travel plans, transport assessments and statements in decision-taking

Use of Planning Conditions

London Plan (July 2011)

5.6 The London Plan policies relevant to this application are:

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 4.12 Improving opportunities for all

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.11 Green roofs and development site environs

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

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:

Accessible London: Achieving an Inclusive Environment (2004)

Housing (2012)

Sustainable Design and Construction (2006)

London Plan Best Practice Guidance

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

Development Plan Policies for Biodiversity (2005)

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

Wheelchair Accessible Housing (2007)

## Core Strategy

- 5.9 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the 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 5 Areas of Stability and Managed Change

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

## Unitary Development Plan (2004)

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

STR URB 1 The Built Environment

URB 3 Urban Design

URB 6 Alterations and Extensions

URB 12 Landscape and Development

URB 20 Locally Listed Buildings

HSG 1 Prevention of Loss of Housing

HSG 4 Residential Amenity

HSG 5 Layout and Design of New Residential Development

HSG 7 Gardens

HSG 8 Backland and In-fill Development

## Residential Standards Supplementary Planning Document (August 2006)

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

## Emerging Plans

- 5.12 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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). The following emerging plans are relevant to this application.

5.13 The following emerging plans are relevant to this application.

Development Management Local Plan

5.14 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 the 23 of 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 the 29 of April 2014. The Council expects to formally adopt the DMLP in autumn 2014.

5.15 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 the plan making process aside from formal adoption, and therefore holds very significant weight at this stage.

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 25	Landscaping and trees
DM Policy 27	Lighting
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 35	Public realm
DM Policy 37	Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest

**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

- e) Noise
- f) Impact on Adjoining Properties
- g) Sustainability and Energy
- h) Ecology and Landscaping

#### Principle of Development

- 6.2 The police station is vacant, having been sold by the Metropolitan Police in 2013. For a number years prior to its disposal, the police station prior was only operational on a part time basis. The proposals seek for residential conversion of the original police station building together with the construction of a terrace of 5 dwellings within the yard.
- 6.3 Core Strategy Policy 19 states that the 'Council will work to ensure a range of community facilities are provided across the borough'. Development should not result in a net loss of facilities, and should identify the needs of current and future populations, be in accessible locations and encourage a safe and secure environment.
- 6.4 In this instance, the police station has been closed and the site sold. The closure of the police station is part of an ongoing process to improve the efficiency of the Metropolitan Police service. Although the conversion to residential would result in a loss of a community building, it is acknowledged that the use has ceased and the site ownership has changed. The site is located in a predominantly residential location and it is considered in this instance that residential re-use of the building would be the most appropriate form of development. The introduction of commercial activities for example would require further alteration of the building and would introduce new patterns of activity, for example servicing. In this case, the building is locally listed and is of historical merit, and the conservation of a prominent building with limited physical alteration is encouraged.
- 6.5 It is therefore considered that the principle of development is acceptable, subject to securing a high quality form of development. With regard to the objections raised and re-using the building for alternative uses such as a gym or offices, the proposals submitted seek permission for residential conversion and will be considered on that basis.

#### Design and Heritage

- 6.6 Paragraph 63 of the National Planning Policy Framework 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'. Whilst paragraph 64 states that 'permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions'.
- 6.7 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure the highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.

### *Conversion of former police station*

- 6.8 The former police station is locally listed. Core Strategy Policy 16 seeks to protect locally listed buildings. DM Policy 37 of the Development Management Local Plan (for adoption November 2014) states that the 'Council will seek to retain and enhance locally listed buildings and that the Council will resist demolition and expect applicants to give due consideration to retaining and incorporating them in any new development'. The proposals for the retention of the building are therefore supported.
- 6.9 Prior to the submission of the planning application there was a proposal submitted by local residents to consider the formal listing of the building. This was submitted to English Heritage for consideration who on the 10<sup>th</sup> of July confirmed that the building has not been formally listed. The reasons given were the following:
- Architectural Interest – Although a well-composed building with good architectural details, the building style and form is typical of the period;
  - Selectivity: John Butler was surveyor to the Metropolitan Police for a significant period at the end of the 19<sup>th</sup> Century; of his surviving stations others are more architecturally accomplished;
  - Historic Interest: the station was built during the short period where planning theory called for the separation of operation from residential spaces; Butler's plan, which survives well, does not illustrate this.
- 6.10 This identification for listing follows two previous considerations, one in the mid 1990's; and one in 2004. On both occasions English Heritage declined to formally list the building. It is recognised that as a locally listed building, outside of a conservation area, there is no statutory control over its demolition, and officers have liaised with the applicant during pre-application discussions strongly encouraging the retention of the building.
- 6.11 The applicant proposes to divide the building vertically into 4 houses, involving limited internal alterations to the police station building. Externally, the Howson Road elevation is proposed to remain virtually unchanged. The northern Kneller Road elevation would be altered to provide two residential entrances. An existing doorway is to be re-used, and a window is proposed to be enlarged to create a new entrance door. A further window is to be inserted into the elevation (where one previously existed but has since been bricked up). The drawings state that these works are to be detailed to replicate the existing building which is acceptable however, to ensure that the detailing is accurate around the doorway for example, detailed drawings are required by condition as requested by the conservation officer.
- 6.12 The existing Howson Road frontage is characterised by an open planted area, boundary treatments include a historic dwarf wall and a single brick pier. To the south of the site modern blue railings and notice boards are prominent in the streetscene. There is no objection to the removal of the modern additions. The landscaping plans submitted show that the Howson Road frontage is to be divided to create two front gardens, incorporating a refuse store and cycle storage. It is considered appropriate to require details of boundary treatments by condition to ensure that they are of a suitable quality.

- 6.13 The rear elevations of the building are to be altered by way of the creation of new rear doors and removal of various pipework and flues. At first floor level new windows would be added in the elevation to serve bedrooms. This is considered acceptable and would improve the regularity of the rear facade, which at present is relatively muddled on the rear elevation. As with the new entrances on Kneller Road, detailed drawings of all new windows are proposed to be required by condition.
- 6.14 A 'green wall' was originally proposed on the flank elevation of the police station adjacent to the refuse store. This has been omitted from the proposals following concerns over its attachment to the locally listed buildings and on-going concern regarding maintenance.

*New terraces facing Kneller Road*

- 6.15 The existing yard is enclosed by a high brick wall with a vehicular entrance off Kneller Road. The proposals would involve the demolition of this wall, which raises no objections from a conservation perspective as this wall is of a plain design. Various outbuildings in this yard have already been demolished and there are no structures of historic interest in this space. The proposals to develop the yard are therefore supported.
- 6.16 The proposed terrace is set in line with the existing terraced properties in Kneller Road and would in effect continue the terrace. This is considered an acceptable response to the site. The proposed new dwellings are no taller than surrounding buildings and it is considered that the dwellings are of an appropriate scale and mass which would acceptably integrate with the wider street scene.
- 6.17 With regard to architectural approach the front elevation of the dwellings (and return flank onto Kneller Road) is traditional in appearance, utilising stock brick elevations and aluminium framed sliding sash windows recessed into the elevation with integral blinds. The flank elevation is detailed with a rusticated brick banding, which provides a visual link to the police station. The drawings state that the bricks are to match the existing, which is acceptable in principle, however, it is recommended that a condition is attached to secure samples of facing materials. The roofs of these dwellings are to be clad in zinc, which is again acceptable in principle. Although roofs in Kneller Road are a mixture of slates/ concrete tile, the character of the area is relatively mixed and the introduction of a contemporary roofscape raises no objections. Samples are to be secured by condition.
- 6.18 The rear elevations are dramatically different in appearance, clad in zinc and angular in nature, punctuated by glazing, providing a thoroughly contemporary appearance. Each dwelling is divided by an extruding brick flank wall with rusticated banding. It is considered that the treatment of the rear elevations is distinctive in design and has the potential to be high quality. This is supported in principle and samples of materials are to be secured by condition. The angled nature of the rear elevations means that they are unlikely to be prominent in the streetscene, with the view characterised by the extruding brick walls separating each dwelling.
- 6.19 A number of objections received refer to the proportions of the terrace not matching those of the adjacent Victorian dwellings. The drawings provided show that the first floor windows align with those of the adjacent dwellings, including window proportions and roof height.

## *Conclusions*

- 6.20 In all it is considered that the proposals present a sensitive conversion of the locally listed former police station and that the proposed terrace of 5 dwellings facing Kneller Road are of high quality and would enhance the streetscene.

### Housing

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

- 6.21 The scheme is for 9 dwellings, no affordable housing is required for a scheme of this size, below 10 units.
- 6.22 The London Plan sets out minimum floor spaces standards for dwellings of different sizes (Policy 3.5). These are based on the minimum gross internal floor space required 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 quality of the proposed accommodation needs to be carefully considered in relation to the Council's LDF and the London Plan. The London Housing SPG is also a material consideration, and contains further guidance on internal layout. A 3 bed dwelling should have a minimum GIA of 87 sq.m. (two storeys), rising up to 111 sq.m. for a 6 person, three storey unit. A 4 person dwelling should have a minimum of 100 sq.m. rising to 113 sq.m..
- 6.23 Unit A is a 4 bedroom dwelling, whilst Units B-D are 3 bedroom. Units E-G are shown as having 3 bedrooms with a study which could be used as single bedroom, whilst Unit I is shown with 2 bedrooms and a study which could be used as a single bedroom. All units exceed the minimum space standards and are considered to be of an acceptable layout internally. Each dwelling is also dual aspect.

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

- 6.24 UDP Policy HSG 7 and the Residential Standards SPD state that private gardens should be approximately 9m deep, but that in some instances terraces or balconies can provide alternative provision. In this case, each property is provided with a garden area. The terraces facing Kneller Road have individual private gardens measuring between 4m and 5.6m deep, due to the angled rear elevations. These are relatively compact gardens, however they have been carefully planned and details of the landscaping approach have been provided with the application. The landscaping plan for these dwellings refers to the use of artificial grasses, however, this has since been removed and natural turf is now proposed.
- 6.25 The dwellings in the former police station have a communal garden which spans the rear of the building with private courtyard style enclosures for units B, C and D set behind. The reasoning for this dual communal/ private layout is due to the configuration of the existing building and associated difficulties in dividing up the space. Unit A has a private garden with no access to the communal garden. It is considered that the garden arrangements are acceptable and would be of high quality. They would also represent a chance to introduce soft landscaping into the site which is characterised by extensive hard surfacing.

- 6.26 The terraced houses facing Kneller Road would also benefit from a roof terrace proposed at second floor level, with the exception of unit I, given its proximity to no. 1 Kneller Road. These terraces are enclosed by high flank walls and are considered an acceptable form of amenity provision.
- 6.27 Taking into account the acceptability of the gardens and the carefully planned nature of the dwellings, it is considered necessary to control future changes on site, in order to ensure that sufficient amenity space remains. Accordingly it is recommended that permitted development rights are removed.
- 6.28 In terms of outlook, all units will be dual aspect and all habitable rooms will be served by windows overlooking the garden or entrance, the proposed units will therefore have a good level of outlook.
- 6.29 It is considered that the units would provide a good standard of accommodation, in the context of the constraints of the site.

### Highways and Traffic Issues

#### *a) Access*

- 6.30 Each dwelling has a private entrance. Units A and B within the former police station facing Howson Road have a private front garden with set back entrance, whilst the entrances to units C and D are directly from the pavement. Units E-I have set back entrances behind small front gardens as is typical in Kneller Road. The access arrangements are considered to be acceptable.

#### *b) Servicing*

- 6.31 The dwellings would be serviced on street, as is typical for properties in Howson and Kneller Roads. This raises no objections.

#### *c) Cycle Parking*

- 6.32 Two cycle parking spaces are provided for each unit (18 overall) which is acceptable. The proposal states that each space is to be dry and secure. All units, except C and D have external bicycle storage, further details of which are to be secured by way of condition.

#### *d) Car Parking*

- 6.33 The scheme does not include any off-street car parking. Several of the objections received relate to the pressures of existing car parking on street and the adverse impacts upon the highway that the development would result in. The site is not included within a Controlled Parking Zone, and is located only 200m from Brockley Station, as such during the day, the site and surrounding streets experience an element of commuter parking from those using Brockley Station.
- 6.34 Given the levels of daytime parking currently in the area, the applicant has submitted a Transport Statement, which includes a parking survey. This survey uses the 'Lambeth Methodology'. This involves surveys of the site and streets within a 200m radius on two occasions to assess parking demand when it is at its highest. These surveys are undertaken at night when residents are most likely to be home and there is the lowest trip generation. Tables 1 and 2 below show the

results from the parking surveys, which demonstrate that there is on street parking available within the surrounding streets of the former police station.

- 6.35 The Transport Statement has been reviewed by the Councils Highways Officer who has raised no objections to the survey detail, as such it is considered that the scheme is acceptable from a highways perspective. Although there would be an increase in residential car parking, there are sufficient levels at night when demand is highest. It is also acknowledged that whilst the police station was active, there would have been an element of vehicle traffic associated with those coming to and from the station.

**Table 1: Parking beat survey results – Tuesday 22/10/2013 at 2am**

<i>Street</i>	<i>Total Spaces</i>	<i>No. of cars parked</i>	<i>% occupied</i>	<i>Spaces available</i>	<i>% available</i>
Howson Road	73	55	75%	18	25%
Kneller Road	81	45	56%	36	44%
Arabin Road	77	63	82%	14	18%
Braxfield Road	86	65	76%	21	24%
Foxberry Road	52	36	69%	16	31%
Harcourt Road	49	37	76%	12	24%
<b>Total</b>	<b>418</b>	<b>301</b>	<b>72%</b>	<b>117</b>	<b>28%</b>

**Table 2: Parking beat survey results – Wednesday 23/10/2013 at 5am**

<i>Street</i>	<i>Total Spaces</i>	<i>No. of cars parked</i>	<i>% occupied</i>	<i>Spaces available</i>	<i>% available</i>
Howson Road	73	52	74%	19	25%
Kneller Road	81	49	60%	32	40%
Arabin Road	77	64	83%	13	17%
Braxfield Road	86	64	74%	22	26%
Foxberry Road	52	36	69%	16	31%
Harcourt Road	49	31	63%	18	37%
<b>Total</b>	<b>418</b>	<b>298</b>	<b>71%</b>	<b>120</b>	<b>29%</b>

*e) Refuse*

- 6.36 Each property has a dedicated area for refuse storage. Units A and B facing Howson Road and Units E-I facing Kneller Road have space within their respective front gardens for refuse storage, hidden behind boundary treatments

and landscaping. Units C-D have a dedicated area for refuse storage on Kneller Road to the flank of unit D. This is a small courtyard space, accessed directly from the street. The refuse arrangements are considered to be acceptable. Collection would be from the street as with other properties in the area.

#### Impact on Adjoining Properties

- 6.37 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.
- 6.38 Unit I would be sited adjacent to no.1 Kneller Road, At ground floor this dwelling projects rearward by 2m (rising to a height of 2m on the boundary), with the first floor set in line with the adjacent property. This is considered to be an acceptable relationship, where a 2m rearward projection is of a modest scale. The daylight and sunlight assessment submitted indicates that there would be no adverse loss of light to this property.
- 6.39 As described above, the Kneller Road facing terraces all have roof terraces, with the exception of Unit I. These terraces are surrounded by high flank walls, which rise up to meet the roof of each unit. It is not considered that these would result in adverse overlooking of adjacent properties in Kneller Road.
- 6.40 There would be some mutual overlooking from the proposed terraced houses and gardens into the dwellings proposed in the former police station, which itself has a communal garden layout. It is considered that the distances between these units is acceptable, following that established between Kneller Road and Howson Road and that the enclosure of the second floor terraces would limit adverse overlooking. Occupiers would to a degree expect a level of mutual overlooking, given the urban nature of the site.
- 6.41 Taking into account the careful planning of the layout and relatively small size of the gardens, and relationship to adjacent properties, it is considered appropriate to restrict permitted development rights for future extensions/ alterations to the buildings.

#### Sustainability and Energy

##### *a) Renewable Energy*

- 6.42 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.
- 6.43 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

- 6.44 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'.
- 6.45 The applicant has submitted a CfSH pre-assessment which states that the new build terraces would achieve a score of between 70-71.05% which is equivalent to Level 4. This is policy compliant and a condition is recommended to secure this.
- 6.46 A BREEAM pre-assessment for refurbishment of the former police station has been submitted and provides a score of 59.22% equivalent to a 'very good' rating. The applicant has stated that to achieve a score equivalent to 'excellent' would be very difficult to achieve given the limitations of the building fabric. Officers take a pragmatic approach to conversions and acknowledge that to achieve BREEAM 'excellent' would be onerous from a cost perspective. In this instance, the fabric of the building is of local historic interest and officers have encouraged that minimal alterations are undertaken to the building. To achieve a score of 'very good' is therefore accepted in this instance.

*c) Sustainable Urban Drainage Systems*

- 6.47 The existing site is covered by hard standing with little opportunity for greening. The proposals include the provision of soft landscaped garden areas which represents an improvement over the existing site conditions.

*d) Landscaping*

- 6.48 The proposals have been submitted with detailed landscaping plans, which include the use of granite setts/slates for the hard surfaces, with the use of vertical Oak sleepers to divide boundaries. The landscaping is considered to be of high quality which would improve the general appearance of the site when viewed from neighbouring properties and is considered to enhance the setting of the locally listed building.

## **7.0 Local Finance Considerations**

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

## **8.0 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. In this matter there is no impact on equality.

## **9.0 Conclusion**

- 9.1 This application has been considered in the light of policies set out in the development plan and other material considerations. It is considered that the proposals present a sensitive and sympathetic restoration of the former police station and would enhance the locally listed building. The proposed terrace of 5 dwellings to the rear of the site are considered to be of an acceptable scale and design which would acceptably integrate with the Kneller Road streetscene.
- 9.2 The internal accommodation of each unit, within both the former police station and the new terraces are considered to be of high quality with every unit being dual aspect and having access to private and communal amenity areas.
- 9.3 Although the site proposes no off street car parking, the applicant has demonstrated through parking surveys that Howson Road, Kneller Road and the surrounding streets have sufficient parking capacity such that the addition of 9 further units would not result in unacceptable parking congestion.

## **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. Develop in Accordance with Approved Plans

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

0389 D 0 106A 01, 0389 D 0 105A, 000389 D 0 104A 00, 27BP-07, 27BP-08, 27BP05, 27BP-06, 0389 D 103, 0389 D 102, 0389 D 101, 0389 D 204, 0389 D 205, 0389 D 300, 0389 F 001, 0389 D 200 (Howson Road), 0389 F 001, 0389 F 100, 0389 F 101, 0389 F 102, 0389 F 201, 0389 F 200, 0389 F 30, Heritage Statement, Design and Access Statement, Transport Statement, Sustainability Statement, Energy Strategy, Daylight and Sunlight Assessment, Plant Schedule, CGI, Landscape Design Package pages 3-4 (new building-rear garden- 3D still); 27BP-01 27BP-02, 27BP-03 received 2/10/2014; 0389 D 202 01, 0389 D 206 01, 0389 D 200 01 (Kneller Road), 0389 D 203 01, 0389 D 100 01 received 28/10/2014.

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

## 3. Construction Environment 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 and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

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).

#### **4. Code for Sustainable Homes**

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

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

#### **5. 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 and full details of planters to be used on the Kneller Road frontage 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).

#### **6. Refuse and Recycling**

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

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Saved Policies URB 3 Urban Design and HSG4 Residential Amenity in the Unitary Development Plan (July 2004) and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

## **7. Cycle Parking**

- (a) A minimum of 18 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).

## **8. Boundary Treatment**

- (a) Details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) The approved boundary treatments shall be implemented prior to occupation of the buildings and retained in perpetuity.

Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Saved Policies URB 3 Urban Design and URB Residential Amenity in the Unitary Development Plan (July 2004) and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

## **9. Lifetime Homes**

Each of the dwellings shall meet Lifetime Home Standards (in accordance with the 2010 (Revised) document) as shown on drawing nos. nos.0389 D 0 104A 00, 0389 D 0 105A 00, 0389 D 0 106A 01 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).

## **10. Wheelchair Homes**

The wheelchair dwelling hereby approved shall be constructed to be easily adapted in full accordance with the SELHP Wheelchair Homes Design Guidelines (November 2012) as shown on drawing nos.0389 D 0 104A 00, 0389 D 0 105A 00, 0389 D 0 106A 01 hereby approved prior to their first occupation. For the avoidance of doubt where a communal access is to be the principle access for wheelchair users or relates to communal access to amenity space or facilities intended for the enjoyment of residents of the development the specification for the said communal access shall not be less than the specification for access for wheelchair units under the SELHP Wheelchair Homes Design Guidelines.

Reason: To ensure that there is an adequate supply of wheelchair accessible housing in the Borough in accordance with 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. Satellite Dishes**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the former police station, the western (front) elevation of Kneller Road, nor on the roof of the building.

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).

#### **12. No 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 shall be fixed on the external faces of the building(s) without the prior written permission from the Local Authority.

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).

#### **13. 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. Removal of Permitted Development Rights**

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 Amenity Space**

The whole of the amenity space (including roof terraces and balconies) as shown on drawing no. 0389 D 100, 0389 D 102 hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

Reason: In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policies HSG 7 Gardens and HSG 9 Conversion of Residential Property in the Unitary Development Plan (July 2004).

#### **16. Construction Hours and Deliveries**

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

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Saved Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

#### **17. Works to Police Station**

Prior to the commencement of development of any phase, a full schedule of works, including details of removal shall be submitted for the police station, including removal of the external flues on the rear elevation. The development shall be carried out in full accordance with the submitted schedule.

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).

#### **18. Architectural Details**

(a) Notwithstanding the details submitted, prior to the commencement of the development hereby approved, details, including 1:5 plans, elevations and sections, of the proposed timber sash windows, timber entrance doors and stone surrounds (at a scale of 1:20) shall be submitted to and approved in writing by the local planning authority. These shall include, but not be limited to, details of the glazing bars, spacers and window horns and all door furniture. The development shall not be carried out other than in accordance with the approved

details. The 'POLICE' engraving over the entrance facing Howson Road shall be retained.

- (b) The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal 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).

### **Informatives**

**Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. Discussions took place during the application to amend the landscaping plans and revised plans have been received.

**Commencement of works:** The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.

**CIL:** You are advised that the application granted is subject to the Mayoral Community Infrastructure Levy ('the CIL'). More information on the CIL is available at: -

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11> (Department of Communities and Local Government) and <http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>

**Construction:** 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.

**Dust Minimisation:** 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.

**Street Naming and Numbering:** The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.

## Appendix 1

### Local Meeting in Connection with DC/14/88272 – Brockley Police Station

8<sup>th</sup> October 2014-10-28

Application for: Alterations and the conversion of the former Brockley Police Station, 4 Howson Road SE4 into 4 self contained dwellings together with the construction of 5 two storey terraced houses fronting Kneller Road with provision of associated refuse store/ bicycle storage and associated landscaping.

Mark Pender (MP)	Planning Consultant PPM Planning
Aseem Sheik (AS)	Architect Base Associates
Michael Forrester (MF)	LBL Planning
Cllr Carl Handley (CCH)	Ladywell Ward Councillor and Meeting Chair
Residents (R)	

---

### Minutes

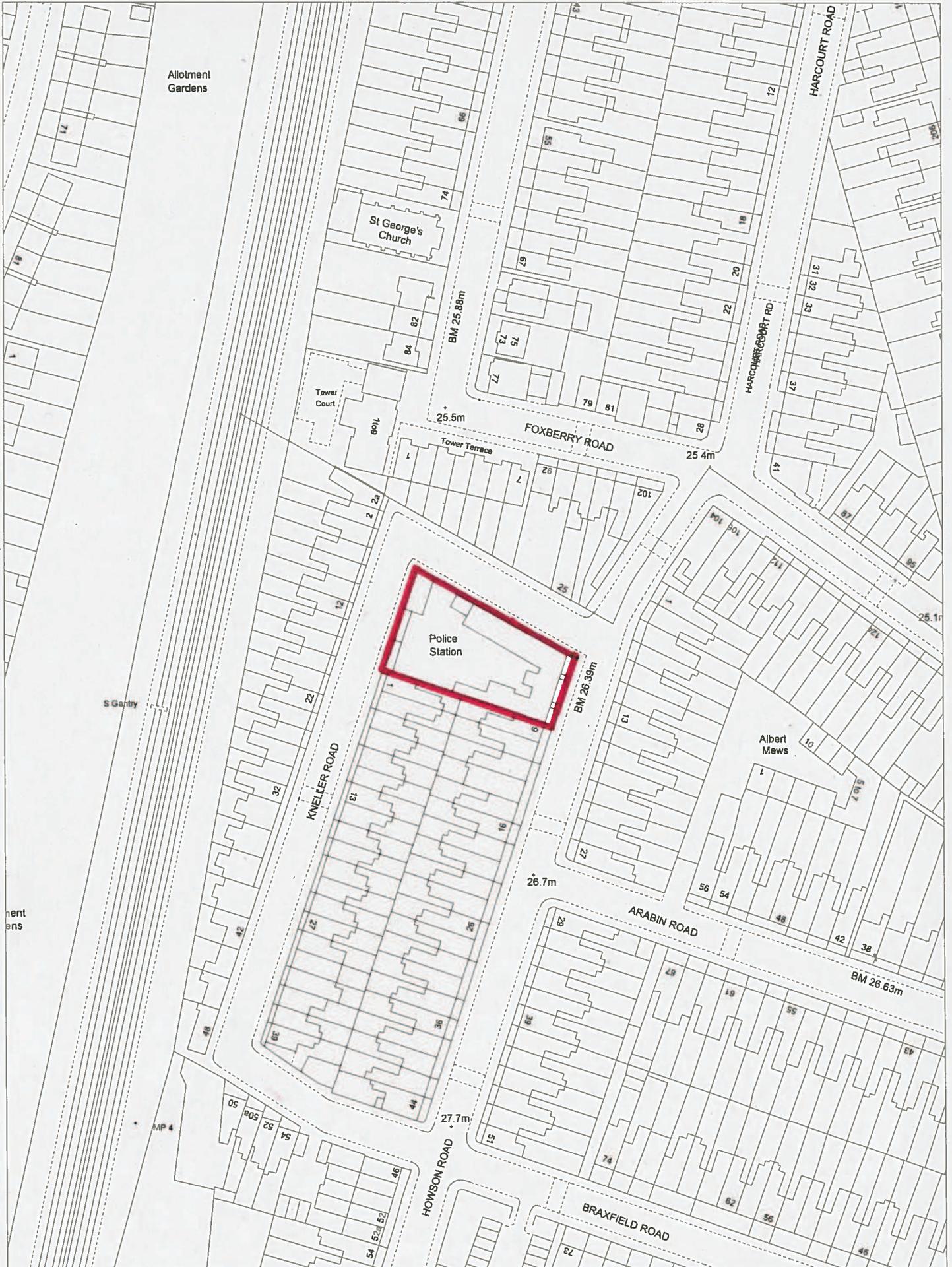
- Introduction by Cllr Handley outlining the format of the meeting
- Introduction of the scheme by MP, outlining that the applicant had made pre-application enquires with the Council regarding the conversion of the police station and construction of dwellings to the rear of the site. MP outlined that voluntary community engagement was undertaken prior to the submission of a planning application in April 2014, but that an application was not submitted until September due to the application for the listing of the police station to English Heritage.
- MP explained the local listing status and confirms that there is no statutory protection over the building.
- AS provides scheme presentation in further detail and states that it was a focus to reuse the police station.
- R comments that the buildings are ugly and do not follow the forms set in Kneller Road.
- AS states that drawings show windows and proportions in line with adjacent dwellings but that the scheme does not seek to replicate existing architecture.
- R other areas in the borough (such as Telegraph Hill) replica architecture has been done successfully. Why can't this approach be taken here?
- R there is too much parking pressure in the area, with commuters using Brockley Station.
- MP explains that parking surveys using the 'Lambeth Methodology'

- have been submitted and show that there is parking provision available at peak times.
- MF confirms that the Lambeth Methodology is the Council's preferred method for parking surveys.
- R but the police station had a large car park and therefore did not cause any problems, it is residential occupiers that cause issues.
- R the gardens should all be removed and car parking area created. Nobody wants gardens here. They won't be used.
- MFR states that amenity provision is a requirements for family dwellings.
- MP states that internal car parking would not work, access issues.
- CCH even if an internal car park is created, you will still have cars parking outside on the street, so would this be any better?
- AS to provide parking within the site would be detrimental to the character of the scheme.
- R concern over construction impact and damage to property
- MP party wall agreements need to be signed this is a legal process which needs to be undertaken, and the Council can impose construction conditions.
- MFR a construction environment management plan can be secured by condition, this details construction impact including hoarding lines, access arrangements, traffic routes, dust minimisation.
- R what are the prices of these houses? These houses won't be for locals
- MP no pricing at present. It is the developer's intention to market these locally.
- R this scheme will detract from the values of houses in Kneller Road.
- MP this is not a planning issue to refuse permission, but considers that the scheme would improve values locally.
- R this scheme should be designed for residents, not profit.
- R what is the impact on drainage?
- MP surveys would be undertaken for drainage; this however, remains a construction issue rather than a planning issue.
- R again the architecture is poor quality and we deserve better, example images are shown of infill development in the area (not recent).
- MF states that design quality is now tightly secured, including detailed drawings, placement of rainwater goods, samples of materials. All of these items would be bound into a planning permission, if granted.

- MF confirms that this application will be reported to planning committee, but that no date has yet been confirmed. Residents will be formally notified of planning committee.
- R feels as is residents will have little impact upon this scheme, but that all objections remain. Reuse of the police station is encouraged.

Meeting finish at 8:30 pm.

# BROCKLEY POLICE STATION, 4 HOWSON ROAD, LONDON, SE4 2AS



This page is intentionally left blank

Committee	PLANNING COMMITTEE C	
Report Title	79 Culverley Road SE6 2LD	
Ward	Catford South	
Contributors	Elizabeth Donnelly	
Class	PART 1	18 NOVEMBER 2014

<u>Reg. Nos.</u>	DC/14/87984
<u>Application dated</u>	09.06.14 [as revised 12.08.14 & 18.09.2014]
<u>Applicant</u>	Graham Associates on behalf of Ms P Clarke
<u>Proposal</u>	The construction of three dormer windows to the rear roof slope, the installation of one conservation roof light to the side roofslope, together with a new window to the front facing gable end.
<u>Applicant's Plan Nos.</u>	6217/9.6.14/01A; Site Location Plan (Received 17 June 2014); 6217/12.8.14/03B; 6217/12.8.14/04B; 6217/12.8.14/05C (Received 12 August 2014); 6217/9.6.14/02A (Received 18 September 2014)
<u>Background Papers</u>	(1) Case File LE/752/79/TP (2) Adopted Unitary Development Plan (July 2004) (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	(1) Area of Archaeological Priority - Thames and Ravensbourne Terrace Gravels (Catford) (2) PTAL 4 (3) Culverley Green Residents Association (4) Culverley Green Article 4 Direction (5) Local Open Space Deficiency
<u>Screening</u>	N/A

## **1.0 Background**

- 1.1 This application was considered by Members at the meeting of Planning Committee C held on 9<sup>th</sup> October 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 by Officers with regard to precedents of gable end windows (historic and recent) within the street and the surrounding Conservation Area.
- 1.2 Officers have expanded upon the points made in the original report to incorporate such information in further detail. In addition to this, Officers have included additional information relating to the character of the Culverley Green Conservation Area.
- 1.3 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 Policy Context**

In addition to the policy background outlined in the original report, the Culverley Green Conservation Area Character Appraisal has been added. A brief summary of the document is included below.

### Culverley Green Conservation Area Character Appraisal

- 2.1 This character appraisal provides an assessment and definition of Culverley Green's special historic and architectural interest as recommended by English Heritage best practice advice. The appraisal is a material consideration when determining planning applications and planning appeals relating to Culverley Green Conservation area.

## **3.0 Planning Considerations**

- 3.1 The main issues that were considered in respect of this application were:

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

- 3.2 The original report discusses these issues in their entirety. This report focuses upon 'Design and impact on the Conservation Area', given that it is this area that the additional information that was requested by Members relates to.

### Design and Impact on the Conservation Area

- 3.3 Policies URB 3 and URB 6 of the UDP, Core Strategy Policy 15 and DM Policy 30 and 31 seek to ensure that a high standard of design is upheld; proposals must compliment the existing development, townscape and character. Policy URB 16 of the UDP, Core Strategy Policy 16 and DM Policy 36 seek to preserve and enhance the special architectural, historical character of conservation areas, in this case, the Culverley Green Conservation Area.
- 3.4 The Character Appraisal for the Culverley Green Conservation Area refers, amongst other things, to the impacts of incremental changes, and particularly that changes such as the insertion of rooflights into the front roof slope have seriously damaged the buildings and the character and appearance of the Conservation Area. It is for this reason that the Council strongly resists the siting of rooflights towards the front of the buildings.
- 3.5 It is however recognised that there is an increased desire to convert roof spaces into habitable rooms, resulting in the need to light the new spaces. This can be achieved through rooflights, gable end windows and dormers. Historically rooflights were few in number, small in size (about the size of an A3 sheet of paper), and located discreetly. On the other hand, large contemporary rooflights introduce a visually obtrusive element, presenting a shiny surface during the day and a lit element within a dark roofslope at night, which detracts from the roofscape of these houses which are characterised by the unbroken slate covered roof slopes with a matt finish. Whilst rooflights and dormers in visible locations present serious challenges with regards to the preservation of the Conservation Area, the Council consider that gable end windows, which unlike modern

rooflights are a traditional element on a number of houses in the street, can provide an acceptable solution for lighting habitable roof spaces subject to suitable design and detailing.

- 3.6 The proposed alterations originally incorporated the addition of three roof lights. Following discussions with Conservation Officers, the proposal was amended to remove two of the three proposed roof lights. The rooflights located on the front roof slope and the first rooflight on the side roof slope were considered to be unacceptable. They would have been highly visible from the public highway and surrounding conservation area, creating an incongruous addition to the original roof slope. The level of visual harm that they would have caused cannot be justified for the following reasons. One of these rooflights would have served the proposed bedroom to the front of the property which would also benefit from the remaining roof light and the window in the gable end. The other would have served the bathroom where it is considered acceptable not to have an external window.
- 3.7 The remaining proposed roof light would be located behind the chimney on the side roof slope is considered to be acceptable as it would be heritage style and obscured from public view by the chimney. Whilst the Culverley Green Residents Society and neighbouring occupiers at no.121 Inchmery Road raise objection to the principle of the addition of rooflights in general, Officers feel that because of the positioning of this roof light to the side and behind the chimney, it would not give rise to a significant level of harm to the Conservation Area.
- 3.8 The proposal includes a rectangular window that would be located in the centre of the gable end of the front facing roofslopes. It would measure 890mm x 1421mm. The original submission proposed a UPVC sliding sash. Taking into the consideration the special characteristics of the conservation area, Officers requested that the plans were revised to incorporate a timber sliding sash.
- 3.9 The Culverley Green Residents Association raise strong objections to the addition of a window in the gable end, stating that it would give rise to the further erosion of the architectural cohesiveness of the Edwardian villas typical of the estate. The Amenity Societies' Panel also objected to this proposed window.
- 3.10 While a window of this kind may not be an original feature of this particular house, there is an established precedent for gable end windows, most prominently within Culverley Road itself, but also within the wider Conservation Area. As requested by Planning Committee C, examples of gable end windows within the street have been included below. They fall into three main categories: original features, historic additions (probably pre-1947) and more recent examples:
- Numbers 13, 19 and 19a, 35, 41, 43, 39, 54, 61, 125, 127, 133, 135, 141, 143, 145, 147, 153, 155, 165, 167, 169 and 171 Culverley Road.
- 3.11 Therefore, it is not felt that the introduction of a timber sash window would threaten the architectural integrity of the building in the way that rooflights in the front roofslope would. From a conservation point of view, an additional window to the front elevation of the building - where the presence of window openings is wholly established – would not appear out of place nor detrimental to the appearance of the host building and the surrounding conservation area.
- 3.12 Whilst Officers generally accept the principle of gable end windows as a solution for the lighting of habitable roof space, consideration is given to the way in which

the proposed window relates to the ridge height and gable pitch. Officers therefore expect there to be a sufficient area of blank gable brickwork to enable a functionally and aesthetically satisfactory window. The sizing and positioning of the proposed window at No.79 is considered to respect this, presenting a positive relationship between the proposed window and the ridge height and gable pitch.

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

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

DC/13/83822 at 54 Inchmery Road

DC/12/81037 at 54 Culverley Road.

DC/14/86321 at 134 Bargery Road

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

DC/ 13/85893 at 17a Bargery Road

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

- 3.16 The proposal also includes three dormer windows to the rear roof slope. Given that the rear of this property is not visible from the public realm, Officers are satisfied that they would not harm the appearance of the conservation area. Officers also feel that design and size of the dormers respects the character and appearance of the host dwelling and would appear a subservient addition to the original roof slope. They are therefore considered to be acceptable.

- 3.17 In conclusion, the revised proposal is considered to be in accordance with Council policy that seeks to ensure good design and protect the special characteristics of the Culverley Green Conservation Area.

#### **4.0 Conclusion**

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

- 4.2 The proposed development is considered to be acceptable with regards to design. It is in accordance with saved policies URB 3 and URB 6 of the UDP (2004), Core Strategy Policy 15 (2011) and DM Policy 30 and 31 of the Local Plan (2014).

- 4.3 The proposal is also considered to respect the special characteristics of the surrounding Culverley Green Conservation Area and is therefore considered to be

in accordance with saved policy URB 16 of the UDP (2004), Core Strategy Policy 16 and DM Policy 36 of the Local Plan (2014).

4.4 With regards to impact on adjoining properties, the proposal is considered to be acceptable and in line with saved policies HSG 4 and HSG 12 of the UDP (2004) and DM Policy 31 of the Local Plan (2014).

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

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

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

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

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

6217/9.6.14/01A; Site Location Plan (Received 17 June 2014); 6217/12.8.14/03B; 6217/12.8.14/04B; 6217/12.8.14/05C (Received 12 August 2014); 6217/9.6.14/02A (Received 18 September 2014)

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

### **INFORMATIVE**

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

This page is intentionally left blank

Committee	PLANNING COMMITTEE C	
Report Title	79 Culverley Road SE6 2LD	
Ward	Catford South	
Contributors	Elizabeth Donnelly	
Class	PART 1	09 OCTOBER 2014

<u>Reg. Nos.</u>	DC/14/87984
<u>Application dated</u>	09.06.14 [as revised 12.08.14 & 18.09.2014]
<u>Applicant</u>	Graham Associates on behalf of Ms P Clarke
<u>Proposal</u>	The construction of three dormer windows to the rear roof slope, the installation of one conservation roof light to the side roofslope, together with a new window to the front facing gable end.
<u>Applicant's Plan Nos.</u>	6217/9.6.14/01A; Site Location Plan (Received 17 June 2014); 6217/12.8.14/03B; 6217/12.8.14/04B; 6217/12.8.14/05C (Received 12 August 2014); 6217/9.6.14/02A (Received 18 September 2014)
<u>Background Papers</u>	(1) Case File LE/752/79/TP (2) Adopted Unitary Development Plan (July 2004) (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	(1) Area of Archaeological Priority - Thames and Ravensbourne Terrace Gravels (Catford) (2) PTAL 4 (3) Culverley Green Residents Association (4) Culverley Green Article 4 Direction (5) Local Open Space Deficiency
<u>Screening</u>	N/A

## 1.0 Property/Site Description

- 1.1 This application relates to a two storey, semi-detached, Edwardian single family dwelling. It is located on the northern side of Culverley Road. The property is located within the Culverley Green Conservation Area and is subject to an Article 4 direction. It is not a listed building, nor in the vicinity of a listed building. The road is unclassified.
- 1.2 The existing windows in the front elevation are white UPVC casements. The existing windows in both the side and rear elevations are white painted timber sash windows. Surrounding properties uphold a mix between original timber sash windows and UPVC casements. The property benefits from an original double storey projection with an additional single storey extension to the rear.
- 1.3 The property is located in a residential street which consists mainly of single family dwellings and flat conversions. There is also a primary school in the street.

The building style in the street is of the Edwardian era; the Culverley Green Conservation Area is mainly a residential Edwardian suburb. It is the building detail that gives the area its special interest and includes carved and moulded capitals and window surrounds, terracotta window dressings, sash windows, solid timber doors and stained glass.

- 1.4 There are a number of properties in the street and surrounding conservation area that have undertaken loft conversions and have the addition of roof lights to their roof slopes. There are also a number of properties that have inserted a rectangular timber sash window into the front facing gable end.

## **2.0 Planning History**

- 2.1 No relevant planning history.

## **3.0 Current Planning Applications**

### **The Proposals**

- 3.1 The original application related to the construction of three dormer windows to the rear roof slope, the installation of conservation roof lights to the side and front roof slopes together with the installation of a new window into the front facing gable end at 79 Culverley Road SE6.
- 3.2 The proposed dormer windows to the rear roof slope would consist of double glazed UPVC sliding sash windows. The proposed dormer would be constructed from hung tiles to match the existing roof with a flat warm deck felt roof to dormer.
- 3.3 The original proposal included conservation roof lights located on the side and front roof slopes. However, the proposal was amended to remove two of the proposed roof lights. The revised plans include one conservation roof light that would be located on the side roof slope behind the chimney stack that is positioned towards the front of the property.
- 3.4 The proposal includes the installation of a window into the front facing gable end. It would be rectangular in shape and measure 890mm x 1426mm. It would be located centrally on the wall of the gable end. The original proposal showed that this window would be constructed from UPVC. The plans were revised to show a timber sliding sash window opposed to the UPVC originally proposed.

### **Supporting Documents**

- 3.5 Design and Access Statement and Design and Heritage Statement; Photos.

## **4.0 Consultation**

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

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

4.4 Two letters of objection were received. The Amenity Societies Panel also objected to the proposal. The objections raised the following concerns:

#### Culverley Green Residents Association

- The design and access statement is inaccurate with regards to the location of the property.
- Concerns centre around the proposal to include a window in the front facing gable, rooflight in the front facing roof slope and the proposed rooflights on the side roof slope.
- Aware that there has been a number of unfortunate alterations to properties in the street in the past, including windows in the gable, rooflights and even dormers in the front roofslopes but this should not be allowed to set a precedent for the further erosion of the architectural integrity of the buildings in the street which the Article 4 direction is intended to prevent.
- We would therefore argue that the Council should resist the proposed window in the front gable as well as the rooflight in the front rooflight in the front roofslope and should consider the set back of the rooflights in the side roofslope to behind the chimney.
- In our view, the proposals as they stand serve neither to preserve nor enhance the Conservation Area and would serve to a further erosion of the architectural cohesiveness of the Edwardian villas typical of the estate.
- If, despite objection, the Council does proceed to agree this proposal then it should ensure that the window in the gable is a timber sliding sash, that the rooflights are definitely conservation type and that no waste/soil pipes from the proposed first floor bathroom are allowed to intrude onto the front elevation of the building.

#### Neighbouring Occupiers at no. 121 Inchmery Road

- The positioning of dormer windows on the roofline of the property, albeit the rear roofline, would seem to go against the priorities of the conservation area which include preserving the architectural integrity of the buildings here.
- Allowing such development is the thin end of the wedge.

(Letters are available to Members).

#### Amenity Societies' Panel

4.5 The Panel objected to the proposed window in the front gable and rooflight on front roofslope. Side rooflight should be set behind the chimney. Only two dormer windows were considered appropriate at the rear with the dormer nearest the side elevation omitted.

#### Pre-Application Consultation

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

## 5.0 **Policy Context**

### Introduction

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

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

A local finance consideration means:

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

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, 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 With regards to Heritage assets, the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

- 5.5 Officers have reviewed the Core Strategy 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

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

London Plan (July 2011)

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

Core Strategy

- 5.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the London Plan and the saved policies of the Unitary Development Plan, is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:  
Spatial Policy 1 Lewisham Spatial Strategy  
Core Strategy Policy 15 High quality design for Lewisham  
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

Unitary Development Plan (2004)

- 5.9 The saved policies of the UDP relevant to this application are:  
URB 3 Urban Design  
URB 6 Alterations and Extensions  
URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas  
HSG 4 Residential Amenity

Residential Standards Supplementary Planning Document (August 2006)

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

## Emerging Plans

- 5.11 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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). The following emerging plans are relevant to this application.
- 5.12 The following emerging plans are relevant to this application.

## Development Management

- 5.13 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 the 23<sup>rd</sup> of 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 the 29<sup>th</sup> of April 2014. The Council expects to formally adopt the DMLP in autumn 2014.
- 5.14 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 the plan making process aside from formal adoption, and therefore holds very significant weight at this stage.
- 5.15 The following policies are considered to be relevant to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 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**

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

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

## Principle of Development

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

## Design and Impact on the Conservation Area

- 6.2 Policies URB 3 and URB 6 of the UDP, Core Strategy Policy 15 and DM Policy 30 and 31 seek to ensure that a high standard of design is upheld; proposals must compliment the existing development, townscape and character. Policy URB 16 of the UDP, Core Strategy Policy 16 and DM Policy 36 seek to preserve and enhance the special architectural, historical character of conservation areas, in this case, the Culverley Green Conservation Area.
- 6.3 The proposed alterations originally incorporated the addition of three rooflights. Following discussions with Conservation Officers, the proposal was amended to remove two of the three proposed rooflights. The rooflights located on the front roofslope and the first rooflight on the side roofslope were considered to be unacceptable. They would have been highly visible from the public highway and surrounding conservation area, creating an incongruous addition to the original roof slope. The level of visual harm that they would have caused cannot be justified for the following reasons. One of these rooflights would have served the proposed bedroom to the front of the property which would also benefit from the remaining rooflight and the window in the gable end. The other would have served the bathroom where it is considered acceptable not to have an external window.
- 6.4 The remaining proposed rooflight would be located behind the chimney on the side roofslope is considered to be acceptable as it would be heritage style and obscured from public view by the chimney. Whilst the Culverley Green Residents Society and neighbouring occupiers at no.121 Inchmery Road raise objection to the principle of the addition of rooflights in general, Officers feel that because of the positioning of this rooflight to the side and behind the chimney, it would not give rise to a significant level of harm to the Conservation Area.
- 6.5 The proposal includes a rectangular window that would be located in the centre of the gable end of the front facing roofslopes. It would measure 890mm x 1421mm. The original submission proposed a UPVC sliding sash. Taking into the consideration the special characteristics of the conservation area, Officers requested that the plans were revised to incorporate a timber sliding sash.
- 6.6 The Culverley Green Residents Association raise strong objections to the addition of a window in the gable end, stating that it would give rise to the further erosion of the architectural cohesiveness of the Edwardian villas typical of the estate. The Amenity Societies' Panel also objected to this proposed window.
- 6.7 Whilst Officers accept that a window of this kind is not an original feature of this building, there are historic precedents (pre-1947) of windows within the forward facing gables on this street. Therefore, it is not felt that the introduction of a timber sash window would threaten the architectural integrity of the building in the way that rooflights in the front roofslope would. From a conservation point of view, an additional window to the front elevation of the building - where the presence of

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

- 6.8 This view has been taken on various applications of the same nature within the Culverley Green Residents Association and is considered to be a preferred option to using rooflights in the visible roofslopes. This includes applications at 54 Inchmery Road (DC/14/83822), Flat 5 83 Bargery Road (DC/14/86728), 54 Culverley Road (DC/12/81037) and 134 Bargery Road (DC/14/86321).
- 6.9 The proposal also includes three dormer windows to the rear roof slope. Given that the rear of this property is not visible from the public realm, Officers are satisfied that they would not harm the appearance of the conservation area. Officers also feel that design and size of the dormers respects the character and appearance of the host dwelling and would appear a subservient addition to the original roof slope. They are therefore considered to be acceptable.
- 6.10 In conclusion, the revised proposal is considered to be in accordance with Council policy that seeks to ensure good design and protect the special characteristics of the Culverley Green Conservation Area.

#### Impact on Adjoining Properties

- 6.11 Policy HSG 4 and DM Policy 31 seeks to protect residential amenity, whilst HSG 12 seeks to ensure that residential extensions are neighbourly. When seeking permission for extensions/alterations to existing buildings it must be demonstrated that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss or privacy or general noise and disturbance.
- 6.12 The proposal involves the addition of various window openings to the upper level front elevation and side and rear roof slopes. Given the positioning of the proposed rooflight and dormer windows, they would not be expected to give rise to an increased impact with regards to overlooking or loss of privacy. Further to this, the proposed sash window would not be considered to give rise to a level of overlooking over and beyond what is already established by the existing windows.
- 6.13 The Culverley Green Residents Society also raised concern to the inaccuracy of the Design and Access Statement, especially with regards to the location of the property. Officers ensured that the Design and Access Statement was amended to rectify such inaccuracies. A revised version can now be seen on the Council's website.
- 6.14 For the above reasons, Officers are satisfied that significant harm would not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss of privacy or general noise and disturbance. The proposal is therefore considered to be acceptable with regards to policy HSG 4, 12 and DM Policy 31.

#### **7.0 Conclusion**

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

- 7.2 The proposed development is considered to be acceptable with regards to design. It is in accordance with saved policies URB 3 and URB 6 of the UDP (2004), Core Strategy Policy 15 (2011) and DM Policy 30 and 31 of the Local Plan (2014).
- 7.3 The proposal is also considered to respect the special characteristics of the surrounding Culverley Green Conservation Area and is therefore considered to be in accordance with saved policy URB 16 of the UDP (2004), Core Strategy Policy 16 and DM Policy 36 of the Local Plan (2014).
- 7.4 With regards to impact on adjoining properties, the proposal is considered to be acceptable and in line with saved policies HSG 4 and HSG 12 of the UDP (2004) and DM Policy 31 of the Local Plan (2014).
- 7.5 For the above reasons, it is recommended that the proposed development is granted planning permission.
- 7.6 **RECOMMENDATION: GRANT PERMISSION** subject to the following conditions:

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

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

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

6217/9.6.14/01A; Site Location Plan (Received 17 June 2014);  
6217/12.8.14/03B; 6217/12.8.14/04B; 6217/12.8.14/05C (Received 12 August 2014); 6217/9.6.14/02A (Received 18 September 2014)

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

### **INFORMATIVE**

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

## MINUTES

### 79 CULVERLEY ROAD SE6 2LD (Item 5 on the Agenda)

The planning officer outlined details of the proposal for construction of three dormer windows to the rear roof slope, the installation of one conservation roof light to the side roofslope, together with a new window to the front facing gable end.

The Committee received verbal representation from Mr Graham of Graham Associates, on behalf of the applicant, in support of the proposal and from the secretary of the Culverley Green Residents Association, who raised concerns regarding the formality and look of the Conservation Area was being eroded.

Councillor Clarke requested that photographs of the street scene be provided on all applications, so that Members have a clear view of the street when making decisions.

Councillor John Paschoud asked if when possible officers try to maintain the uniformity and look of the block of houses with regard to gable end windows including Culverley Green conservation area.

Following questions and deliberation by Members, Councillor Clarke, moved a motion to defer the application for further negotiations with the applicant and the application be returned to Planning Committee (C) on 18 November 2014, which was seconded by Councillor Coughlin.

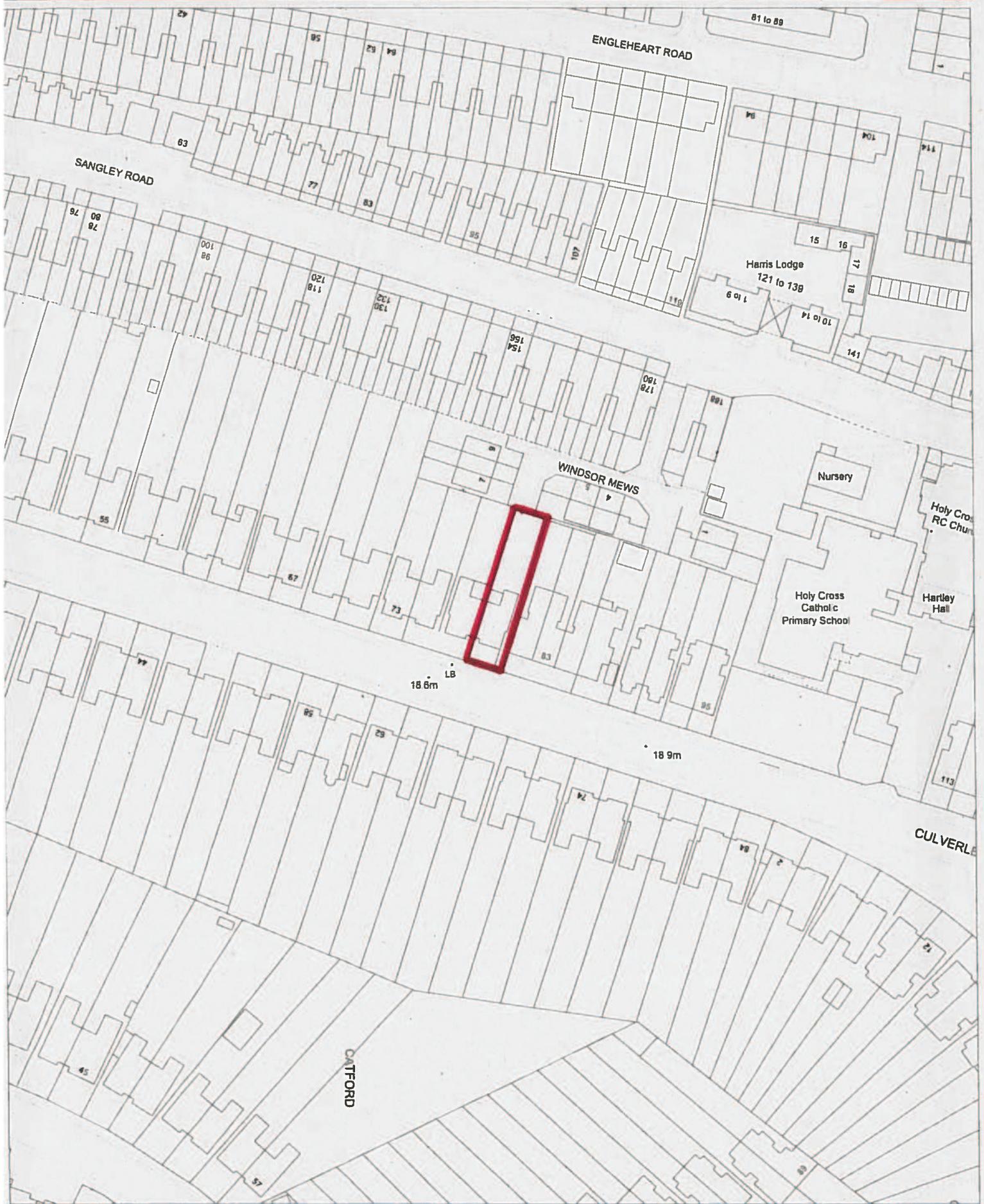
Members voted as follows:

FOR: Councillors, Bell (Chair), Clarke, Coughlin, Hilton, Klier, John Paschoud and Slater.

AGAINST: Councillors Hooks and Ogunbadewa.

RESOLVED: that planning permission be deferred in respect of application DC/14/87984 to enable officers to negotiate with the conservation team and applicant, regarding the gable end window in order to preserve the wider street scene.

# 79 Culverley Road SE6 2LD



This page is intentionally left blank

Committee	PLANNING COMMITTEE C	
Report Title	3A Eliot Park SE13 7EG	
Ward	Blackheath	
Contributors	Helen Milner	
Class	PART 1	18 November 2014

<u>Reg. Nos.</u>	DC/14/88590
<u>Application dated</u>	7.08.2014
<u>Applicant</u>	Titman Design on behalf of Mr P Simms
<u>Proposal</u>	The construction of a part one, part two storey extension to the rear, alterations and the conversion of the ground and lower ground floor maisonette to provide 1 two bedroom flat and 1 three bedroom flats.
<u>Applicant's Plan Nos.</u>	Design and Access Statement, Location Plan 041-01, 041-02, 041-03 & Photographs.
<u>Background Papers</u>	(1) Case File LE/135/3/TP (2) Adopted Unitary Development Plan (July 2004) (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	Blackheath Conservation Area
<u>Screening</u>	N/A

## **1.0 Property/Site Description**

- 1.1 The application site is occupied by a four storey (including semi-basement) semi-detached property on the south west side of Eliot Park, which is divided into three flats. This application relates to the ground and lower ground floor levels, which are currently in use as a single maisonette dwelling with a Gross Internal Floor area of 140m<sup>2</sup>.
- 1.2 The property has an original part two, part three storey projection to the side, which at ground floor level includes the common entrance to the property. Within the hallway, there is a doorway into the existing maisonette and a staircase to the upstairs flats at first and second floor levels, Nos. 3b and 3c. Adjacent to the side projection are external steps leading to a path along the side of the building at lower ground floor level, which leads to the rear garden area, which is at a lower level.
- 1.3 On the main front elevation of each of the semi-detached pair, there are two windows on each level, with a varying window design at each level. The front garden, which is densely planted, slopes down towards the semi-basement area, allowing light to the lower ground floor windows.

- 1.4 There is a change in levels between the front and rear of the property, with the upper ground floor level to the front at pavement level, however to the rear garden access is at lower ground floor level.
- 1.5 To the rear of the property the rear elevation has a stepped alignment, with an original two storey projection with a hipped roof that is set forward of the main elevation by 1m, adjoining which is a further projection, with a lean to roof against the main projection and this in turn steps forward of the main elevation by 0.5m. The side projection is set back from the main rear elevation by 0.5m
- 1.6 The rear garden is approximately 20m in length and to the rear the property boundary adjoins the rear gardens of numbers 14-16 Walerand Road. To the west side is the adjoining semi-detached property and beyond that a detached property. All three properties are divided into flats. To the east of the site is a block of four storey flats dating from the 1980s. To the rear the flats project forward of the rear building line of the semi-detached pair by 3m.
- 1.7 The site is within the designated Blackheath Conservation Area but is not adjacent to any locally or statutory listed buildings.

## **2.0 Planning History**

- 2.1 DC/14/86359 – Application for the construction of a part one, part two storey rear extension, alterations and the conversion of the ground and lower ground floor maisonette to provide 1 two bedroom flat and 1 three bedroom flat. The application was withdrawn by the applicant when it became apparent that the incorrect certificate of ownership had been submitted in error.
- 2.2 DC/99/45274 – The alteration of windows in the side and rear elevations and rear doors at 3A Eliot Park SE13. Granted December 1999.

## **3.0 Current Planning Application**

The application proposal is identical to that previously submitted and withdrawn (Ref. DC/14/86359).

### **External Alterations**

- 3.1 The proposal is for the alteration and conversion of the lower ground and ground floor maisonette property, together with the construction of a part one, part two storey rear extension to provide 1 two bedroom flat and 1 three bedroom flat.
- 3.2 Externally there are no alterations to the front elevation, except for repairs and redecoration. The front entrance is retained for the main entrance to the ground and upper floor flats. A new entrance is proposed in the side elevation at semi-basement level, to provide access to the lower ground floor property, with no further alterations to the side elevation at lower ground floor level. At upper ground floor level there are currently three windows in the side elevation; it is proposed to remove the stair landing window and brick it up, and to retain the other two windows.
- 3.3 To the rear it is proposed to build a part single, part two storey extension, which will project out from the elevation of the existing two storey projection (which adjoins number 2 Eliot Park) by 3.7m in depth. The projection from the existing side projection, which is currently stepped back from the rear building line, is 5.2m. This would result in a rear elevation at lower ground floor, which has the

same alignment to a full width of 9m. In the rear elevation at lower ground floor it is proposed to have two sets of double opening, white, aluminium doors.

- 3.4 In the rear elevation at upper ground floor level the proposed extension would be narrower, projecting only on the east side of the rear elevation, adjacent to the boundary with the flatted block at 4 Eliot Park. The two storey element would be set away from the property boundary with the adjoining semi-detached property at number 2 Eliot Park by 4.3m. The single storey element will have a flat roof with a stone coping and a centrally located roof light measuring 1.6m in width and depth. The flat roof will have a maximum height, including the stone coping of 3.2m, with the roof light adding an additional 0.15m in height.
- 3.5 The two storey element will be 4.7m wide and have a timber sash window in the rear elevation at upper ground floor level to match the existing window at this level, which is retained. The extension will be set back from the east side boundary to the flats by 0.8m and would be 1.5m from the flank elevation of the flats, which are set away from the boundary at this point by 0.7m. The side of the extension would be aligned with the original side addition and would project beyond the rear building line of the flats by 1.25m.
- 3.6 The previous application was revised to delete a window originally proposed at upper ground floor level in the flank of the extension.

#### Proposed accommodation

- 3.7 The lower ground floor is proposed as a three bedroom unit, with each bedroom providing between 11.5-19m<sup>2</sup> floorspace. The largest bedroom also has an ensuite bathroom and there is also an additional bathroom within the flat. There will be an open plan kitchen, dining and living area to the rear of the property, with proposed doors to the garden leading off both the master bedroom and living area.
- 3.8 At upper ground floor level a two bedroom unit is proposed, with the bedrooms providing between 17.2-18.6m<sup>2</sup> of floorspace. The largest room again has an ensuite and there is also a separate bathroom within the unit. The open plan kitchen, dining and living area is to the front of the property and provides 27.6m<sup>2</sup> of floorspace. There is no direct access from the upper ground floor unit to the rear garden.

#### Supporting Documents

- 3.9 The application is accompanied by a Design and Access Statement, which provides a brief overview of the scheme along with details of the proposed extension, and explains the design approach and proposed materials.

### **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 The Amenity Societies Panel raised no objection to the scheme.

4.4 Objections to the scheme were received from residents at 1c, 2, 2b, 4, Flat F 4 Eliot Park, 8 and 13 Eliot Park and 32 Granville Park making the following comments:

- Loss of good sized family dwelling, sufficient flats are being provided within the area.
- Insufficient consultation with the date on the site notice and letter differing.
- Loss of privacy due to side window in proposed two storey extension.
- Loss of outlook and increased shading adversely affecting residents at No.2 adjoining.
- A large part of the rear garden of No.3 is owned by Lewisham Council.
- Loss of trees and landscaping and greenery.
- The area of garden that would be lost is unacceptable, harmful effect on wildlife, particularly bats.
- Over development and concerns that another flat would cause parking problems in the area.
- Permission for such large extension would set an undesirable precedent.
- The building work for the extension would cause noise, dust and increased parking demand.
- Concern that the building will disturb the foundations and impact on surrounding properties with no plan on how to repair any damage caused.
- No details on long term maintenance plan for the property.
- There is an underground stream under the property and the impact of the development on drainage and possible flood risk has not been addressed.
- The scale of the extension is out of character and detrimental to outlook of adjoining properties.
- The extension will cause overshadowing and loss of light to adjoining properties and make an 'enclosed' feel to neighbouring properties.
- Design is out of keeping and out of proportion with the original Victorian properties.
- Development would occupy a significant area of garden being out of scale and overly dominant, ruining vistas at the rear.
- The extension will make the view of the rear of the semi-detached property unsymmetrical, especially with the single storey element, which is not a feature on the other properties.
- The proposal will impact on property values and issues of land ownership.
- Inconsistencies within application information.

4.5 The Blackheath Society objected to the previous application (Ref. DC/14/86350) on the following grounds;

- While recognising the good intentions expressed in the application , we support the objections to this development already clearly articulated by the neighbours, in particular:
- The application seems to be characterised by poor/inadequate/erroneous information and consultation of the residents

- The massing and height of the rear extension are out of keeping with the rest of the building
- The development would potentially result in the serious loss of amenity for the neighbours
- Concerns about the impact of building work on the foundations should have been addressed
- We object to any removal of mature trees to make way for the extension and note that it is claimed that the applicant has already started to remove trees. This should be investigated urgently.

4.6 Cllr Bonavia has written in objection to the proposals, raising the following concerns:

- The large scale of the proposed development will look out of place in comparison with neighbouring buildings and encroach on space that has the character of a natural green enclosure for surrounding residents;
- Impact from loss of light and overshadowing on flats at 4 Eliot Park.

4.7 Two letters of support were received in relation to the previous application (Ref. DC/14/86350) from other flats at No.3 making the following comments:

- The proposed alterations will be a positive change to the building and general area with the design in keeping with the style and area and is more sympathetic than other developments in the area.
- The proposal provides more needed extra accommodation, which will meet the high standard already exhibited in the street.
- The proposals will improve the front of the house and tidy up the property which currently blights the street and reinstate the use of the flat, which is currently vacant.
- The semi-detached properties are already not symmetrical to the rear and so there is no objection to rear extension.
- The design makes concession to neighbours in terms of light and space

(Letters are available to Members)

## **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 shall have regard to:-

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

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or

(b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that if regard is to be had to the development plan for the purpose of any determination 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 (UDP) (July 2004) that have not been replaced by the Core Strategy and policies in the London Plan (July 2011). The National Planning Policy Framework (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 that (paragraph 211), 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.

#### London Plan (July 2011)

5.5 The London Plan policies relevant to this application are:

Policy 1.1 Delivering the strategic vision and objectives for London

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.4 Retrofitting

Policy 5.11 Green roofs and development site environs

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

## London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)  
Sustainable Design and Construction (2006)

### Core Strategy

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

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  
Core Strategy Policy 21 Planning obligations

### Unitary Development Plan (2004)

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

URB 3 Urban Design  
URB 6 Alterations and Extensions  
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 9 Conversion of Residential Property  
HSG 12 Residential Extensions  
TRN 24 Off-Street Parking for Residential Conversions

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

5.9 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

5.10 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).

5.11 The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

#### Development Management Plan

5.12 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 the 23 of 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 the 29 of April 2014.

5.13 The Council expects to formally adopt the DMLP in November 2014.

5.14 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 the plan making process aside from formal adoption, and therefore holds very significant weight at this stage.

5.15 The following policies are considered to be relevant to this application and are unchanged:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 26	Noise and vibration
DM Policy 31.	Alterations and extensions to existing buildings including residential extensions

5.16 The following policy relevant to this application has additional modifications:

DM Policy 3	Conversion of a single dwelling to two or more dwellings
-------------	--

5.17 With the remaining DMLP policies relevant to this application having main modifications;

DM Policy 29	Car parking
DM Policy 30	Urban design and local character <ul style="list-style-type: none"> <li>• <i>General principles</i></li> <li>• <i>Detailed design issues</i></li> </ul>
DM Policy 32	Housing design, layout and space standards <ul style="list-style-type: none"> <li>• <i>Siting and layout of development</i></li> <li>• <i>Internal standards</i></li> </ul>
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 <ul style="list-style-type: none"> <li>• <i>A. General principles</i></li> <li>• <i>B. Conservation areas</i></li> </ul>

## Supplementary Planning Documents

- 5.18 Residential Standards Supplementary Planning Document (*adopted August 2006 amended May 2012.*)
- 5.19 Blackheath Conservation Area Appraisal and Supplementary Planning Document (2007)

### **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) Conservation
- d) Standard of accommodation
- e) Highways and Traffic Issues
- f) Impact on Adjoining Properties
- g) Sustainability
- h) Planning Obligations

#### Principle of Development

- 6.2 Adopted and Saved UDP Policy HSG 9 states that the permanent conversion of larger dwelling houses into two or more self-contained units will be permitted provided that the scheme results in the provision of an increase in suitable accommodation. However, not all dwellings will be suitable for conversion. The conversion of dwellings will not be permitted where the net floor space is less than 130m<sup>2</sup> as originally constructed, and the dwelling is still suitable for family accommodation; the character of the buildings or neighbourhood or the amenities of neighbouring properties would be adversely affected; the safe movement of emergency and refuse vehicles or other essential traffic, and pedestrians, is likely to be adversely affected by additional on-street parking; the dwelling is multi-occupied and provides a satisfactory standard of accommodation for those who need short term relatively low cost accommodation; it is not possible to retain sufficient area of the original garden to provide an adequate setting for the converted building and enough private open space for the use of the intended occupant.
- 6.3 Policy 3 of the Development Management Local Plan Submission Version states that the Council will refuse planning permission for the conversion of a single family house into flats except where environmental conditions mean that the house is not suitable for family accommodation due to being adjacent to noise generating or other environmentally unfriendly uses or where there is a lack of external amenity space suitable for family use. Any house considered suitable for conversion according to these points of the policy will need to have a net internal floorspace greater than 130m<sup>2</sup>.
- 6.4 Furthermore, Policy 3 states all conversions must meet the general design requirements and housing standards in DM Policy 25 (Landscaping and trees), DM Policy 29 (Car parking), DM Policy 30 (Urban design and local character), DM Policy 31 (Alterations and extensions to existing buildings including residential extensions) and DM Policy 32 (Housing design, layout and space standards).

- 6.5 Following the submission of the Development Management Local Plan to the Inspector modifications to the wording of DM 3 were implemented. It was clarified to state that a 'house' rather than 'dwelling' would be protected from being converted into two or more flats. This change in wording provides the policy with a stronger weight and emphasis to protect against the loss of single houses. However, in relation to already converted properties the further subdivision of units must not be considered unacceptable in principle but considered against the further policy requirements as set out in DM 3 and also the Adopted UDP policy HSG 9. This report therefore assesses the scheme within the latest policy constraints.
- 6.6 Saved policy HSG 9 seeks, among other things, to protect the amenity of the surrounding area from the cumulative impacts of property conversions. The policy questions the impact of a development on the character of the property and also the neighbourhood. It also considers the impact on the accessibility of emergency vehicles, refuse vehicles and other traffic as well as parking implications. As the property is already converted into three flats and this proposal would result in only one additional unit, with no alterations to the front of the property, it is not considered that the development would have any significant impact on the character of the neighbourhood.
- 6.7 The development would result in one additional unit within an area with a PTAL of 6a. Accordingly, it is not considered there will be any significant negative parking implications arising from the proposal.
- 6.8 When assessing the suitability of the property for conversion both HSG 9 and DM 3 state that the conversion of a property with less than 130m<sup>2</sup> floor space and suitable for family accommodation would not be granted permission for subdivision. The original property, which is already converted to flats, has an original gross internal floorspace that significantly exceeds 130m<sup>2</sup>. The existing maisonette alone has a gross internal floorspace of approximately 135m<sup>2</sup>.
- 6.9 The evidence for Lewisham shows that the main need for housing is for family housing, which is defined in the London Plan as houses having three or more bedrooms. Policies HSG 9 and DM 3 seek to protect housing suitable for family occupation from being lost by conversion to flats. Whilst this is already a subdivided property, the maisonette does currently provide a three/four bedroom unit. The proposal therefore seeks to retain one three bedroom unit and to provide an additional two bedroom unit. Therefore it is considered that the three bedroom lower ground floor unit with direct garden access could provide suitable family accommodation and meet the needs of the future occupiers. This accords with planning policy and it is considered that the principle of the further conversion of this building is acceptable.

#### Design

- 6.10 Core Strategy Policy 15 states that for all development 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.
- 6.11 The Council's adopted UDP policies URB 3 Urban Design and URB 6 Alterations and Extensions requires extensions to be of a high quality design which should complement the scale and character of the existing development and setting, and which should respect the architectural characteristics of the original building.

Emerging Development Management policy DM 31 also states that extensions and alterations will be required to be of a high, site specific, and sensitive design quality. New rooms provided by extensions to residential buildings will be required to meet the space standards in DM Policy 32 Housing Design, layout and space standards.

- 6.12 The proposed external alterations are confined to the side and rear of the property, neither of which will be visible to the front of the property on Eliot Park. The alterations to the side elevation to insert a new entrance door and remove a window are not considered to be detrimental to the character of the property. The area of wall where the window is to be removed will be bricked up with bricks to match the existing wall and the doorway is of a scale and design appropriate for the property.
- 6.13 To the rear it is proposed to construct a part single, part two storey extension, the single storey element of which would extend across the full width of the property. This is a sizable extension, however when considered in relation to the existing property it is judged to be of an appropriate scale. The extension is to be constructed out of brickwork to match the existing property and at upper ground floor level the large rear window will replicate the design of the remaining existing window in the upper ground floor rear elevation.
- 6.14 The single storey element will have a flat roof with a skylight, presenting a more contemporary design, however at upper ground floor level, which is at a higher level to the rear and visible from a wider area, the extension will have a more traditional design suitable for the property. The two storey element is proposed with a pitched roof with a slate finish to match that of the existing roof on the main house and side and rear projections.
- 6.15 The height of the extension relates well to the existing proportions of the property at lower ground and upper ground floor levels. The single storey part has a height of 3.2m and the two storey element is 6.3m high to the eaves and 7.2m to the ridge of the pitched roof. In terms of the depth and width of the extension, the proposal follows the existing flank building line and does not extend any closer to the boundary than the existing side addition. To the rear the extension projects out by 3.7m from the rear projection to the west and 5.2m from the east side set back projection. Given the size of the existing property and depth of the garden, the scale of the proposed extension is considered appropriate, with the height and massing relating well to the proportions of the existing building and site.
- 6.16 Comments have been received regarding the impact on the view of 1-3 Eliot Park from the rear and how the extension will make the properties, particularly the semi-detached pair, appear unsymmetrical. Whilst the extension will alter the appearance from the rear, these properties are not Listed and alterations and extensions are not precluded, subject to their scale and design and provided they are considered to be of a high quality. The proposal is considered to be of a high quality and whilst altering the existing arrangement, is not considered to be unacceptable in terms of visual amenity as viewed from surrounding neighbouring properties.
- 6.17 The features of the rear extension and side alterations seek to complement the style of the existing property, which is further confirmed by the use of materials that also match those seen on the existing property. It is therefore considered that

the proposal has been sensitively designed to relate to the existing property and is consistent with planning policy.

### Conservation

- 6.18 Saved UDP policy URB 16 (New Development, Changes of Use and Alterations to Buildings in Conservation Areas) states that the Council will not grant planning permission where alterations and extensions to existing buildings are incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.
- 6.19 As mentioned above the external alterations are not visible from the public realm in Eliot Park and therefore have a minor impact on the conservation area. Whilst the extension is substantial it is considered that the proportions, design features and materials all complement the character of the property.
- 6.20 Sub-divisions and conversions do have the potential to impact on the character of an area, due to impact on parking and intensity of use. However, given this proposal seeks to provide one additional dwelling in an existing and well established residential area it is not considered that this proposal will, by its use or intensification, alter the character of the area or put undue pressures on the area.
- 6.21 Externally the changes are limited to the side and rear of the property with no alterations to the front, only repairs and redecoration. Therefore, given the scale and design features of the external changes, including the rear extension, these are considered to be compatible with the character of the property and wider conservation area and are considered to be acceptable.

### Standard of Residential Accommodation

- 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 be attractive. Likewise, 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.
- 6.23 Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.
- 6.24 Retained Policy HSG 5 Layout and Design of New Residential Development in the Adopted UDP states that the Council expects all new residential development to meet the functional requirements of its future inhabitants.
- 6.25 DM Policy 32 states that the standards in the London Plan and the London Plan Housing Supplementary Planning Guidance (2012) will be used to assess whether new housing development including conversions provides an appropriate level of residential quality and amenity in terms of size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. The standards and criteria in this policy, including those of the London Plan and the London Plan Housing Supplementary Guidance, will ensure a reasonable level of residential amenity and quality of accommodation, and that there is sufficient space, privacy and storage facilities in development to ensure the long term sustainability and usability of the homes.

6.26 The lower ground floor flat will, once extended provide 112m<sup>2</sup> of internal floorspace for a three bedroom flat and the upper ground floor flat will provide 85m<sup>2</sup> for a two bedroom flat. The London Plan standard unit size required for a 3 bedroom 6 person flat is 95m<sup>2</sup> and for a 2 bedroom 4 person flat 70m<sup>2</sup>, therefore both units comfortably provide the standard required for the intended occupancy. In addition at lower ground floor level the proposed bedrooms are between 11.5-19m<sup>2</sup>, with the standard of 12m<sup>2</sup> in the London Plan only one room is just below standard (for a double bedroom), which is considered acceptable; both bedrooms to the upper ground floor flat are above the minimum standard at over 17m<sup>2</sup>. The kitchen/living/dining space for each unit also meets the London Plan standards with 36m<sup>2</sup> provided at lower ground floor and 27.6m<sup>2</sup> provided at upper ground floor level.

#### *Amenity Space*

6.27 The proposal will provide direct access to the rear garden for the lower ground unit, from the master bedroom and living area. Whilst the upper ground floor unit will have no direct access into the garden area, there is a side access providing access to the rear garden for the upper flats.

#### *Lifetime homes*

6.28 The applicant has not provided a Lifetime Homes statement, however this will be required via condition to ensure that the properties meet the Lifetime Homes standards where practicable.

#### Transport and Servicing Issues

6.29 The site has an PTAL rating of 6a, which is excellent and demonstrates that the site is well served by public transport. Given the high accessibility of the site coupled with the fact that the proposal seeks to provide one additional unit, it is considered that there will be no significant impact on parking demand in the vicinity. Therefore the proposal is generally be in accordance with CS Policy 14 and Policy 6.13 of the London Plan (2011).

6.30 Cycle parking is generally required to be 1:1 for residential development and provision for this will be required via condition.

6.31 Residential Development Standards SPD (amended 2012) seeks to ensure that all new developments have adequate facilities for refuse and recycling. The applicant has not provided details of refuse storage for each flat and these will therefore be required by condition.

#### Impact on Adjoining Properties

6.32 HSG 4 Residential Amenity states that the Council will seek to improve and safeguard the character and amenities of residential areas throughout the Borough by ensuring that new roof additions and extensions respect the character of the surrounding area.

6.33 DM Policy 32 states that development proposals for alterations and extensions, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context. New rooms provided by extensions to residential buildings will be required to meet

the space standards in DM Policy 32 Housing Design, layout and space standards.

- 6.34 The objections raised make reference to concerns about loss of light, outlook, overshadowing and overbearing impact of the proposal on surrounding properties. Objections also raised concerns in regard to loss of views, land ownership and property prices, which are not relevant planning considerations.
- 6.35 The extension to the rear of the property faces to the south west, with the single storey element on the western side and the two storey element on the east side, adjacent to the flats at 4 Eliot Park. On the east side the extension will project beyond the rear building line of the adjacent flats by 1.25m. It is therefore considered that the impact on the rear windows of the flats would be marginal and would not result in significant harm to the amenity of the occupiers of that block in terms of loss of outlook, overlooking or overshadowing.
- 6.36 There are a number of windows in the side elevation of the flatted block and it is acknowledged that there will be a level of impact to these windows. However these windows are located behind the existing rear building line of No. 3 Eliot Park and as such already have limited light. Furthermore as these windows serve non-habitable rooms (kitchens and bathrooms) it is considered that whilst there will be a degree of impact, this is not so significant as to warrant the refusal of planning permission.
- 6.37 To the west side the extension would be single storey and would be constructed up to the boundary with No. 2. The height adjacent to that property is 3.2m, which is not considered excessive in relation to the depth of the extension, the proportions of the property or considered overbearing in relation to the wider site. In view of the site orientation, the proposed extension would not result in a significant impact in terms of overshadowing, loss of light or outlook. The extension is considered acceptable in terms of its impact upon the adjoining property at No. 2 Eliot Park.
- 6.38 With regard to overlooking it is noted that the objections make reference to a side window in the two storey extension. This has now been removed from the application proposal on the advice of officers, thus removing the potential for unacceptable overlooking. It is not considered that the development will cause any other overlooking not already present on the site and is therefore acceptable in this regard. A condition is proposed to prevent the flat roof of the extension from being used as a balcony or roof terrace.
- 6.39 It is not considered that the alterations to the side of the property would have any significant impact on amenity of surrounding properties.
- 6.40 Whilst the proposal will result in a change to the current site arrangements, there is still a large area of garden retained for the host property. Furthermore the development is not considered to have a detrimental impact on adjoining gardens or properties. As such the development is considered to have an acceptable impact on neighbouring occupiers.

#### Other Matters

- 6.41 Following the comments received during the neighbour consultation that an underground stream runs under the garden to the rear of 3a Eliot Park, officers contacted the Environment Agency, who confirmed that they have no record of an

underground stream or culvert in this location, but advised that if during excavation or construction works the presence of a water course is detected, they should be contacted for further flood risk analysis. An informative has been added to the recommendation in this regard.

6.42 Objectors have drawn attention to the fact that the Council is the freehold owner of a significant part of the rear garden. The Council owns the freehold of the rear part of this and also parts of adjacent gardens in Eliot Park and Walerand Road. It is understood that there is a covenant limiting the use of the land to use as garden. The affected land is intended to remain as garden land in the current application.

6.43 Objectors have raised concern regarding the effect of the loss of garden land on wildlife, including foraging bats. The area of the garden affected is that closest to the house and the remainder of the garden would remain as garden land. The extent of garden area affected is not dissimilar to the situation that would occur with a substantial residential extension and it is not considered that the construction of the proposed extension would result in loss of wildlife habitat to the extent that permission should be withheld on grounds of loss of or damage to wildlife habitat.

## **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.

9.2 The sub-division of the lower maisonette is considered to be acceptable in principle. It is acknowledged by the Council that the extension to the rear is sizeable, however it is considered to be of an appropriate and proportionate scale in relation to the host property and wider site area.

9.3 The development is not considered to impact on the character of the conservation area being largely confined to the rear of the property away from the public realm. The potential impacts on residential amenity have been given full consideration and alterations made to address these in part. Whilst there will be an impact on the windows in the side elevation of the flats this is not considered to be so significant as to cause significant harm and to warrant the refusal of consent. The impacts on surrounding properties in terms of loss of light, overshadowing, overlooking and overbearing are not considered to be significant or harmful the scheme is therefore considered acceptable.

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

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

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

041-01, 041-02, 041-03 (received 26 June 2014)

(3) Notwithstanding the information submitted and hereby approved, no development shall commence on site until a detailed schedule and specification of all external materials and finishes, windows and external doors and roof coverings to be used on the extension have been submitted to and approved in writing by the local planning authority. No making good or alterations to the existing elevations of the house shall be carried out other than in materials to match the existing. The development shall be carried out in accordance with the approved details.

(4) Notwithstanding the information submitted and hereby approved, no development shall commence until detailed plans at a scale of 1:20 showing the window elevations and sections 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.

(5) (a) No development shall commence on site until details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved, have been submitted to and approved in writing by the local planning authority.

- (b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained
- (6)
  - (a) A minimum of two 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.
- (7) Prior to the commencement of development a plan at scale 1:20 shall be submitted to the Council showing demonstrating compliance of the units hereby approved with Lifetime Home Standard.
- (8) 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 single storey flat roofed extension hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

### **Reasons**

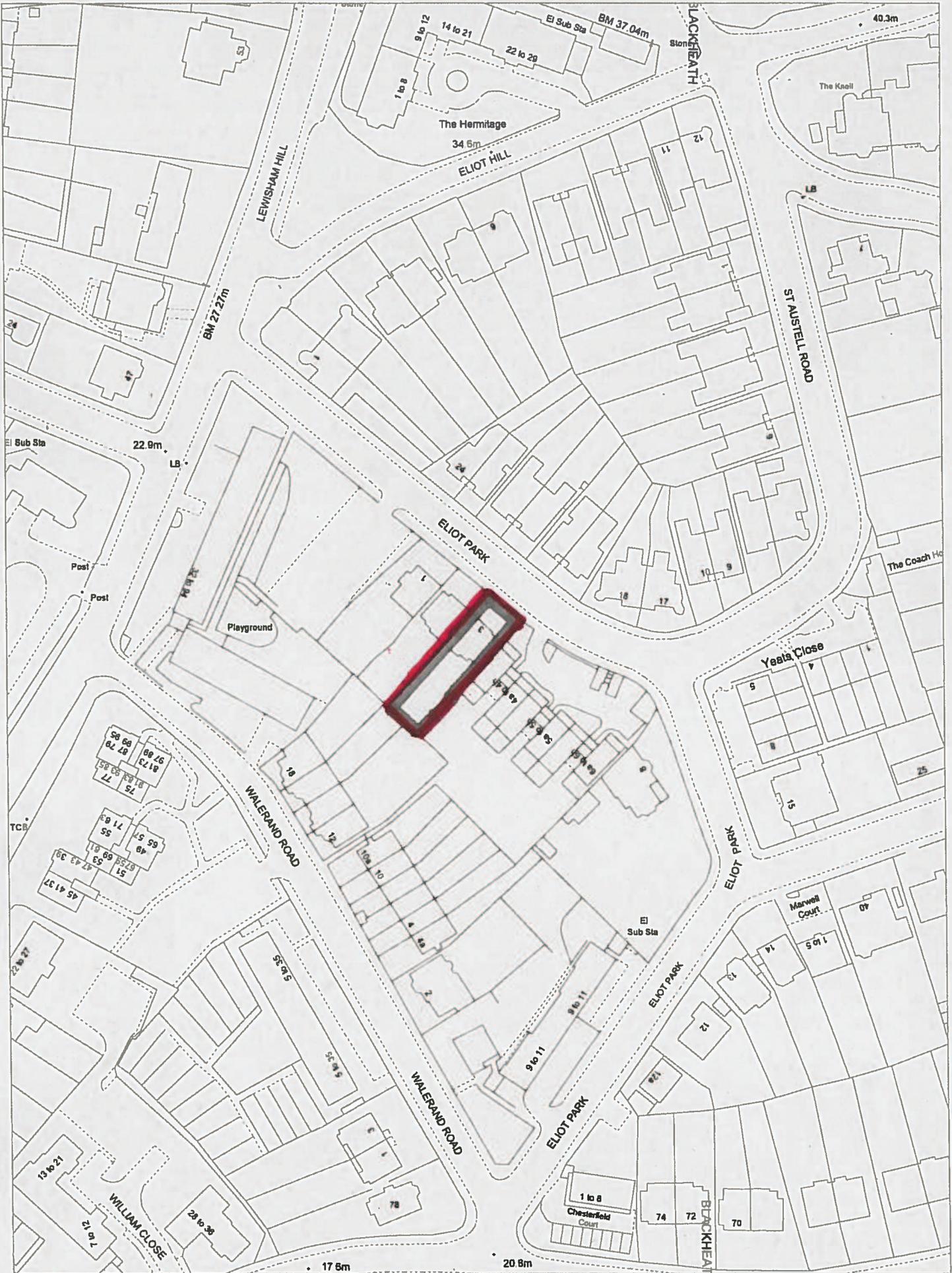
- (1) As required by Section 91 of the Town and Country Planning Act 1990.
- (2) To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.
- (3) To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).
- (4) In order that the local planning authority may be satisfied as to the detailed treatment of the proposal 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).
- (5) In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Saved Policies URB 3 Urban Design and HSG4 Residential Amenity in the Unitary Development Plan (July 2004) and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).
- (6) In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

- (7) 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).
- (8) 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).

### **INFORMATIVES**

- (1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (2) **Flood Risk:** You are advised that if during construction works, any evidence of a water course is located within the site, contact must be made with Environment Agency to discuss the potential impacts on the water contamination and flood risk.

3A ELIOT PARK, LONDON, SE13 7EG



This page is intentionally left blank

Committee	PLANNING COMMITTEE C	
Report Title	41 Gellatly Road SE14 5TU	
Ward	Telegraph Hill	
Contributors	Kate Hayler	
Class	PART 1	18 November 2014

<u>Reg. Nos.</u>	DC/14/87791
<u>Application dated</u>	30.05.14 [as revised on 01.10.2014]
<u>Applicant</u>	Build Team on behalf of Mr Barton
<u>Proposal</u>	The construction of two single storey extension to the rear of 41 Gellatly Road SE14.
<u>Applicant's Plan Nos.</u>	Heritage Statement, Site Location Plan, Design and Access Statement, 01, 02 & 03 (received 30/05/2014) 04B, 05B, 06B & 07B (received 1/10/2014)
<u>Background Papers</u>	(1) Case File DE/42/41/TP (2) Adopted Unitary Development Plan (July 2004) (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	PTAL 4 Telegraph Hill Article 4(2) Direction Telegraph Hill Conservation Area Not a Listed Building C Road

## **1.0 Property/Site Description**

- 1.1 The application site is the ground floor flat of a two storey mid terrace Victorian property on the east side of Gellatly Road that has been converted into two flats. The property includes an original two-storey outrigger rear extension that features a bay window characteristic of the houses on this part of the street.
- 1.2 The application site falls within the Telegraph Hill Conservation Area but is not in the vicinity of a listed building.

## **2.0 Planning History**

- 2.1 There is no planning history relevant to the determination of this planning application.

## **3.0 Current Planning Applications**

### The Proposals

- 3.1 Initially the proposals were for a large wrap around single storey extension measuring 8m deep by 5.2m wide. The extension would have been finished in brickwork and featured 4 white framed Velux windows and a slate roof.

- 3.2 Following concerns raised by officers, the proposals were revised to include the removal of the existing bay window and its replacement with a small single storey side extension measuring 2.9m deep and 1.7m wide. The extension would have a lean to roof measuring 2.5m high at the eaves. The side extension would be set away from the rear wall to create a small courtyard in front of the bedroom window measuring 1.3m deep by 1.7m wide which would serve to allow light into the bedroom window. In addition, a further single storey rear extension is proposed at the end of the outrigger that would measure 3m deep by 2.5m wide. This would also feature a lean to roof measuring 2.5m at the eaves.
- 3.3 In terms of materials, the extensions would be finished in brick to match the existing property and the 3 roof lights would be conservation type with grey frames. The roofs would be finished with slates to match the existing property. The rear extension would feature triple dark grey aluminium framed sliding doors and the side extension would feature a glazed panel.

#### **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 No objections were received from neighbouring occupiers.
- 4.4 An objection was received from the Telegraph Hill Society. The following matters were raised:
- Proposal would result in the loss of a significant amount of original fabric including attractive and unusual bay window and side wall;
  - Separation between the original properties will be destroyed;
  - Will introduce a modern sliding door of modern design that does not reflect original window design. There is a solid course above windows instead of a lintel;
  - Brickwork appears to be stretcher bond rather than Flemish bond;
  - Extension presents a large blank rear wall free of any detailing to neighbouring property which would have adverse effects on that property;
  - Includes a significant area of rooflights that will impact on the enjoyment of neighbouring properties by introducing light pollution and would render activities in the spaces visible to neighbouring occupiers which would not be neighbourly.

##### Amenity Societies' Panel

- 4.5 The Panel objects to the significant change to the form of this building, the loss of existing kitchen extension to make way for an out of scale full-width new extension which affects the character and integrity of this property. The wide opening created to the rear elevation would relate poorly to the existing opening pattern.

## Thames Water

4.6 No objection subject to informatives

## **5.0 Policy Context**

### Introduction

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

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

A local finance consideration means:

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

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, 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.

#### London Plan (July 2011)

5.5 The London Plan policies relevant to this application are:

Policy 5.3 Sustainable design and construction  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology

#### Core Strategy

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

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)

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

URB 3 Urban Design  
URB 6 Alterations and Extensions  
URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas  
HSG 4 Residential Amenity  
HSG 7 Gardens  
HSG 12 Residential Extensions

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

5.7 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

5.8 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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). The following emerging plans are relevant to this application.

5.9 The following emerging plans are relevant to this application.

Development Management Local Plan

5.10 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 the 23<sup>rd</sup> of 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 the 29<sup>th</sup> of April 2014. The Council expects to formally adopt the DMLP in autumn 2014.

5.11 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 the plan making process aside from formal adoption, and therefore holds very significant weight at this stage.

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

DM Policy 1 Presumption in favour of sustainable development

DM Policy 31 Alterations/extensions to existing buildings

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

**6.0 Planning Considerations**

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

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

Design and Conservation

6.2 Retained UDP Policy URB 3 states that the Council will expect a high standard of design in extensions or alterations to existing buildings, whilst ensuring that schemes are compatible with, or complement the scale and character of, existing development and its setting. In assessing the urban design merits of a development, the Council will consider the preservation and creation of urban form which contributes to local distinctiveness such as building features and

roofscape and the contribution of the development to energy and natural resource efficiency.

- 6.3 Retained UDP Policy URB 6 states that, alterations and extensions should respect the plan form, period, architectural characteristics and detailing of original buildings and should normally use matching materials.
- 6.4 Retained UDP Policy URB16 states that the Council will not grant planning permission where alterations and extensions to existing buildings are incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.
- 6.5 DM Policy 31 states that proposals for extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.6 The proposed extension has been reduced in scale so that it comprises a modest side extension and a modest rear extension. It is considered that the proposed extensions will now remain subservient to the host property. The proposal would still result in the loss of the existing bay window which could be considered to be an original external feature. DM Policy 31 requires extensions to respect original features and the Telegraph Hill Society have objected to the removal of the bay window. However, the retention of this bay window would preclude most forms of infill development in the side return and it is considered that this would fetter the owner's ability to develop their property to an unreasonable extent.
- 6.7 Permission was recently granted at 22 Gellatly Road for the construction of an infill side extension that resulted in the removal of this bay window (DC/12/80832).
- 6.8 The bay window is not a feature that is visible from the public realm and is therefore not considered to be one that makes a contribution to the character and appearance of the conservation area. Given this and the recent permission allowing the removal of the bay window, it is considered the removal of this feature is acceptable.
- 6.9 In terms of materials, the proposal would be finished in brickwork to match the existing with slates to match the existing roof. These materials are considered to be acceptable. A condition is recommended requiring the materials (including the brickwork bonding and roof slates) to match the host property as recommended by the Telegraph Hill Society and the Council's Conservation Officer. The proposed windows and sliding doors would be finished in dark grey aluminium. The Telegraph Hill Society has raised concerns that the sliding doors would not be in keeping with the original window design. However, the rear of these properties have been extensively altered over the years with a wide range of single storey rear extensions that include conservatories, flat roofed and lean to extensions, some of which feature large glazed door opening to the rear. Given that this element will only be visible from the rear gardens, it is considered to be acceptable.
- 6.10 The Council's Conservation Officer has raised objection to the proposed white framed velux windows. The proposal has been altered so that the velux roof

lights would feature dark frames and would be set flush with the roofslope. The rooflights are now considered to be acceptable.

- 6.11 The design of the proposal is considered to be acceptable and it is not considered to have an unacceptable impact on the conservation area.

#### Impact on Adjoining Properties

- 6.12 The amended proposal would result in a much smaller flank wall to the side extension (measuring 2.85m). It is not considered that this would have a significant impact on the neighbouring property that would result in an unacceptable sense of enclosure or loss of daylight.
- 6.13 In terms of the rear extension, this would extend out from the existing rear elevation by 3m. The design is such that the eaves height has been kept to a minimum (2.5m) to reduce the impact on the neighbouring property to the south. Due to the orientation of the site, it is not considered that the rear extension would result in any loss of daylight or overshadowing to the neighbouring property or its garden.
- 6.14 Concern has been raised by the Telegraph Hill Society over light spillage from the proposed rooflights. However, this is not considered to be significantly worse than light spillage from the existing bay window and given the urban context of the site, this is not considered to be sufficient reason to refuse the application.
- 6.15 Following the amendments that have been made to the proposal, it is considered that it will have an acceptable impact on neighbouring amenity.

#### **7.0 Community Infrastructure Levy**

- 7.1 The above development is not CIL liable.

#### **8.0 Equalities Considerations**

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

## **9.0 Conclusion**

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

9.2 On balance, Officers consider that that the revised proposal is of an acceptable design that will not have an impact on the character and appearance of the conservation area and that the proposal would have an acceptable impact on neighbouring amenity. The scheme is therefore considered to be acceptable.

## **10.0 RECOMMENDATION**

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

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

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

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

Heritage Statement, Site Location Plan, CIL, Design and Access Statement, 01, 02 & 03 (received 30/05/2014) 04B, 05B, 06B & 07B (received 1/10/2014)

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

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

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

## **INFORMATIVES**

- 1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- 2) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into

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

- 3) 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 boundary 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 we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

This page is intentionally left blank

# 41 GELLATLY ROAD, LONDON, SE14 5TU



This page is intentionally left blank

Committee	PLANNING COMMITTEE C	
Report Title	4 Leathwell Road, Deptford SE8 4JL	
Ward	Lewisham Central	
Contributors	Michael Forrester	
Class	PART 1	18 November 2014

Reg. Nos. DC/14/89216

Application dated 23.09.2014

Applicant Mr Waite

Proposal The construction of a mansard roof extension, incorporating two dormer windows to the front and dormer window and French doors with Juliette balcony to the rear roof slopes of 4 Leathwell Rd SE8

Applicant's Plan Nos. Site Plan, 1 of 8 rev A, 2 of 8 rev A, 3 of 8 rev A, 4 of 8 rev A, 5 of 8 rev A, 6 of 8 rev A.

Background Papers

- (1) Case File LE/14/4/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, No. 4 Leathwell Road is a two storey terraced house located on the western side of Leathwell Road. The property features a butterfly roof with a low parapet. The properties on surrounding streets (Leathwell Road and Elverson Road) share the same building and roof design. No property in the street currently possesses a mansard roof extension.
- 1.2 The property features an original rear two-storey projection with pitched roof. The property is not located within a conservation area, and is not a listed building.

## **2.0 Planning History**

- 2.1 DC/10/75059 – the construction of a single storey extension at the rear of 4 Leathwell Road SE8 together with alterations to the rear elevation – granted 22/09/2014.
- 2.2 There have been a number of similar mansard roof extensions proposed in Leathwell Road which are of relevance to this application. These are listed below:
- No. 13 Leathwell Road – refused 30/09/2014
  - No. 6 Leathwell Road – refused 24/09/2014
  - No. 13 Leathwell Road – refused 26/04/2012

### **3.0 Current Planning Applications**

#### The Proposals

- 3.1 Permission is sought for the construction of a mansard roof extension. This would measure 1.3m above the existing parapet and is enclosed by two party walls measuring 1.4m high. The roof is to be clad in slate.
- 3.2 The chimney is to be relocated and raised up to a height of 9.2m above ground level, representing an increase of 0.8m.
- 3.3 The front elevation of the mansard incorporates two Upvc windows with the rear a single window and Juliette balcony serving the bedroom.
- 3.4 Internally, the roof extension would create two bedrooms and a bathroom, creating a five-bedroom property.

#### Supporting Documents

- 3.5 No supporting documents have been submitted.

### **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 Neighbour notification letters were sent to surrounding properties and to local ward Councillors.
- 4.4 A letter of support has been received from the residents of No. 6 Leathwell Road raising the following points:
  - Extension blends in well;
  - Would encourage similar development of the terrace;
  - Extension makes little difference compared with large unattractive development in the area;
  - Recent increase in house prices and lack of family accommodation has made it difficult for couples to have families and remain in London.
- 4.5 Councillor Jeffrey has written in support of the proposal as follows:
  - Seems unfair to reject this and similar applications as permission for similar extensions has been granted in St John's Conservation Area, also in context of proximity of Thurston Road developments.
  - Opportunity for developing a new roofscape; additional advantage of producing more family sized homes which will encourage people to stay in the area developing a more stable community.

- Requested that this application be determined at planning committee.

## **5.0 Policy Context**

### Introduction

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

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

A local finance consideration means:

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

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, 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:

Design

### London Plan (July 2011)

5.6 The London Plan policies relevant to this application are:

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

### Core Strategy

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

Core Strategy Policy 15 High quality design for Lewisham

### Unitary Development Plan (2004)

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

URB 3 Urban Design

URB 6 Alterations and Extensions

HSG 4 Residential Amenity

HSG 12 Residential Extensions

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

5.9 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

5.10 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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). The following emerging plans are relevant to this application.

5.11 The following emerging plans are relevant to this application.

Development Management Local Plan

5.12 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 the 23<sup>rd</sup> of 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 the 29<sup>th</sup> of April 2014. The Council expects to formally adopt the DMLP in autumn 2014.

5.13 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 the plan making process aside from formal adoption, and therefore holds very significant weight at this stage.

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings

**6.0 Planning Considerations**

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

- Design
- Impact on Adjoining Properties
- Sustainability and Energy

Design

6.2 Policy URB 3 states that the Council will expect a high standard of design in extensions or alterations to existing buildings, whilst ensuring that schemes are compatible with, or complement the scale and character of, existing development and its setting. In assessing the urban design merits of a development, the Council will consider the preservation and creation of urban form which contributes to local distinctiveness such as building features and roofscape and the contribution of the development to energy and natural resource efficiency. This is enforced by Core Strategy Policy 15 and DM Policy 30 require a high standard of design. The Council raises no objections in principle to extensions to these dwellings, provided that they are of high design quality.

6.3 DM Policy 31 states that ‘rear extensions will generally not be permitted where any part is higher than the height of the ridge of the main roof, or where the extension is not set back into the roof slope. Roof extensions on the street frontage of a building, particularly in a residential street will be resisted in favour of extensions to the rear of the building’.

- 6.4 In this instance, No. 4 Leathwell Road is a mid terrace property with unaltered roof. Leathwell Road retains a consistent roofline of distinctive London 'butterfly' roofs. These roofs are hidden behind a parapet when viewed from the front, giving the impression of flat roofs. The V shaped roofs are visible from the rear and particularly on street corners when viewed from the railway line and DLR. Leathwell Road has a consistent character and distinctive roofscape and most dwellings retain their decorative cornice at roof level which create a strong, legible character. There are no mansard roofs in this street.
- 6.5 Proposals for mansard roofs have been refused at Nos. 6 (DC/14/88560) and 13 (DC/12/79594 and DC/14/88677). The grounds of refusal relate to the introduction of the roof extension as being out of character with the consistent rhythm of the prevailing roofscape in surrounding streets and would represent a visually intrusive addition to the streetscene.
- 6.6 The proposals for a mansard roof in effect would create a second storey, replacing the V shaped butterfly roof, set behind the parapet. It is considered that the additional storey would appear bulky and incongruous, dominating the streetscene, rising high up above the parapet. The raised party walls would be highly prominent from surrounding viewpoints and the raised chimney would stand much taller than any other in the street. This would only serve to emphasize the prominence of the roof extension. It is further considered that the detailing of the extension is poor, especially in relation to the lack of detailing regarding the ridge of the extension, Juliette balcony and its balustrade and the proposed Upvc windows.
- 6.7 It is noted that there are a number of mansard roof extensions in the adjacent streets which form the Brookmill Road Conservation Area, these are regrettable and are considered to be damaging to character and appearance of the conservation area. These mansard extensions in the conservation area however, are limited primarily to Albyn Road. The Council continues to assess mansard roof extensions on the merits of the individual case and they are generally resisted due to their obtrusive appearance.
- 6.8 Their introduction in this street, although not located in a conservation area, would be damaging to the terrace which is locally distinctive. To introduce a mansard style roof that would effectively result in an additional storey here would be damaging to the local character.
- 6.9 Whilst it is acknowledged that the extension would extend the existing three-bedroom property to a five-bedroom property, and therefore enable the creation of a large family dwelling, the massing and design of the extension is considered to be poor quality and damaging in architectural terms to the host property and streetscene. The size of the bedrooms (7.5 sq.m. each) is also very small and would therefore not be of a suitable size for a double bedroom as shown on the plans.
- 6.10 As the V shaped butterfly roof is characteristic of parts of the north part of the borough, should permission be granted, it would be more difficult to resist this type of alteration in other locations.

### Impact on Adjoining Properties

- 6.11 Policy HSG 12 of the UDP states that extensions should not result in an appreciable loss of privacy and amenity (including sunlight and daylight) for adjoining houses and their back gardens.
- 6.12 The rear windows would overlook the garden although this is considered not to cause significant harm in terms of loss of privacy. No objection is raised to the Juliette balcony from an amenity perspective. Although it is considered to be visually incongruous.
- 6.13 It is noted that no objections have been received from neighbouring occupiers.

### Sustainability and Energy

- 6.14 The proposal complies with the principle of extending an existing building and maximises the use of a site. All habitable rooms would benefit from good levels of natural light and ventilation. For a development of this scale it is not considered appropriate or necessary to insist upon the inclusion of renewable energy provisions.

## **7.0 Community Infrastructure Levy**

- 7.1 The above development is not CIL liable.

## **8.0 Equalities Considerations**

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

## **9.0 Conclusion**

- 9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 9.2 The introduction of a mansard roof extension would read as a second storey to this property in a road characterised by traditional London butterfly roofs. The extension is considered to be of poor design quality, appearing bulky and intrusive on the elevation. It is recommended that Members refuse planning permission.

## **10.0 RECOMMENDATION**

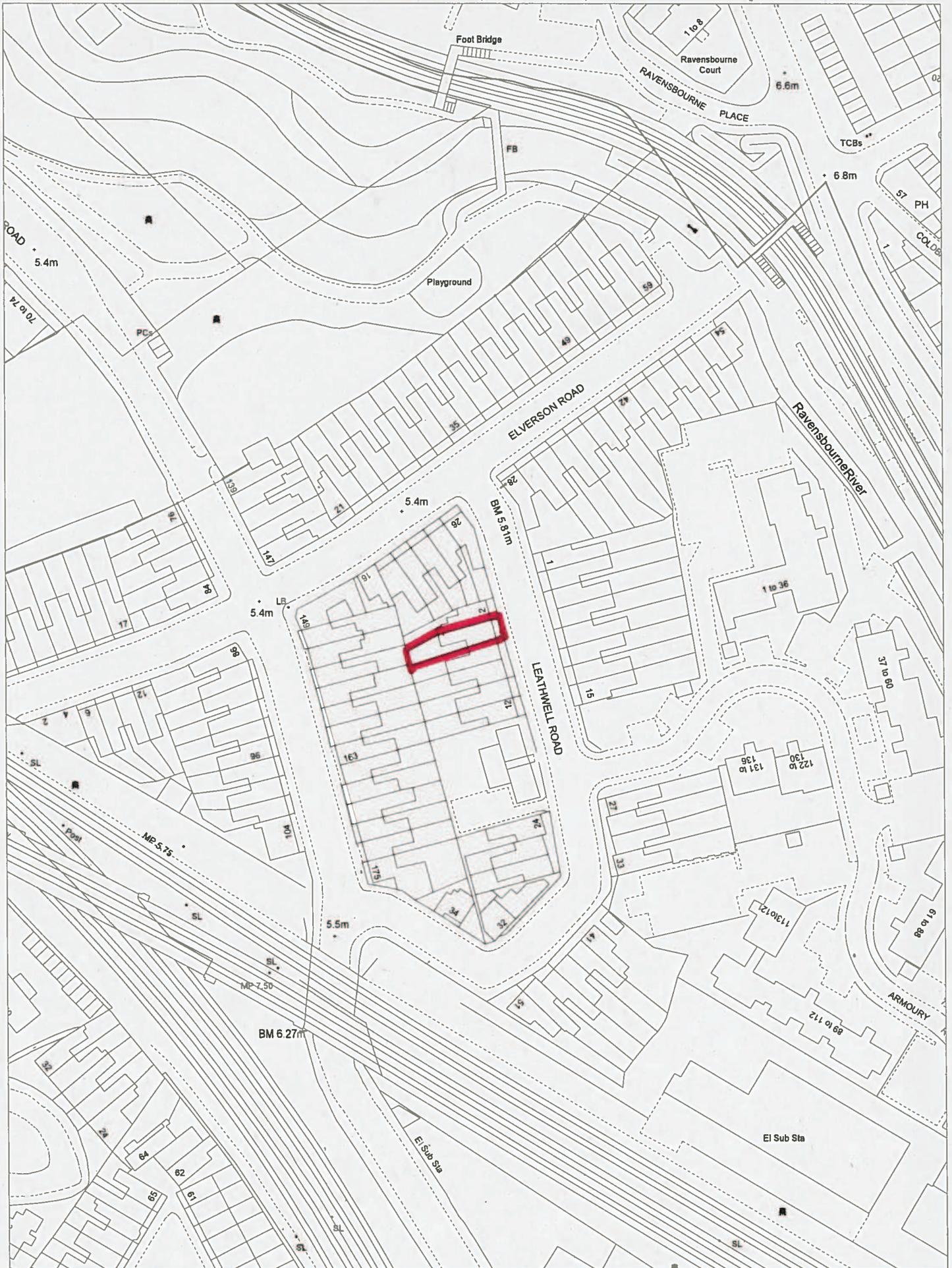
To refuse planning permission for the following reason:

The proposed roof extension, by reason of its scale, massing and design, would be out of character with the consistent rhythm of the prevailing roofscape within the surrounding streets and would represent a visually intrusive addition harmful to the character and appearance of the area. As such, the proposal would be contrary to Policy 15 in the adopted Core Strategy (June 2011), policies URB 3, URB6 in the adopted Unitary Development Plan (July 2004), DM Policy 30 and DM Policy 31 in the Development Management Local Plan (for adoption November 2014).

### **INFORMATIVES**

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 before the application was submitted. The proposals submitted are identical to the refused scheme at no 6 Leathwell Road as the proposal was clearly contrary to the provisions of the Development Plan, it was considered that further discussions would be unnecessary and costly for all parties.

# 4 LEATHWELL ROAD, LONDON, SE8 4JL



This page is intentionally left blank