

PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 8 OCTOBER 2015 TIME 7.30 PM**

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

Members of the Committee are summoned to attend this meeting:

**Membership
Councillors:**

**Abdeslam Amrani (Chair)
James-J Walsh (Vice-Chair)
Obajimi Adefiranye
Amanda De Ryk
Pat Raven
Paul Upex
Andre Bourne
Stella Jeffrey
Roy Kennedy
Alan Till**

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

**Barry Quirk
Chief Executive
Lewisham Town Hall
London SE6 4RU
Date: Tuesday, 29 September
2015**

**For further information please contact:
Rachel Stephenson Committee Co-ordinator
3rd Floor Laurence House
Catford Road SE6 4RU**

**Telephone No: 020 8314 8092
Email: Rachel.Stephenson@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.

Order Of Business			
Item No	Title of Report	Ward	Page No.
1.	Declarations of Interests		1 - 4
2.	Minutes		5 - 6
3.	87C Erlanger Road, SE14	Telegraph Hill	7 - 18
4.	Rear of 53 Dartmouth Road, SE23	Forest Hill	19 - 64
5.	14 Wastdale Road, SE23	Crofton Park	65 - 92
6.	10 Round Hill, SE26	Forest Hill	93 - 114

This page is intentionally left blank

	PLANNING COMMITTEE (A)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 08 OCTOBER 2015

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

(1) Personal interests

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

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

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

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

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

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

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

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.

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

(6) Sensitive information

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

(7) Exempt categories

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

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

This page is intentionally left blank

Committee	PLANNING COMMITTEE (A)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 08 OCTOBER 2015

MINUTES

To approve the minutes of the meeting of Planning Committee (A) held on the 27th August 2015.

This page is intentionally left blank

Committee	PLANNING COMMITTEE A	
Report Title	87C ERLANGER ROAD, LONDON, SE14 5TQ	
Ward	TELEGRAPH HILL	
Contributors	Russell Brown	
Class	PART 1	8th October 2015

<u>Reg. Nos.</u>	DC/15/91551
<u>Application dated</u>	21.03.2015
<u>Applicant</u>	Mr & Mrs Gooderson
<u>Proposal</u>	The construction of a rear roof extension with a side facing window at 87C Erlanger Road, SE14, together with the installation of rooflights to the front and side roofslopes.
<u>Applicant's Plan Nos.</u>	Site Location Plan (Received on 24th March); S3590/1; S3590/7; S3590/8; Heritage Statement (Received on 4th May); S3590/2; S3590/3; S3590/9 (Received on 17th August); S3590/4; S3590/5; S3590/6 (Received on 8th September)
<u>Background Papers</u>	(1) Case File DE/47/87/TP (2) Core Strategy (June 2011) (3) Development Management Local Plan (November 2014) (4) London Plan (March 2015)
<u>Designation</u>	Telegraph Hill Conservation Area
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application site is located on the east side of Erlanger Road, in between the junctions with Sherwin Road and Arbutnot Road. The rear garden backs onto those of the Pepys Road properties. The property is semi-detached with two storeys plus basement and is built of London stock brick with timber framed sash windows, a slate hipped roof and a canted bay topped by a gable end to the left of the front door.
- 1.2 It is split into three flats; A in the basement, B on the ground and C on the first floor. Flat C is the subject of this application.
- 1.3 At the rear there is an original three storey outrigger that joins the main part of the property more than halfway up the rear roofslope and a single storey infill extension, leaving a garden of approximately 28m deep by 5m wide.
- 1.4 The site is located within Telegraph Hill Conservation Area and is subject to an Article 4 direction. The property is not a listed building nor are there any in the vicinity.

1.5 The road is unclassified and the site has a PTAL rating of 6a.

2.0 Relevant Planning History

2.1 DC/91/32955: The alteration and conversion of 87 Erlanger Road SE14 to provide 3, two bedroom self contained flats together with the installation of new windows to the front elevation at basement level. **Granted, but not implemented.**

2.2 DC/05/59927/FT: The construction of a dormer extension to the rear roofslope at 87c Erlanger Road SE14 and installation of rooflights to the front and side roof slopes, in connection with alterations to the existing roofspace to provide additional living accommodation. **Granted, but not implemented.**

2.3 DC/09/73076/FT: The construction of a dormer extension to the rear roofslope and installation of rooflights to the front and side roofslopes of 87c Erlanger Road SE14. **Granted, but not implemented.**

3.0 Current Planning Application

3.1 Planning permission is sought for the construction of a roof extension to the main rear roofslope that extends from it by 3.5m and onto the roofslope of the rear outrigger. It would measure a maximum of 1.75m wide and 1.15m high with a flat roof, featuring a south facing fixed window (1.35m wide by 65cm high). The new extension would provide the space for an additional bedroom in the loft.

3.2 The extension is proposed in slate to match the main roofslope with a flat felt roof and a timber framed window and timber fascia boards painted to reflect the original materials.

3.3 The insertion of two rooflights from the Conservation Rooflight Company, one in the side (2.2m high by 90cm wide) and one (2.3m high by 1.35m wide) in the front roofslope, is also proposed as part of this application. Velux rooflights were originally proposed, but after discussions with the applicant, the scheme was revised to rooflights from the Conservation Rooflight Company.

3.4 It is noted that this scheme for a rear roof extension and front and side rooflights is very similar to that which has been granted planning permission twice previously, but neither were ever implemented.

4.0 Consultation

4.1 No pre-application advice was sought.

4.2 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

4.3 A site and a public notice were displayed and letters were sent to 13 adjoining residents.

Written Responses received from Local Residents and Organisations

- 4.4 The Conservation Officer raised concerns about the two rooflights given that both are visible from the public realm.
- 4.5 The Telegraph Hill Society raised the following issues:
- Front rooflights are, according to the Character Appraisal, one of the “small changes to the external appearance of individual houses [that] is beginning to erode the special interest of the area”. The amount of applications for these has reached the point where they are now significantly damaging the heritage of the area and cannot be considered in isolation from each other.
 - The front rooflight fails to align with the windows below and is particularly noticeable being on high up the roofslope.
 - The application is contrary to DM Policy 30 parts 2 and 5a, DM Policy 31 part 1 and DM Policy 36 part 4b.
 - The Council has recently refused a similar proposal incorporating a front rooflight.
 - The side rooflight is also objectionable for the same reasons.
 - Whilst the dormer is incompatible with the characteristics of the hillside properties, it is modest in size and not visible from the public realm, and as such, no objection is raised in principle.
 - The timber fascia boards painted white, however, would look uncharacteristically modern and cut across the tiling. As such, a condition should be added to ensure they are painted the same colour as the slates, or removed from the proposal.
 - The Heritage Statement is inadequate and contains many incorrect details.

Amenity Society Panel

- 4.6 ASP had no objection to the rear extension, but objected to the front rooflight.

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

A local finance consideration means:

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

- 5.2 Section 38(6) of the Planning Compulsory Purchase Act 2004 makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), DMLP (adopted in November 2014) and policies in the London Plan (March 2015). 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 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 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 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

- 5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

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

Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 5 Areas of Stability and Managed Change
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

Development Management Plan

- 5.8 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan,

together with the Core Strategy and the London Plan is the borough's statutory development plan. The following policies are relevant to this application:-

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

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

Residential Standards Supplementary Planning Document (Updated 2012)

- 5.9 Paragraph 6.7 (Roof Extensions) states that all roof extensions should be sensitively designed to retain the architectural integrity of the building. The following design principles should be used to achieve this:
- All roof alterations should be successfully integrated with and preserve the architectural character of the building, and be subordinate to the principal elevations.
 - Planning permission is always required for roof additions in Conservation Areas.
 - The type and style of windows used should be similar to those used in the main elevations and reflect their alignment.
 - For Victorian and Edwardian buildings, particularly in Conservation Areas box dormers occupying a whole roof slope are unlikely to be permitted.
 - Roof extensions, including dormer windows, to the front and side elevations will be resisted in favour of roof lights set into the roof slope.
 - Larger roof extensions should be located on the rear elevations in order to protect the front and side elevations from substantial alteration.
 - Rear roof extensions should be set back a minimum of one metre behind the lines of eaves and a minimum of 500mm from the gable, flank or party wall boundary.
 - Roof extensions will not be permitted where any part of the extension will be above the height of the ridge of the main roof.
 - Roof extensions should be set back into the roof slope and not be formed by building up external walls.
 - The materials used for roof extensions and dormers should be compatible with the existing roof material in order to be unobtrusive and blend into the roof slope. Preferred materials are natural or simulated slates, clay tiles, zinc, lead or copper as appropriate with fascia boards in painted timber or hardwood.
 - In Conservation Areas appropriate materials should be used which preserve or enhance the character of the Conservation Area. Consideration should be given to reinstating the original type of roof covering wherever possible.
 - Roof extensions to Listed Buildings will be considered each on their merits, but are unlikely to be approved if they harm historic roof structures and the overall special architectural or historic interest of the listed building.
 - Roof lights should be fitted flush with the slate or tiles of the roof and their number on front roof slopes should be kept to the minimum necessary in order to avoid clutter.

The Telegraph Hill Conservation Area Character Appraisal (March 2008)

- 5.10 The property is located within Character Area 1a (Telegraph Hill).

6.0 Planning Considerations

- 6.1 The relevant planning considerations for the proposal are its impact on the character and appearance of the existing building and Telegraph Hill Conservation Area and as well as on the amenities of neighbouring occupiers.

Design and conservation

- 6.2 Paragraph 63 of the NPPF states that ‘in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area’. Paragraph 131 states that ‘in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.
- 6.3 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.4 Core Strategy Policy 16 states that the Council will ensure that the value and significance of the borough’s heritage assets and their settings, conservation areas, listed buildings, archaeological remains, registered historic parks and gardens and other non designated assets such as locally listed buildings, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice.
- 6.5 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations and extensions to existing buildings.
- 6.6 DM Policy 31 Alterations and extensions to existing buildings including residential extensions states that development proposals for alterations and 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. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.7 DM Policy 36 states that the Council will require a statement that describes the significance of the asset and its setting and an assessment of the impact on that significance for development proposals affecting heritage assets. Also required is clear and convincing justification if the significance of an asset may be harmed or lost through physical alteration or destruction, or development within its setting. The Council encourages the retention and thermal upgrading of historic windows. The Council will not grant planning permission where:
- a. new development or alterations and extensions to existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials
 - b. development, which in isolation would lead to less than substantial harm to the building or area, but cumulatively would adversely affect the character and appearance of the Conservation Area

c. development adjacent to a Conservation Area would have a negative impact on the significance of that area.

- 6.8 The proposals comprise two elements; the construction of an extension to the roofslope of the rear outrigger and the insertion of two rooflights, one to the front and one to the side roofslope.
- 6.9 Following objections to the insertion of Velux rooflights, the applicant has amended them to ones from the Conservation Rooflight Company, which would have central glazing bars and be flush with the roofslope. As a result, Officers consider that the front and side rooflights are acceptable in this instance given that there are many in the vicinity: four rooflights (three front, one side) at no. 106, one at no. 102, two at no. 101, two at no. 100, two at no. 98, four (two front, two side) at no. 89, three (two front, one side) at no. 84, two (one front, one side) at no. 80, one at no. 78, one at no. 63 and two (one front, one side) at no. 62. The addition of a further two rooflights would not be considered to have any cumulative detrimental impact on this part of the Telegraph Hill Conservation Area.
- 6.10 Whilst the design of the rear roof extension has not been seen elsewhere in the surrounding area, it has been designed to fit within an awkward space between the main building and the rear addition, and is considered to be an acceptable approach to the constraints of this space. The roof extension seeks to reduce its impact on the host property in terms of its size, given its height of 1.15m and width of 1.75m. Furthermore, it would not dominate the rear roofslope given that it would not extend the full 8m length of the rear outrigger; the proposed extension measures 3.6m along its roof. It is not visible at all from the public realm due to largely being concealed by the three storey rear addition and therefore it is considered that the extension would not have an unacceptable impact on the appearance of the Telegraph Hill Conservation Area.
- 6.11 The rear roof extension is well set back from the roof eaves, is not on the gable, flank or party wall boundaries and is not above the height of the ridge of the main roof. The materials are considered acceptable since the slate shall match the main roofslope, the flat roof of felt would not be visible, the timber framed window matches others on the main property and the timber fascia boards shall be painted a colour to assist the dormer to blend in with the existing roof.
- 6.12 Therefore, the rear roof extension and rooflights are considered to be acceptable and do not significantly harm the character and appearance of the Conservation Area or the main property itself in accordance with Core Strategy Policies 15 and 16, DM Policies 30, 31 and 36 and paragraph 6.7 of the Residential Standards SPD.

Impact on the amenity of neighbouring occupiers

- 6.13 DM Policy 31 states that residential development should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens.
- 6.14 The proposed rooflights and rear roof extension would not have any significant impact on levels of sunlight, daylight, outlook, privacy and noise to neighbouring

occupiers given that there are windows at lower floor levels and the modest size of the rear roof extension.

- 6.15 The south-facing window proposed to be installed in the rear roof extension would serve the proposed bedroom and would face the side roofslope on the outrigger of no. 89. Therefore, no privacy issues would arise.
- 6.16 It is also noted that the no letters of objection were received from the occupiers of surrounding properties.
- 6.17 Therefore, the proposal is considered to have an acceptable impact on neighbouring amenity.

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.
- 7.4 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

Conclusion

- 8.0 The Local Planning Authority has considered the particular circumstances of the application against relevant planning policy set out in the Development Management Local Plan (2014), the Core Strategy (2011) London Plan (March 2015) and the National Planning Policy Framework (2012).
- 8.1 It is considered that this particular proposal represents an acceptable development as its scale, design and materials are appropriate to the main property and would preserve this part of the Conservation Area and would not have an unacceptable impact on the amenities of the ground floor unit and the neighbouring occupiers.

8.0 **RECOMMENDATION: GRANT PLANNING 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 retained strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below: Site Location Plan (Received on 24th March); S3590/1; S3590/7; S3590/8; Heritage Statement (Received on 4th May); S3590/2; S3590/3; S3590/9 (Received on 17th August); S3590/4; S3590/5; S3590/6 (Received on 8th September)

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

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 discussions took place which resulted in further information for the dormer and rooflights being submitted.

This page is intentionally left blank

87C ERLANGER RD, SE14



This page is intentionally left blank

Committee	PLANNING COMMITTEE (A)	
Report Title	Fairway House, rear of 53 Dartmouth Road, SE23 3HN	
Ward	Forest Hill	
Contributors	Geoff Whittington	
Class	PART 1	Date: 8 October 2015

Reg. Nos. DC/15/90942

Application dated 9 February 2015

Applicant Hindmans Ventures Ltd

Proposal Demolition of the existing building at Fairway House, r/o 53 Dartmouth Road SE23, and the construction of part single/ part 3-storey and part 5/ part 6-storey buildings to provide 27 self-contained residential flats with ground floor offices (Use Class B1a), together with the provision of 3 disabled parking bays, 54 secure cycle spaces and associated landscaping.

Applicant's Plan Nos. 1217-01; 1217-02; 1217-03; 1217-04; 1217-05; 1217-06; 1217-07; 1217-08; 1217-09; 1217-10; 1217-11; 1217-12; 1217-13; 1217-14; 1217-15; 1217-16; 1217-17; 1217-18; 1217-19; 1217-20; 1217-21; 1217-22; 1217-23; 1217-24; 1217-25; 1217-26; 1217-27; 1217-28; 1217-29; 1217-30; 1217-31; 1217-32; 1217-34; 1217-35; 1217-36; 1217-37; 1217-38; 1217-39; 1217-40; 1217-51; 1217-53; 1217-54; 1217-55; 1217-56; 1217-57; 1217-58; 1217-59; 1217-60; 1217-61; 1217-62; 1217-63; 1217-64; 1217-65; 1217-66; 1217-66; 1217-67; 1217-70; 1217-73; 1217-74; 1217-75; CGI 1217-74; CGI 1217-75; 18665_02_E RevA; 18665_03_E RevA; 18665_04_E RevA; 18664_05_E RevA; 18665_01_P 0; 18665a_02_P; Site Location Plan; Design & Access Statement; Landscape Design; Noise Assessment; Office Travel Plan Statement; Residential Travel Plan Statement; Statement of Community Involvement; Transport Statement; Heritage Statement; Construction Traffic Management Plan; Phase 1 Environmental Review; Employment Land Report & Overview; Bat Roost Assessment Report; BREEAM; Energy Strategy Report; Daylight/ Sunlight/ Overshadowing Report; Air Quality Assessment; Appendix 4 - Detailed schedule of availability for industrial; Appendix A - Completion Schedules; Appendix B - Deals Schedules; Appendix C - Marketing Particulars; Appendix D - Marketing Board

Background Papers

- (1) Case File LE/458/U/TP
- (2) Local Development Framework Documents
- (3) The London Plan (2015)

Designation

PTAL 3
Local Open Space Deficiency
Major District Centre
Forest Hill Article 4(2) Direction

1.0 Property/Site Description

- 1.1 The application site lies within the Forest Hill District Centre, located to the rear of 53 Dartmouth Road. The application site is currently occupied by a part two, part three-storey building comprised of two former offices (Class B1) on the upper ground and first floor level, which have been vacant since 2013. A former MOT testing centre (Class B2) on the lower ground floor became vacant during 2015.
- 1.2 The site measures approximately 0.18 hectares in size, and slopes down significantly from Dartmouth Road towards the railway line. The ground level of the western part of the application site is 3.5 metres higher than the eastern side.
- 1.3 The former MOT element of the site is accessed from Clyde Terrace at the end of Dartmouth Place, which is initially a highway that narrows significantly to form a pedestrian pathway outside the application site, bounded by existing 2 metre high palisade fencing. The path runs adjacent to the railway line, leading northwards toward Noel Terrace and Phoenix Works.
- 1.4 A narrow vehicular and pedestrian accessway lies between 53a and 55 Dartmouth Road, that serves the former offices and the commercial and residential units at 53C Dartmouth Road.
- 1.5 The application site falls within the designated District Hub of Forest Hill, and is identified in the Site Allocations Local Plan (2013) as a site that has potential to be redeveloped for 'mixed use retail, business/ employment with housing.'
- 1.6 The surrounding area provides a range of uses;- 51a-61a Dartmouth Road are mixed commercial and residential use; 53C Dartmouth Road provides mixed commercial and residential uses; 1-8 Dartmouth Place provides residential dwellings; 1-11 Ream Apartments Clyde Terrace is in mixed commercial and residential use, which includes affordable housing provision; and Noel Terrace is a residential building accommodating self-contained flats.
- 1.7 The site is located within the Forest Hill Conservation Area, and is subject to an Article 4 Direction.
- 1.8 Dartmouth Road to the west is a busy highway, and is served by two bus routes. The PTAL for this area is 3, where on a scale of 1-6, 6 is excellent. There are restricted on-street parking opportunities along Dartmouth Road, whilst the application site lies approximately 250 metres from Forest Hill Train Station.

2.0 Planning History

- 2.1 Fairway House was granted planning permission in January 1973 for the 'erection of a two-storey building comprising a warehouse with ancillary offices on the ground floor and offices on the first floor, together with the construction of an access road and 8 parking spaces on land at the rear of 51A - 61A Dartmouth Road.'
- 2.2 The permission was subject to use for light industrial only, whilst it was required that all vehicular access to the site should be from Clyde Terrace only.
- 2.3 There have been a couple of minor permissions granted since that time, including the installation of air conditioning units.
- 2.4 In 2010, permission was granted for the change of use of Fairway House from Use Classes B1 & B8 to MOT Testing and Car Repairs.
- 2.5 Within the wider area, permission was granted in 2006 for the construction of three to six storey buildings, to provide mixed use development at the former Crown Graphics Works Site, Clyde Terrace adjacent to Fairway House. It comprises 5 commercial units, a cafe/restaurant (Use Class A3), 10 live/work units, 6 one bedroom and 36 two bedroom self-contained flats, together with associated landscaping, provision of refuse stores, cycle parking and 28 car parking spaces with access onto Clyde Vale.

3.0 Current Planning Application

- 3.1 The application proposes the demolition of the existing building, and the construction of two blocks. The first (Block A) would be a part 5/ part 6-storey building that would provide up to 485sq.m ground floor commercial unit (B1a Office use), with residential accommodation on the upper floors, comprising 8, one bedroom, 10, two bedroom and 4, three bedroom self-contained flats.
- 3.2 The second building (Block B) would be part 2/ part 3-stories, with up to 345sq.m ground floor commercial floorspace and 1, one bedroom, 2, two bedroom and 2, three bedroom self-contained residential units on the upper floors.
- 3.3 Private balconies would be afforded to each residential unit, with some first floor units in Blocks A and B having terraces. The three Block A units located to the 'penthouse' floor would each have private terraces of varying sizes.
- 3.4 A semi-private communal garden area for future residents and general public use would be located to the western part of the site, accessed from the existing passageway from Dartmouth Road. This would lead through to the main residential entrances of Blocks A and B, and a newly created route that would connect Dartmouth Road to Clyde Terrace, stepping down to the lower level courtyard and the commercial units. A secondary entrance to the Block A flats would be provided to the elevation fronting Clyde Terrace.
- 3.5 Due to the significant level changes, the western sections of the two commercial units would not be viewed from the higher ground level areas, with rooflights serving the Block A unit being the only visible indication.

- 3.6 Two first floor level wheelchair units would be provided within Block A, and one first floor unit in Block B.
- 3.7 Tables 1 and 2 below sets out the proposed unit mix within Blocks A and B.

Table 1: Block A:

Level 1	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	A1	3b 5p	87sq.m	•		
	A2	3b 4p	79sq.m	•		
	A3	3b 4p	107sq.m	•		•
	A4	1b 2p	65sq.m		• West facing	•

Levels 2 & 3	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	A5/ A10	1b 2p	50sq.m	•		
	A6/ A11	2b 4p	74sq.m	•		
	A7/ A12	2b 4p	74sq.m	•		
	A8/ A13	1b 2p	51sq.m		• West	
	A9/ A14	2b 4p	73sq.m	•		

Level 4	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	A15	1b 2p	50sq.m	•		
	A16	2b 4p	74sq.m	•		
	A17	2b 4p	74sq.m	•		
	A18	1b 2p	51sq.m		• West	
	A19	2b 4p	73sq.m	•		

Level 5	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	A20	1b 2p	61sq.m	•		
	A21	3b 4p	78sq.m	•		
	A22	2b 3p	66sq.m	•		

Table 2: Block B

Level 1	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	B1	3b 4p	86sq.m	•		
	B2	3b 4p	100sq.m	•		•

Level 2	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	B3	2b 4p	70sq.m	•		
	B4	1b 2p	50sq.m		• South	
	B5	2b 3p	61sq.m	•		

- 3.8 The flat roof area of Block A would provide a biodiverse brown living roof, together with the provision of 42 solar panels and an air source heat pump unit. A living roof would also be constructed to Block B, with 60 solar panels installed.
- 3.9 The scheme would provide 3no Blue Badge disabled car parking spaces within the forecourt area (fronting Clyde Terrace) of the application site, with two spaces allocated to the residential units, and one for the commercial element. No other off-street car parking spaces would be provided. 54 dry and secure cycle spaces for future residential and commercial occupiers would be afforded, comprised of 36 secure lockers for Block A dwellings, 9 for Block A residential occupiers and 9 lockers for the commercial units.
- 3.10 Improvements to the existing front forecourt are proposed, which would include the removal of existing 2 metre high palisade fencing, allowing for the provision of a large open area that would serve to improve pedestrian movement between Noel Terrace and Clyde Terrace.
- 3.11 The proposal does not include the provision of any affordable units, providing 100% market housing. The scheme has been assessed by an independent viability consultant on behalf of the Council, which will be addressed within this

report. The developer would provide an in-lieu payment of £100,000 toward affordable housing within the Borough, which would mitigate the lack of affordable housing provision in the proposed scheme. This would be secured in the S106 Agreement.

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.

Pre Application Consultation:

4.2 The applicants engaged in discussions with local residents prior to the submission of this application. A public exhibition was held on 11th December 2014. Details of the exhibition are provided in the applicants Statement of Community Involvement document.

4.3 In addition the applicant team had pre-application discussions with Planning officers, whilst an earlier version of the scheme was presented to the Design Review Panel.

Council Consultation:

4.4 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

4.5 Five letters received, objecting to the proposal on the following grounds:

- Height of development and impact upon existing amenity and views;
- The proposed 6-storey height would appear overbearing and oppressive;
- Insufficient provision of on-site parking;
- Disruption and noise from demolition works;
- Sunlight/ daylight concerns to nearest Noel Terrace properties;
- Balconies should only be provided to the front of the building to avoid overlooking and general disturbance.

4.6 The Forest Hill Society have objected on the following grounds:

- The design quality of the building are not as good as they could be, being over-complicated and lacking clarity;
- Poor amenity for the new housing;

- Poor positioning of the main block and the complex nature of stairs and landscape results in a lack of clarity of the route through the site from Dartmouth Road to Clyde Vale;
- The qualities of the employment space are limited – concerns that the shape and arrangement of this building means it is unlikely to provide the correct type of flexible employment uses that are currently in demand;
- The scheme will do very little to improve the important route along Clyde Vale;
- The highways aspect of the scheme should be designed to anticipate and facilitate future improvements that could be made along this route.

Network Rail

- 4.7 Raise no objections, but have advised the applicant must engage with them prior to commencement of development.

5.0 Policy Context

Introduction

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

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

A local finance consideration means:

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

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

National Planning Policy Framework

- 5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that

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

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

Other National Guidance

- 5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

- 5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young peoples play and informal recreation facilities.
Policy 3.8 Housing choice
Policy 3.10 Definition of affordable housing
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 4.23 Mixed use and development and offices
Policy 4.11 Encouraging a connected economy
Policy 5.3 Sustainable design and construction
Policy 6.3 Assessing effects of development on transport capacity of the London Plan
Policy 7.1 Lifetime neighbourhoods
Policy 7.4 Local character
Policy 7.5 Public Realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

London Plan Supplementary Planning Guidance (SPG)

- 5.7 The London Plan SPG’s relevant to this application are:
Housing (2012)
Draft Interim Housing Supplementary Guidance (2015)
Shaping Neighbourhoods: Character and Context (2014)
Sustainable Design and Construction (2014)

Core Strategy

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

Core Strategy Spatial Policy 5 District Hubs
Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 5 Other employment locations
Core Strategy Policy 8 Sustainable design and constructions 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

Development Management Local Plan

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

The following policies are considered relevant to this application:

DM Policy 1 Presumption in favour of sustainable development
DM Policy 11 Other employment locations
DM Policy 22 Sustainable design and construction
DM Policy 28 Contaminated land
DM Policy 29 Car parking
DM Policy 30 Urban design and local character
DM Policy 32 Housing design, layout and space standards
DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

Residential Standards Supplementary Planning Document (August 2006, updated 2012)

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

amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

6.0 Planning Considerations

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

- a) Principle of development
- b) Design
- c) Impact on neighbouring properties
- d) Housing, including standard of accommodation
- e) Employment
- f) Highways and traffic issues
- g) Refuse
- h) Sustainability
- i) Landscaping
- j) Ecology
- k) Affordable Housing considerations
- l) Planning obligations

Principle of Development

6.2 National, regional and local planning policies seek to promote efficient use of land for housing delivery by developing Brownfield sites, bringing back into use vacant sites and providing higher density development.

Demolition:

6.3 The application proposes the demolition of the existing part 2/ part 3-storey building in its entirety. An assessment of the quality and appearance of the existing building is necessary as the site lies within the Forest Hill Conservation Area. The Article 4 direction for this conservation area is directed towards household dwellings and not commercial premises.

6.4 The applicant describes the building in the Design and Access Statement as being 'a prefabricated industrial shed....of no notable architectural quality', and having '....reached the end of its useful life. It is thought to contain asbestos, particularly the roof.'

6.5 Having assessed the character and appearance of the building, officers consider the building has no discernable architectural merit that would justify its retention. It is considered by officers that the existing building detracts from the character of the Conservation Area, and its surroundings generally, through its poor quality design. No objections are therefore raised to the proposed demolition, subject to securing a replacement of high quality design that enhances the character of the Forest Hill Conservation Area.

Employment:

6.6 Core Strategy Policy 5 Other employment locations in the Lewisham Core Strategy 2011 states that the Council will protect the scattering of employment locations throughout the Borough and that employment land in District Hubs should be recommended for retention in employment use. It further states that other uses

including retail, community and residential will be supported if it can be demonstrated that site specific conditions including site accessibility, restrictions from adjacent land uses, building age, building viability, and viability of redevelopment show that the site should no longer be used in employment use.

6.7 The site does not lie within a designated Defined Employment Area on the Core Strategy Proposals Map, but does fall within the District Hub of Forest Hill. District Hubs are focused around district town centres that provide for the local community's daily needs. The physical form, characteristics and opportunities for redevelopment varies across the District Hubs. Forest Hill is considered as a centre that has underutilised land and regeneration potential, whilst the application site is identified specifically within the Site Allocations Local Plan (2013), which states;

‘development potential remains and the Council allocates the site for mixed use retail, business/ employment with housing, which would provide visual and physical improvements; improve the vitality of the town centre; and is line with the Forest Hill Urban Design Framework and Development Strategy.’

6.8 The application site provided a long period of employment use, however the (B1) Office was vacated in 2013 and the (B2) MOT testing centre/ car repair garage uses ceased operating in 2015. Both are currently vacant. The applicant has owned the site since 2013, and had been leasing part of the premises to the MOT garage at a rent below market value. The Employment Land Report submitted as part of the application advises that since late 2010, the industrial and office elements has undergone ‘extensive’ marketing, and had failed to find occupiers at competitive market levels.

6.9 The report advises that despite its size, the existing building has been considered undesirable by interested parties due to the positioning of internal columns making the layout inflexible, whilst the low eaves height has also raised concern. Additionally there is an over-supply of older style office space in Lewisham with limited attractiveness to the market.

6.10 In compliance with Core Strategy Policy 5, it is appropriate that a redevelopment of the site includes employment use. The proposal in this case would not include MOT use, however (B1a) Office floorspace would be provided within both buildings. Officers support the principle of (B1a) use, subject to provision of employment, hours and days of operation, and the level of impact upon neighbouring occupiers.

6.11 The loss of (B2) General Industrial provision in this case is considered acceptable. The nature of the immediate area has changed significantly in recent years to be predominantly residential in character, with ground floor commercial uses. The (B2) MOT use is therefore considered to be less compatible with its surroundings, with associated noise and disturbance more likely to be a concern.

6.12 The amount of employment floorspace would be reduced from the existing overall total of 1786sq.m to 830sq.m, although the amount of proposed (B1a) Office floorspace would increase from 744sq.m to 830sq.m.

6.13 The proposed development would provide modern, flexible floorspace specifically for (B1a) Office use, with a greater potential for occupancy than the existing building.

- 6.14 Table 3 shows a comparison between the existing and proposed employment floorspace and employee provision. The Employment Densities Guide Employment (2010) provides a measure of intensity of building use and an indicator of average work floorspace (m²) per Full-Time Equivalent (FTE) member of staff.

Table 3

	B1 Floorspace	No. of Employees	B1 B2 Floorspace	B2 MOT/ Garage Employees
Existing	744 sq.m	Up to 62	1042sq.m	8
Proposed	830 sq.m	Up to 69	N/A	N/A

- 6.15 The submission advises that 8 full time B2 MOT/ Garage staff were employed prior to closure, whilst no figure has been provided regarding the former B1 Office element. The Employment Densities Guide (2010) advises that for B1 units, the standard area per full-time employee is 12sq.m, which equates to a maximum of 62 office staff within the existing floorspace.
- 6.16 Using the same guidance, the proposed development would accommodate up to 69 employees, which is comparable with the overall total of employees that the existing building could accommodate - 70 - despite the smaller floorspace area proposed. The floorspace provision is therefore considered acceptable in principle, and appropriate for this setting.
- 6.17 Additionally, it is considered that B1a floorspace meets the wider aspirations for Forest Hill district centre, in compliance with Core Strategy Spatial Policy 5, which states District Hubs will be managed so as to facilitate change that contributes to the economic vitality and viability of each District town centre. The B1a use is considered to be a more considerate form of use in regard to the residential character of the immediate area.
- 6.18 The Employment Land report advised that the provision of new accommodation for SMEs would make a welcome addition to the stock. Officers agree with this conclusion and have recommended the S106 agreement secures both the fit out of the units and provides a three month rent free period to occupiers to allow the tenant to begin trading and cover any additional fit out costs before rent payment is due.

Residential Use:

- 6.19 At national level, the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy 3.3 Increasing Housing Supply establishes a housing target for the Borough of 13,847 additional dwellings for the plan period 2015-2025.
- 6.20 National, regional and local planning policies seek to promote efficient use of land for housing delivery by developing Brownfield sites, bringing back into use vacant sites and providing higher density development.
- 6.21 The provision of a mixed use scheme that includes residential units would be in accordance with Policy, reflecting the character of the surrounding area. The

proposed mixed use nature of ground floor commercial activity with residential units above would be acceptable, subject to appropriate soundproofing measures to safeguard the amenities of future residential occupiers, and impact upon the amenities of existing occupiers.

- 6.22 In summary, officers raise no objections in principle to the demolition of the existing buildings, the redevelopment of the application site, or the nature of proposed mixed commercial and residential uses. The development would replace an unsightly building, with an opportunity to enhance the character of the Forest Hill Conservation Area, and to provide additional quality residential accommodation to assist in meeting Lewisham's housing target of 1385 additional residential dwellings per annum.

Design

- 6.23 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.24 Paragraph 15 of the National Planning Policy Framework states: "local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however proper to seek to promote or reinforce local distinctiveness."
- 6.25 Core Strategy Policy 15 High quality design for and Policy 32 of the Development Management Plan requires that all new residential development be attractive and neighbourly, and meet the functional requirements of future residents.
- 6.26 DM Policy 30 Urban design and local character and 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 requires new development to respect the character and appearance of conservation areas.
- 6.27 The applicants have engaged in pre-application discussions with officers to seek advice on what would constitute an acceptable form of development upon the vacant site. It is considered that the existing vacant commercial building appears unattractive and incoherent with the general character of the immediate area, and no objections are raised toward its demolition.
- 6.28 The height and massing of the proposed development is influenced by the adjacent buildings that have been built to neighbouring plots at Dartmouth Place and Clyde Terrace (Ingres and Ream Apartments), which are 3 to 6-storey mixed use buildings to the east and south of the application site. Directly to the north is Noel Terrace, which is a 4-storey plus roofspace Edwardian residential building that accommodates flatted dwellings.

- 6.29 Block A to the northern part of the site would be a part 5/ part 6-storey building that would measure a height of up to 19 metres, which is comparable with the Dartmouth Place (Ingres Apartments) development, a storey higher than Ream Apartments, and a storey and a half higher than Noel Terrace. The upper floor residential units would overhang the ground floor commercial unit by up to 4.5 metres.
- 6.30 Block B would lie between 7 and 10 metres to the south of Block A, and would be a part 2/ part 3-storey building. It would be sited behind Clyde Terrace to the east, and 2-storey dwellings to the south fronting Dartmouth Place.
- 6.31 Both buildings would be predominantly brick faced (shown as a brown coloured fair face brick on Plan 1217-74) to all elevations on the upper floors, whilst the ground floor commercial units would be largely glazed with steel framing.
- 6.32 All upper floor window frames would be of white metal, whilst balconies would be enclosed by anodised aluminium together with glazed screens. The provision of balconies contributes to the overall outdoor feel and modern design of the development. Steel louvers would form the entrances to the internal refuse area.
- 6.33 The proposed use of materials is considered to be appropriate in principle, contributing positively to the appearance of the development, and relating well with the immediate area. The applicants would be requested by way of a planning condition to provide external material samples for further assessment and detailed plans of the proposed living roof.
- 6.34 Design officers have advised they consider the height, scale and massing of the current scheme to be acceptable, respecting the general form of development within the immediate area.
- 6.35 Conservation officers raise no objections to the proposal, and consider the scheme would enhance and respect the character of the Forest Hill Conservation Area.

Design Review Panel

- 6.36 On 26 March 2014, a pre-application scheme relating to the current site was presented at a Design Review Panel. The scheme proposed the demolition of the existing building, and the construction of a part one, part two, part three-storey building, and a part four, part five, part six-storey building, accommodating 30 residential units and B1 office use at ground floor.
- 6.37 The Panel considered the general height, scale and massing to be appropriate, whilst the decision to create two buildings and positive routeways through the site was acceptable. The balance of scale between the two buildings was also supported.
- 6.38 The Panel recognised the complexity of the project, and the efforts in seeking to bring forward a high quality development, however they advised that further design development was necessary in regard to a greater simplification of form and geometry, a more robust treatment to the public realm and its landscape, and for a greater clarity in detailing and the deployment of materials.

6.39 The scheme was further developed in response to the Panel comments. The Design and Access Statement advises that the plans were reformulated to follow two geometries, respecting those of the two parts of the site. Balconies and windows were better integrated into the composition, together with technical amendments. A detailed landscape strategy was developed that considered external spaces, and how the scheme may enhance the quality of the public realm.

Density

6.40 The application site is located within the Forest Hill town centre boundary, and therefore is considered to be an urban area, which is characterised by dense residential and commercial activity.

6.41 Policy 3.4 of The London Plan provides guidance on density. The development would provide 27 residential units and 78 habitable rooms, equating to a density of 433 habitable rooms per hectare, which falls within the density range of 200-450 hr/ha stated in Table 3.2 of the London Plan for urban areas with a PTAL of 3.

6.42 Guidance states that the Council should make the best use of previously developed land, however should this not negate the requirement for developments to blend with the surrounding character.

6.43 The scheme is considered to be of high quality design and would substantially improve the appearance of the site, and respect the surrounding Forest Hill Conservation Area. All residential units would exceed minimal sizes stated in the London Plan SPG (2012), whilst the mixed use nature of the scheme and landscaped external spaces would provide a high quality environment that would benefit the wider area. Density in this case is therefore considered acceptable and consistent with current Government guidance, and would not result in demonstrable harm to neighbouring occupiers.

Semi Public Access Route

6.44 The existing site is currently accessed by two means;

- via a gated passageway between 53a and 55 Dartmouth Road that serves 53C Dartmouth Road and the enclosed forecourt and office element of Fairway House;
- from Clyde Terrace providing front access only to the MOT/ garage.

6.45 The application proposes to connect Dartmouth Road and Clyde Terrace through the centre of the site by way of a semi-public route, which would be accessible to non residents during daytime hours only.

6.46 A steel gate to the side of 53C Dartmouth Road would be open during the day to allow for vehicular and pedestrian access. The commercial occupiers or building manager would be responsible for its closure in the evening hours.

6.47 A 2.5 metre high '2-part telescopic steel sliding gate' would be positioned across the main route into the front of the site from Clyde Terrace, and would remain open during the day. The commercial occupiers or building manager would also be responsible for closing the gates in the evenings.

- 6.48 An adjacent self-closing single pedestrian steel gate, measuring 2.5 metres in height, would remain closed, and would be operated by fobs issued to residential occupiers when the main gates are locked at night.
- 6.49 The Council will generally resist permanently gated development as they can harm the integration, permeability and cohesiveness of neighbourhoods. It is considered important therefore to secure the proposed route by way of a Semi-Public Access Management Plan via the s106 Agreement to ensure the development would retain an open and accessible footway for public benefit.
- 6.50 In summary, it is considered that the proposed development would make a positive contribution to the townscape, and would represent high quality modern design that would respect and enhance the character of the immediate area and the Forest Hill Conservation Area generally. On balance the height, scale and massing of the buildings are considered to be acceptable taking into account the context of the site surroundings.

Impact on Neighbouring Properties

Block A

- 6.51 DM Policy 32 states that new residential development must '*provide a satisfactory level of privacy, outlook and natural lighting for both its future residents and for its neighbours.*'
- 6.52 Noel Terrace is a 4-storey residential building that lies to the north of Block A, and is an L shaped building, with the rear element set in from the side boundary. The ground floor of Block A would lie between 4-5 metres away from the flank walls of Noel Terrace, whilst the upper residential floors would project approximately 4 metres beyond the initial rear elevation of the existing building - not the main rear elevation at the far end.
- 6.53 All habitable rooms within Noel Terrace are facing either east or west, with kitchen and bathroom openings facing the north elevation of Block A. Plan no. 1217-06 indicates the proposed building would not extend beyond the 45 degree angle taken from the nearest Noel Terrace habitable windows, demonstrating the proposal would not significantly harm existing outlook for existing occupiers.
- 6.54 There would be no openings to the flank wall of Block A that would result in any unacceptable overlooking to Noel Terrace.
- 6.55 Unit A1 within Block A would be afforded a spacious terrace area that would extend beyond the rear elevation of Noel Terrace, however the neighbouring property does not have a rear garden to be overlooked. The provision of a 1 metre high screen upon the 1 metre high flank wall would ensure the rear and flank windows of Noel Terrace would not be overlooked.
- 6.56 Units A20 and A22 on the upper floor of Block A would be afforded terraces that face Noel Terrace. Whilst screening is shown on the proposed elevation plans, it is considered appropriate to request further screening details by Condition so an assessment can be made regarding their composition to ensure there would be no direct overlooking to any existing occupiers.

- 6.57 Concerns have been raised toward potential noise and disturbance from the amenity areas, however this is not considered to be sufficient grounds to refuse permission in this case.
- 6.58 20 metres to the west of Block A is a 2-storey building at 53C, with ground floor commercial use and a first floor residential unit. Further to the west are 3-storey buildings fronting Dartmouth Road with upper floor dwellings. Officers are satisfied the existing properties are sited a sufficient distance away and would not be significantly harmed by the height and scale of proposed development, or the proposed west facing terraces/ balconies.
- 6.59 The Daylight/ Sunlight report concludes that Block A would satisfy the Building Research Establishment (BRE) minimum requirements in relation to daylight, sunlight and overshadowing, and would have no significant impact upon neighbouring properties. This is challenged, however by a resident of Noel Terrace, who considers the development would reduce levels of daylight, and that the applicant has ignored the findings of the report.
- 6.60 In response, the Daylight consultant who compiled the report has advised the following:
- 6.61 'While it is correct to say that window W38 (flank opening) shows a drop in VSC of 30%, the alternate window (W37 rear facing) providing daylight to this room (kitchen/ living/ diner) receives a higher level of daylight than does W38 in both existing and proposed conditions. Indeed, whereas there is a loss of daylight to W38, there would be an improvement in daylight to window W37 rising from a VSC of 19.42 to 21.05.'
- 6.62 VSC (Vertical Sky Component) is a measure of the amount of skylight, and is most commonly applied to the centre of a window to determine the potential for good daylighting.
- 6.63 It is acknowledged that Block A is considerably higher than the existing building, and would lie within close proximity of Noel Terrace. However, in considering the findings of the report, whilst there would be some impact, officers are satisfied the development has been designed to avoid significant adverse harm to the neighbouring occupiers.

Block B

- 6.64 Due to the significant ground level changes around the application site, the ground floor commercial unit of Block B would lie below the ground level of the Mays Flats to the south, extending up to the boundary.
- 6.65 The upper floor residential units would be comparable in height with the existing building, however the upper floors of the proposal would lie further away from the southern boundary than the existing - approximately 9 metres - and would result in the Mays Flats being less enclosed than at present.
- 6.66 The Mays Flats would lie between 9 and 11 metres away from the proposed first and second floors of Block B, however the nearest existing openings are positioned east and west facing, away from the direction of the application site. The ground and first floors have north facing bedroom openings set further back

from the main rear elevation. These would lie between 15-18 metres from the nearest habitable room windows to Block B.

- 6.67 DM Policy 32 advises there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations, however this will be 'applied flexibly' if it can be demonstrated that privacy can be maintained through design.
- 6.68 The first floor rooms within Block B facing directly toward the first floor Mays Flats bedrooms would each be afforded balconies, with 1 metre high opaque screening upon the 1 metre high balcony wall. This would serve to reduce potential overlooking, without necessarily comprising the level of outlook from the new units. It is appropriate to further assess the opaque screening to Units B3, B4 and B5 by Condition, and to ensure their installation in full prior to first occupation, and to be retained thereafter.
- 6.69 A bedroom within Unit B2 at first floor level would include an opening to the west elevation, as would the living room of Unit B5 on the second floor. The windows would look directly into the main accessway and car-parking area for Mays Mews, and would not compromise the privacy of any existing dwellings.
- 6.70 The Daylight/ Sunlight report concludes Block B satisfies the Building Research Establishment (BRE) minimum requirements in relation to daylight, sunlight and overshadowing, and would have no significant impact upon neighbouring properties, attributed to siting and modest height.
- 6.71 Officers are satisfied that Blocks A and B would not result in significant adverse visual harm to the occupiers of Ream Apartments, with direct overlooking avoided by the provision of part frosted openings to Block A windows to the southern elevation.
- 6.72 In summary, the proposed scheme is considered to have a satisfactory relationship to neighbouring dwellings, and would not result in significant visual harm to existing occupiers.

Housing

a) Size and Tenure of Residential Accommodation

- 6.73 Core Strategy Policy 1 seeks to secure an appropriate mix of unit sizes within any development. Lewisham suffers a shortage of larger housing units particularly 3+ bedrooms and therefore a development of 10 or more units must include family sized dwellings. The policy advises that an appropriate mix will be determined having regard to:
- a) the physical character of the site or building and its setting;
 - b) the previous or existing use of the site of building;
 - c) access to private gardens or communal garden areas for family dwellings;
 - d) the likely effect on demand for car-parking within the area;
 - e) the surrounding housing mix and density of population; and

f) the location of schools, shops, open space and other infrastructure.

6.74 In this case, the proposed mix of units is considered acceptable, including an acceptable proportion of 3 bedroom units, accounting for 6 of the proposed 27 units (22%), with each unit afforded sufficient external private space. The unit mix within both blocks are set out in Table 3.

Table 3: Residential Tenure

	1 Bed	2 Bed	3 Bed	4 Bed +	Total
Block A	8 (1 w/chair)	10	4 (1 w/chair)	-	22
Block B	1	2	2 (1 w/chair)	-	5
Total	9	12	6	-	27

Standard of Residential Accommodation:

6.75 The Council’s adopted Residential Standards SPD (updated 2012) sets out criteria for new residential units but this document is largely superseded by Core Strategy and London Plan requirements. The London Plan Housing SPG sets out guidance to supplement London Plan policies. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.

6.76 Table 3.3 of the London Plan and Standard 4.1.1 of the SPG sets out minimum space standards for new development, including unit and room sizes.

6.77 The size, layout and circulation of the proposed units are considered to be acceptable, providing a good standard of accommodation for future occupiers. Unit sizes and habitable rooms would be in accordance with the minimum standards set out within the London Plan (2015).

6.78 Each habitable room would be provided with sufficient outlook, with the majority of units being dual aspect. 4no, one bedroom units within Block A would be single aspect west facing, whilst 1no, one bedroom unit in Block B would be south facing only, attributed to the internal layout of internal lobby areas and siting of external balconies. Officers are satisfied all units and habitable rooms would be afforded sufficient natural light intake, in accordance with DM Policy 32 Housing design, layout and space standards, which seeks to resist single aspect north facing residential units.

6.79 New residential development is no longer required to meet the Lifetimes Home Criteria at planning stage, however this remains a matter to consider. Lifetime Homes Criteria seeks to incorporate a set of principles that should be implicit in good housing design enabling housing that maximizes utility, independence and quality of life. The applicant has advised all units would allow for easy conversion to wheelchair accessible units. This is considered to be acceptable.

- 6.80 Three wheelchair units would be provided within the scheme, compliant with Core Strategy Policy 1 Housing provision, mix and affordability, which requires a minimum 10% provision of wheelchair units in schemes providing 10 or more residential units. From 1 October 2015, this would be in accordance with Building Regulation M4 (3) Wheelchair User Dwellings.' The wheelchair units will be secured by Condition.
- 6.81 Standard 4.10.1 of the London Plan Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. The minimum depth for all external space is 1500mm. All units within this development would have private amenity space in the form of balconies and terraces, which meet the aforementioned standard. In addition, all units would have access to the communal landscaped courtyards.
- 6.82 A semi-public communal 'garden' would be provided on the raised land to the west of Block A, which is described as '...paving is patterned and shaped to provide opportunities for informal play – patterns of paler paving mark out games, a maze, and a sweeping curving route around the garden which banks up along one side to be fun for small children to run along. Black granite blocks provide stepping stones for children or seats for adults.'
- 6.83 The site lies within an Area of Open Space Deficiency, which means there are a limited number of local parks within the area. The nearest public open spaces with children's play areas are Horniman Gardens on either side of London Road located approximately 0.5 miles to the north-west of the site. Baxter Fields near Round Hill lies to the south-east, approximately 0.35 miles from the application site, whilst to the south-west is Mayow Park.
- 6.84 London Plan Policy 3.6 and Core Strategy Policy 12 require that residential and mixed use developments make provision for children's play and informal recreation space. The London Plan states that the amount of provision should be proportionally based on the number of children expected to occupy the development and an assessment of future needs. Summarily, the Mayor of London concludes that new development that creates a child yield is expected to provide 10 m² of play and recreation space for every child.
- 6.85 100sqm of playable space has been incorporated in the proposed landscaping to the west (Dartmouth Road side) of the scheme. Based on the Mayor's play space SPG, 12 children between the age of 0-16 are predicted to live in the development. This gives rise to a total child play space requirement of 120sq.m. Based on this, there is an opportunity to enhance some play facilities within the nearby public spaces by securing a financial contribution. In addition it is considered a play strategy is conditioned to ensure the 100sqm proposed is appropriate and useable for play.
- 6.86 The Lewisham Planning Obligations: Supplementary Planning Document (2015) advises that the undelivered play space will then be multiplied by £300 per m², which represents the estimated cost for the Council to deliver off-site children's play space on behalf of the developer. In this case, the sum would be £6,000.
- 6.87 Children's play space contributions are considered separate and additional to the Borough CIL. Whilst children's play space is often located in open spaces, it will

not be considered to be covered by any CIL payment, and therefore would be secured separately within the S106.

- 6.88 In summary, officers accept the proposed standard of accommodation within the development, and are satisfied the scheme would be policy compliant in this respect.

Employment

- 6.89 Core Strategy Policy 5 Other employment locations advises that employment land within District Hubs should be recommended for retention in employment use.
- 6.90 The proposed ground floor commercial units within Blocks A and B would provide (B1a) Office floorspace only, measuring up to 830sq.m. It is acknowledged that the amount of floorspace is less than the existing 1786sq.m, however the proposal is for smaller and more modern premises that provide flexibility for future occupiers. It is considered this would generate employment by being attractive to commercial operators, moreso than the outdated existing building.
- 6.91 The proposed commercial units are appropriately sized and proportioned, and would serve to mitigate the loss of the employment uses that formally occupied the site. The former office and MOT/ Garage uses were capable of employing up to 70 full-time staff in total prior to closure. The proposed commercial units would provide up to 69 employees, which is comparable with the existing building, and thereby demonstrates the level of proposed employment floorspace to be acceptable.
- 6.92 The application does not include any initial marketing procedures of the proposed premises, therefore it is considered appropriate that a marketing strategy for the commercial units be formally submitted to the Council within 6 months of commencement of development, demonstrating that sufficient measures are being undertaken to ensure occupancy of the units. This would be secured in the S106 Agreement.
- 6.93 It is acknowledged that the main difficulties for small businesses being able to occupy new premises includes the affordability of the units that come forward, the start up costs associated with fitting out beyond shell and core and lack of flexibility with leases. In order to address this issue and to ensure that the reduced amount of commercial floorspace to be delivered as part of this mixed used development offers genuine employment opportunities, it is considered appropriate to secure measures that would make the commercial units more affordable for small businesses, whilst increasing potential for occupancy at an early stage.
- 6.94 In accordance with DM Policy 11 Other employment locations, following discussions with officers, the developers have agreed to undertake an initial fit-out of both commercial units. This would include service connections for gas, electricity, water and foul drainage, and provision for telecommunication services and broadband services; wall and ceiling finishes; wheelchair accessible entrances and screed floors, which would be secured by the S106 Agreement. The ingoing tenant would then be responsible for the final fit-out.
- 6.95 The applicant has advised that a 3 month rent free period would be granted to allow the tenant to fit-out the unit and begin trading before any rental payments are due. Where the landlord allows for fit-out there may be scope to increase the rent

marginally or reduce the rent free period, however this is unlikely to have a material impact on viability once the additional cost is accounted.

- 6.96 The above measures would enable a small business to take over the unit/s without significant start up costs which can be prohibitive and would facilitate a 'bedding in' period.
- 6.97 In summary, the development would make a valuable contribution to employment in the Borough by generating the potential for up to 69 full time jobs. S106 obligations and planning conditions will seek to ensure appropriate measures are undertaken by the applicant to seek the occupation of the B1a office units.

Highways and Traffic Issues

- 6.98 The London Plan (2015) states that in locations with high public transport accessibility, car-free developments should be promoted.
- 6.99 Whilst 3no disabled parking bays would be provided to the front forecourt area, no off-street parking would be provided within the site. A car free scheme in this case however would be acceptable considering the close proximity to bus routes on Dartmouth Road and London Road, whilst Forest Hill Train Station is located within a short walking distance. In addition, four car clubs are currently operating between 400 metres and 1km away from the application site.
- 6.100 Future occupiers may wish to apply for a residents parking permit, however the number of existing permits that have already been issued to local residents, together with availability of on-street parking would be a determining factor
- 6.101 A total of 54 secure and dry parking for bicycles are shown within the development. This would comprise 18 individual upstand cycle lockers located to the front of Block B, including 9 for the commercial units on the lower level, and 9 lockers on the upper level for the residential occupiers. The remaining 36 lockers would be located within the residential lobby areas - and some units - of Block A. The provision of 54 cycle spaces would exceed the cycle parking standards in the London Plan.
- 6.102 Highways officers raise no objections to no provision of off-street car parking aside from disabled parking, or the number of proposed cycle stores.
- 6.103 A Residential Travel Plan Statement has been submitted that sets out objectives and targets to ensure occupiers have a greater awareness of how they generally travel, and to promote use of sustainable modes of travel.
- 6.104 The strategy would be overseen by a Resident Travel Plan Co-ordinator, and their responsibility would be to ensure:
- The implementation of measures set out in the Travel Plan;
 - Promoting the objectives and benefits of the Travel Plan.
 - Acting as the point of contact for all residents.

- 6.105 A similar approach would be followed in respect of the commercial units, whereby an Employee Travel Plan Co-ordinator would be appointed to promote travel objectives.
- 6.106 Officers consider these approaches to be acceptable, and suggest Conditions that require the submission of evidence to demonstrate compliance with the proposed monitoring and review mechanisms within 6 months of first occupation for both the commercial and residential uses.

Refuse

- 6.107 The residential refuse store for Block A would be accessed from the front of the building, accommodating 3no x 1.1 litre eurobins. Block B would have use of 2no 1.1 litre eurobins within an enclosed store.
- 6.108 The commercial units would have a shared storage area within the enclosed ground floor area to the side of Block B.
- 6.109 Bins would be located adjacent to the front gate for collection. The Transport Statement advises that refuse vehicles would be able to enter and leave the site in forward gear via Clyde Terrace.
- 6.110 The proposed refuse details and siting are considered acceptable.

Sustainability and Energy

a) Renewable Energy

- 6.111 Relevant policies within the London Plan Core Strategy would need to be addressed in any submission.
- 6.112 London Plan Policy 5.2: Minimising Carbon Dioxide Emissions establishes an energy hierarchy based around using less energy, in particular by adopting sustainable design and construction (being 'lean'), supplying energy efficiently, in particular by prioritising decentralised energy generation (being 'clean') and using renewable energy (being 'green').
- 6.113 In terms of being 'lean', London Plan Policy 5.3: Sustainable Design and Construction encourages minimising energy use, reducing carbon dioxide emissions, effective and sustainable use of water and designing buildings for flexible use throughout their lifetime. Major developments should demonstrate that the proposed heating and cooling systems have been selected to minimise carbon dioxide emissions. In terms of being 'green', a reduction in carbon emissions from onsite renewable energy is expected.
- 6.114 The applicant has submitted a Sustainability Statement in support of the application, which satisfactorily addresses the sustainability issues. Solar panels have been identified as the most suitable renewable technology, with 42 PV panels to be installed to Block A, and 60 panels to Block B. An air source pump is also shown to the roof of Block A that would serve the commercial unit.
- 6.115 The Energy statement advises that the commercial units would achieve a BREEAM 'Excellent' rating, in accordance with Core Strategy Policy 8.

- 6.116 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes, though residential development is still expected to meet code level in regard to energy performance and water efficiency.
- 6.117 The scheme would achieve Code Level 4 for Sustainable Homes; a 35.2% energy improvement over Building Regulations Part L 2013 Target Emissions Rate; and an overall 21.41% saving in carbon emissions from renewables.
- 6.118 From 1 October 2015, the Ministerial Statement advised that the standard for energy efficiency in new residential development will be a 19% reduction in CO2 emissions over Building Control requirements, which is equivalent to Code Level 4.
- 6.119 In regard to water efficiency, from 1 October 2015 new development is expected to achieve a consumption of 110 litres per person per day, including a 5 litre allowance for external water use. A Condition will ensure this is achieved.

b) Living Roof

- 6.120 Brown living roofs are proposed to the flat roofs of Blocks A and B, which the applicant has confirmed would be a quality extensive roof system that would be plug planted and over-seeded. A Condition will request section plans be formally submitted, that would also ensure the roofs are constructed and planted/operational in full prior to first occupation.

c) Sustainable Urban Drainage Systems

- 6.121 Policy 5.13 of the London Plan requires development to utilise SuDS, unless there are practical reasons for not doing so though supporting text to the policy also recognises the contribution 'green' roofs can make to SuDS. The hierarchy within that policy is for a preference for developments to store water for later use.
- 6.122 The submission advises that rainwater run-off would be minimised by permeable paving, whilst the living roofs and any soft landscaping would assist in attenuating and reducing the amount of run-off.
- 6.123 In summary, it is considered the development would accord with sustainability policies.

Landscaping

- 6.124 The central courtyard area between Blocks A and B would be predominantly paved, with the planting of 1 no. tree with black granite seating formed around it. To the rear of the site would be 9 bicycle lockers, and steps leading up to the communal garden and pathway toward Dartmouth Road. A number of black granite resin planters would be sited on either side of the courtyard and to the front of Block A.
- 6.125 The composition of the upper level communal garden has been addressed in Paragraph 6.82 of this report.
- 6.126 The permeable paving would extend out beyond Block A into the improved front forecourt that falls within the curtilage of the application site. The removal of the unsightly 2 metre high palisade fencing would create a new improved space for

pedestrians, opposed to the existing narrow footpath. Two trees would be planted on the new forecourt, together with the provision of a raised planter along the access into the site.

- 6.127 2.5 metre high steel gates are proposed across the main route into the site from Clyde Terrace, and to the side of 53C Dartmouth Road.
- 6.128 New brick walls matching Blocks A and B, varying in height between 1.1 - 1.8 metres would be constructed to the boundaries. 'Wall type 1' would be the highest, incorporating timber trellising. 'Fence type 2' to the northern boundary would be green coloured welded mesh, measuring 2.4 metres in height.
- 6.129 Officers consider the proposed landscaping measures and boundary treatment to be acceptable. A planning Condition will ensure the agreed works are completed in full prior to first occupation and maintained thereafter.

Ecology

- 6.130 The NPPF addresses ecology in paragraph 109 which states, the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 6.131 The Council's Ecological manager has raised no objections to the proposed biodiverse living roof, however further details regarding a species list, planting methodology and maintenance are requested by way of a planning condition.
- 6.132 Wildlife boxes for bats and birds are proposed to various locations to the elevations of Blocks A and B. 4no bat boxes, 2no sparrow terraces, 4no swift boxes and 3no martin nests are proposed to the east elevation of Block B, whilst 4no swift boxes, 2no sparrow terraces, 4no bat boxes and 5no martin nests would be sited to the north elevation of Block A.
- 6.133 The quantum of bat and bird installations are supported, however the placement of the bird boxes close to one another should be reassessed to ensure the different species do not clash. It is suggested the swift boxes be sited on the highest points on the northern elevation of Block A, with the sparrow nest terraces to the east elevation of Block B. Further plans addressing this will be subject to a Condition.
- 6.134 A Bat Roost Assessment Report relating to the existing building was undertaken on 21 January 2015 by an experienced licensed bat surveyor. The report concludes there were 'no signs of roosting bats...likely to be from the building lacking suitable roosting locations, and security lighting on the front of the building are also a likely deterrent for bats. Therefore it should be considered that the building has a negligible potential to support roosting bats.'

Affordable Housing

- 6.135 In accordance with The London Plan and Core Strategy, affordable housing will be sought on developments of 10 units or more. The starting point for negotiation is 50%, and would be subject to a financial viability assessment.

- 6.136 The NPPF (2012) states that 'In making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.
- 6.137 'This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance.'
- 6.138 The immediate area around the application site is characterised by a mix of market and affordable housing. Ingres and Ream Apartments fronting Clyde Terrace and Dartmouth Place provides 35% affordable units, comprising 25% (13 units) for rent and 10% (2 units) for shared ownership, serving to demonstrate a good tenure mix within close proximity of the application site that includes affordable provision.
- 6.139 The proposed scheme would be not be policy compliant, providing 100% market housing and no affordable housing provision. The applicant advised they were seeking a developer profit of 23% on Gross Development Value (GDV), whilst the lender required a 25% return. The returns are considered to be higher than generally expected. A 17-20% developer profit on GDV for residential development is a usually accepted level of return at the current time, which can be a minimum requirement of some lenders to ensure there is sufficient margin to cover potential cost over-runs or falls in sales values while ensuring the lender has recourse to recover its debt. The developer also needs to have a sufficient incentive for taking on the risk of development, albeit with the housing market in London appearing relatively strong.
- 6.140 The applicant's viability statement has been independently assessed on behalf of the Council by UrbanDelivery, who have advised that on the basis that the proposed scheme would need to be delivered as a single phase, they are of the opinion that the initial 23% on GDV level of return is indeed high, and have therefore based their assessment on an assumption of 20% on GDV, in line with the GLA Toolkit default allowance.
- 6.141 The applicant has advised the scheme would be unable to support affordable housing, attributed in part to demolition and remediation costs, the need to excavate part of the site to accommodate the commercial uses, which UrbanDelivery consider is likely to incur an 'abnormal cost higher than may be anticipated on a level site', and overall build costs.
- 6.142 The Mayoral CIL and LB Lewisham CIL charges also form part of UrbanDelivery's appraisal. The Lewisham CIL was adopted on 1 April 2015 after the current application was formally submitted, therefore it is subject to a CIL payment of approximately equating to £70 per sq.m.
- 6.143 Based on the proposed GDV, the development costs and the Land Value Benchmark, UrbanDelivery are of the opinion that the proposed development would be unable to support the provision of any onsite affordable housing. Based on current values and development costs, the development appraisal indicates a significant deficit. When considering the development appraisal based on a fixed

land price indicated by the applicant, the developer profit equates to only 8.87% of GDV, which is substantially below the applicant's target of 23% based on GDV.

- 6.144 The applicant accepts the conclusions by UrbanDelivery, and has indicated they may be able to source alternative finance to deliver the development, and seek a more competitive construction contract that would increase the developer profit, however it is unlikely to achieve a 20% profit on GDV.
- 6.145 In response to the lack of onsite affordable provision, officers have negotiated an in lieu payment of £100,000 by the developer toward affordable housing provision in the Borough, which would be secured in the S106 Agreement. The viability appraisal submitted currently indicates a deficit, which is supported by the independent viability assessment. On this basis, the £100,000 payment would be considered a reasonable sum to mitigate the affordable shortfall.
- 6.146 The Lewisham Planning Obligations: Supplementary Planning Document (2015) advises that for all types of affordable housing, it is preferable to the Council for developers to make direct on-site provision without the need for financial contributions to the Council. Where the Council deems that it is not possible to appropriately deliver affordable housing requirements on-site, the developer will be required to provide the necessary provision off-site. Alternatively, and entirely at the discretion of the Council, a financial contribution in lieu may be considered appropriate.
- 6.147 UrbanDelivery have assessed private residential sale values within the immediate area of the application site, including new build schemes. They concluded that the local property market is 'steady, with continued demand from purchasers looking for homes from which they can commute to central London.'
- 6.148 Should values increase within the area, UrbanDelivery have suggested a review mechanism be applied whereby if works have not commenced within a specified period, the Council would undertake a further viability assessment of the scheme, whilst determining whether affordable housing provision on site would be viable.
- 6.149 The NPPG (2014) advises however that such clauses should only be reserved for larger phased projects: 'Viability assessment in decision-taking should be based on current costs and values. Planning applications should be considered in today's circumstances... however, where a scheme requires phased delivery over the medium and longer term, changes in the value of development and changes in costs of delivery may be considered. Forecasts, based on relevant market data, should be agreed between the applicant and local planning authority wherever possible.'
- 6.150 The proposed development would not be phased, and so it is considered, in line with guidance that a review mechanism cannot be applied in this case. Officers consider an alternative approach is to recommend a 2 year permission rather than 3, therefore should no works have commenced on-site prior to that time, a further planning application would be necessary, thereby enabling another opportunity to assess viability that would consider any variations upon current residential and commercial sales and rental values.
- 6.151 In summary, officers accept the conclusions of UrbanDelivery toward viability, and raise no objections to the proposed scheme providing no affordable housing.

Planning Obligations

- 6.152 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:
- (a) Necessary to make the development acceptable
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development
- 6.153 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 6.154 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development.
- (1) £100K off-site payment towards affordable housing;
 - (2) Developer to undertake initial fit-out of the commercial unit prior to any occupation of the residential units to include:
 - service connections for gas, electricity, water and foul drainage;
 - provision for telecommunication services and broadband services;
 - wall and ceiling finishes;
 - wheelchair accessible entrances;
 - screed floors;
 - glazing solution.
 - (3) A 3 month rent free period granted to the commercial occupier to allow the tenant to fit-out the unit and begin trading before any rental payments are due;
 - (4) To submit a Marketing Strategy for the commercial units to the Council within 6 months of Commencement of Development;
 - (5) £6,000 off-site playspace payment;
 - (6) Submission of a Semi-Public Access Management Plan;
 - (7) Meeting the Council's legal, professional, and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

- 6.155 Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).
- 6.156 The scheme would be liable to the Lewisham Community Infrastructure Levy, which was adopted on 1 April 2015. The financial contribution is subject to a charge of £70 per sq.m, and may be used to ‘fund local and strategic infrastructure that is needed to support growth and development in the Borough.’ In this case, the proposed development would contribute to transport facilities, health, education, recreational facilities and open spaces. As stated earlier in this report, CIL would not include improvements to children’s playspaces within local parks.

7.0 Local Finance Considerations

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

8.0 Community Infrastructure Levy

- 8.1 The proposed development is CIL liable.

9.0 Equalities Considerations

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

10.0 Conclusion

- 10.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 10.2 Site specific issues include: the height, massing and design of the proposed building; local transport provision; and social infrastructure to cope with the intensification of the mixed use development; the accessibility of the scheme; the impact the development would have on the occupiers of surrounding properties; and the ability to deliver an environmentally sustainable development. For the reasons set out in this report it is considered that the proposal adequately responds to the aforementioned issues.
- 10.3 Officers consider that with appropriate planning conditions and obligations in place, the proposal represents a high quality development that would be befitting of this location. It is therefore recommended permission be granted.

11.0 RECOMMENDATION (A)

- 11.1 To agree the proposals and authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters:-
- (1) £100,000 off-site payment towards affordable housing in the Borough;
 - (2) Developer to undertake initial fit-out of the commercial unit prior to any occupation of the residential units to include:
 - service connections for gas, electricity, water and foul drainage;
 - provision for telecommunication services and broadband services;
 - wall and ceiling finishes;
 - wheelchair accessible entrances
 - screed floors;
 - glazing solution.
 - (3) A 3 month rent free period granted to the commercial occupier to allow the tenant to fit-out the unit and begin trading before any rental payments are due.
 - (4) To submit a Marketing Strategy for the commercial units to the Council within 6 months of Commencement of Development.
 - (5) £6,000 off-site playspace payment;
 - (6) Submission of a Semi-Public Access Management Plan;
 - (7) Meeting the Council's legal, professional, and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

RECOMMENDATION (B)

Upon the completion of a satisfactory Section 106 legal agreement, authorise the Head of Planning to **Grant Permission** subject to the following conditions:-

- (1) The development (excluding demolition) to which this permission relates must be begun not later than the expiration of two 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:

1217-01; 1217-02; 1217-03; 1217-04; 1217-05; 1217-06; 1217-07; 1217-08; 1217-09; 1217-10; 1217-11; 1217-12; 1217-13; 1217-14; 1217-15; 1217-16; 1217-17; 1217-18; 1217-19; 1217-20; 1217-21; 1217-22; 1217-23; 1217-24; 1217-25; 1217-26; 1217-27; 1217-28; 1217-29; 1217-30; 1217-31; 1217-32; 1217-34; 1217-35; 1217-36; 1217-37; 1217-38; 1217-39; 1217-40; 1217-51; 1217-53; 1217-54; 1217-55; 1217-56; 1217-57; 1217-58; 1217-59; 1217-60; 1217-61; 1217-62; 1217-63; 1217-64; 1217-65; 1217-66; 1217-66; 1217-67; 1217-70; 1217-73; 1217-74; 1217-75; CGI 1217-74; CGI 1217-75; 18665_02_E RevA; 18665_03_E RevA; 18665_04_E RevA; 18664_05_E RevA; 18665_01_P 0; 18665a_02_P; Site Location Plan; Design & Access Statement; Landscape Design; Noise Assessment; Office Travel Plan Statement; Residential Travel Plan Statement; Statement of Community Involvement; Transport Statement; Heritage Statement; Construction Traffic Management Plan; Phase 1 Environmental Review; Employment Land Report & Overview; Bat Roost Assessment Report; BREEAM; Energy Strategy Report; Daylight/ Sunlight/ Overshadowing Report; Air Quality Assessment; Appendix 4 - Detailed schedule of availability for industrial; Appendix A - Completion Schedules; Appendix B - Deals Schedules; Appendix C - Marketing Particulars; Appendix D - Marketing Board

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 development, including demolition and site clearance shall commence on site until a Demolition Method Statement has been submitted and approved in writing by the LPA. The Statement should include:

- Detail of how the existing building would be demolished, explaining the type of machinery etc.
- Detail of the proposed hours of working.
- Detail of the measures to control the environmental (noise, air quality, land contamination etc) and construction traffic impacts.

Reason: In order that the local planning authority may be satisfied that the demolition works are limited to those set out in the permitted scheme and is

carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the adopted Core Strategy (2011).

- (4) No development, including demolition 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 related 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 Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

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

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

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

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

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

- (6) (i) No demolition shall commence on site until a local labour strategy has been submitted to and approved in writing by the local planning authority. The strategy shall include (but is not limited to):
 - (a) Proposals to achieve a target of fifty per cent (50%) local people and local businesses as employees contractors and sub-contractors during the construction of the Development.
 - (b) A commitment to working with the local planning authority’s local labour and business coordinator.
 - (c) Routes to employment, including direct access to employment opportunities at the development and addressing wider barriers to employment.
 - (d) Early warnings within the local planning authority’s area of contracts to be let at the development.

- (e) The number and type of jobs to be created and the skill requirements in relation to those jobs.
- (f) Recommended training routes to secure jobs.
- (g) Proposals to encourage diversity in the workforce.
- (h) Measures to encourage local businesses to apply for work in relation to the development.
- (i) Training opportunities and employment advice or programmes and employment and training brokerage arrangements.
- (j) Provision of opportunities for modern apprenticeships including the number and type of apprenticeships available.
- (k) Provision of opportunities for school leavers, older people and those who have been out of work for a long period.
- (l) Provision of work experience for local people during the construction of the development including the number of weeks available and associated trades.
- (m) Provision of childcare and employee assistance to improve working environments.
- (n) Interview arrangements for jobs.
- (o) Arrangements for working with schools and colleges.
- (p) Measures to encourage local people into end use jobs.
- (q) Targets for monitoring the effectiveness of the strategy including but not limited to the submission of monitoring information to the local planning authority on a monthly basis giving details of:-
 - The percentage of the on-site workforce which are drawn from persons whose normal residence is within the Lewisham borough.
 - Social and demographic information of all contractors, sub contractors, agents, and employers engaged to undertake the construction of the development.
 - Number of days of work experience provided.
 - Number of apprenticeships provided.

(ii) The strategy approved by the local planning authority under part (i) shall be implemented in its entirety and distributed to all contractors, sub-contractors, agents and employers engaged in the construction of the development.

(iii) Within three months of development commencing and quarterly thereafter until the development is complete, evidence shall be submitted to demonstrate compliance with the approved strategy and monitoring information submitted to the local planning authority in writing, giving the

social and demographic information of all contractors, sub-contractors, agents and employers engaged to undertake the construction of the development.

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

- (7) The proposed ground floor commercial units shown on Plan 1217-05 shall only be used for B1a Office use and no other purpose unless agreed in writing with the local planning authority.

Reason: To provide employment floorspace in line with Core Strategy Policy 5 Other employment locations and the Site Allocations Local Plan (2013), and to meet the future development aspirations of the Forest Hill District Hub.

- (8) (a) Prior to commencement of above ground works, full details of the proposed living roofs shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a 1:20 scale plan of the living roofs that includes contoured information depicting the extensive substrate build up and a cross section showing the living roof components and details of how the roof has been designed to accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings.
- (b) The development shall be carried out strictly in accordance with the details so approved under (a) and shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority. Evidence that the roof has been installed in accordance with (a) & (b) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

- (9) No development shall commence on site until samples and a detailed schedule/ specification of all external materials and finishes 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 and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

- (10) The proposed solar panels shall be installed in full prior to first occupation of the residential units hereby approved, and retained in perpetuity.

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 (2015) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (11) (a) No development shall commence on site until samples of hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.

(b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

- (12) All planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

- (13) No development shall commence on site until a play strategy demonstrating the proposed layout, materials, fixtures and fittings of the playable space in general accordance with drawing no. 1217-39 has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to occupation of the development and retained in perpetuity.

Reason: In order that the local authority may be satisfied that the playable space proposed within the scheme is useable and appropriate in accordance with Policy 3.6 Children and young peoples play and informal recreation facilities. of the London Plan (2015) and Policy 12 Open Space and Environmental Assists of the Core Strategy (2011)

- (14) The residential units shall operate in full accordance with all measures identified within the Travel Plan hereby approved from first occupation. Evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms within 6 months of first residential occupation.

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

- (15) The commercial units shall operate in full accordance with all measures identified within the Travel Plan hereby approved from first occupation. Evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms within 6 months of first occupation of the commercial units.

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

- (16) Any external lighting is required to meet with CIBSE and ILE criteria of a maximum 2 lux at the nearest neighbouring residential window.

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

- (17) The proposed residential and commercial refuse and recycling stores shall be provided in full prior to first occupation, and shall thereafter be retained in perpetuity.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in

general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

- (18) No windows (or other openings) shall be constructed in the elevations of the buildings 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 DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (19) No extensions or alterations to either Block A or Block B hereby approved 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 on immediately adjacent neighbours in terms of overlooking, and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

- (20) (a) A minimum of 45 secure and dry cycle parking spaces shall be provided for future residential occupiers, and 9 cycle spaces for the commercial units.

(b) 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).

- (21) The whole of the amenity spaces (including the communal garden and private terraces/ balconies) as shown on the plans hereby approved shall be provided in full prior to first occupation, and retained permanently thereafter for the benefit of the occupiers of the residential units hereby permitted.

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

- (22) All residential screening measures proposed to Blocks A and B shall be installed prior to first occupation in their entirety and maintained thereafter in perpetuity.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 32 Housing design, layout and space standards, DM Policy 32 Housing design, layout and space standards, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (23) Screening measures to Unit A22 in Block A, and Units B3, B4 and B5 in Block B shall be submitted to and approved in writing by the local planning authority prior to above ground works, and shall be installed in their entirety prior to first occupation and maintained thereafter in perpetuity.

Reason: To avoid the direct overlooking of neighbouring properties and consequent loss of privacy thereto and to comply with DM Policy 32 Housing design, layout and space standards, DM Policy 32 Housing design, layout and space standards, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (24) The use of the flat roof areas of Blocks A and B hereby approved shall be as set out in the application and no development or the formation of any doors providing access to the roof areas shall be carried out, nor shall the roof areas be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (25) The approved boundary treatments shown on Plans 1217-66 and 1217-67 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 Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (26) (a) No works above ground level shall commence until full written details, including relevant drawings and specifications of the proposed works of sounds insulation against airborne noise to meet D'nT,w + Ctr dB of

not less than 55dB for walls and/or ceilings where a residential dwelling parties the ground floor commercial unit shall be submitted to and approved in writing by the local planning authority.

- (b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.
- (c) The soundproofing shall be retained permanently in accordance with the approved details.

Reason: In the interests of residential amenity and to comply with DM Policy 32 Housing design, layout and space standards and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (27) The rating level of the noise emitted from any fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

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

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2015).

- (29) The proposed refuse and recycling facilities relating to the residential and commercial units shall be provided in full prior to first occupation.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal and storage, in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

- (30) No deliveries shall be taken at or despatched from the employment premises other than between the hours of 7 am and 8 pm on Mondays to Fridays, 8 am and 1 pm on Saturdays, and at no time on Sundays or Public Holidays.

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

- (31) The existing 2 metre high palisade fencing to the front of the application site shall be removed in its entirety prior to first occupation of the development hereby granted permission, and shall not be replaced unless approved in writing by the local planning authority.

Reason: To ensure that the development achieves the necessary high design standard in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

- (32) The three disabled parking bays shown on drawing no.1217-05 hereby approved shall be provided prior to first occupation and retained permanently thereafter

Reason: To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the buildings does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Table 6.2 of the London Plan (July 2011).

- (33) Further details of the location of the bird boxes to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24

Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

- (34) The bedroom windows to be installed in the south elevation of Block A hereby approved shall be fitted as obscure glazed and top hung opening only prior to first occupation, and retained in perpetuity.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 32 Housing design, layout and space standards, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (35) No plumbing or pipes, including rainwater pipes, shall be fixed on the external elevations of the buildings hereby approved.

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

- (36) The residential units hereby approved shall achieve the following energy efficiency and water efficiency standards :

- Energy efficiency - a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations;
- Water efficiency - 110 litres per person per day (including a 5 litre allowance for external water use).

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 (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (37) The residential units hereby approved shall achieve the following energy efficiency and water efficiency standards :

- Energy efficiency - a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations;
- Water efficiency - 110 litres per person per day (including a 5 litre allowance for external water use).

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 (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (38) The 3no.wheelchair dwellings as shown on drawing nos.1217-09 and 1217-16 hereby approved shall be provided in full prior to first occupation, in accordance with Building Regulation M4(3) Wheelchair User Dwellings (2015);

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

INFORMATIVES

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

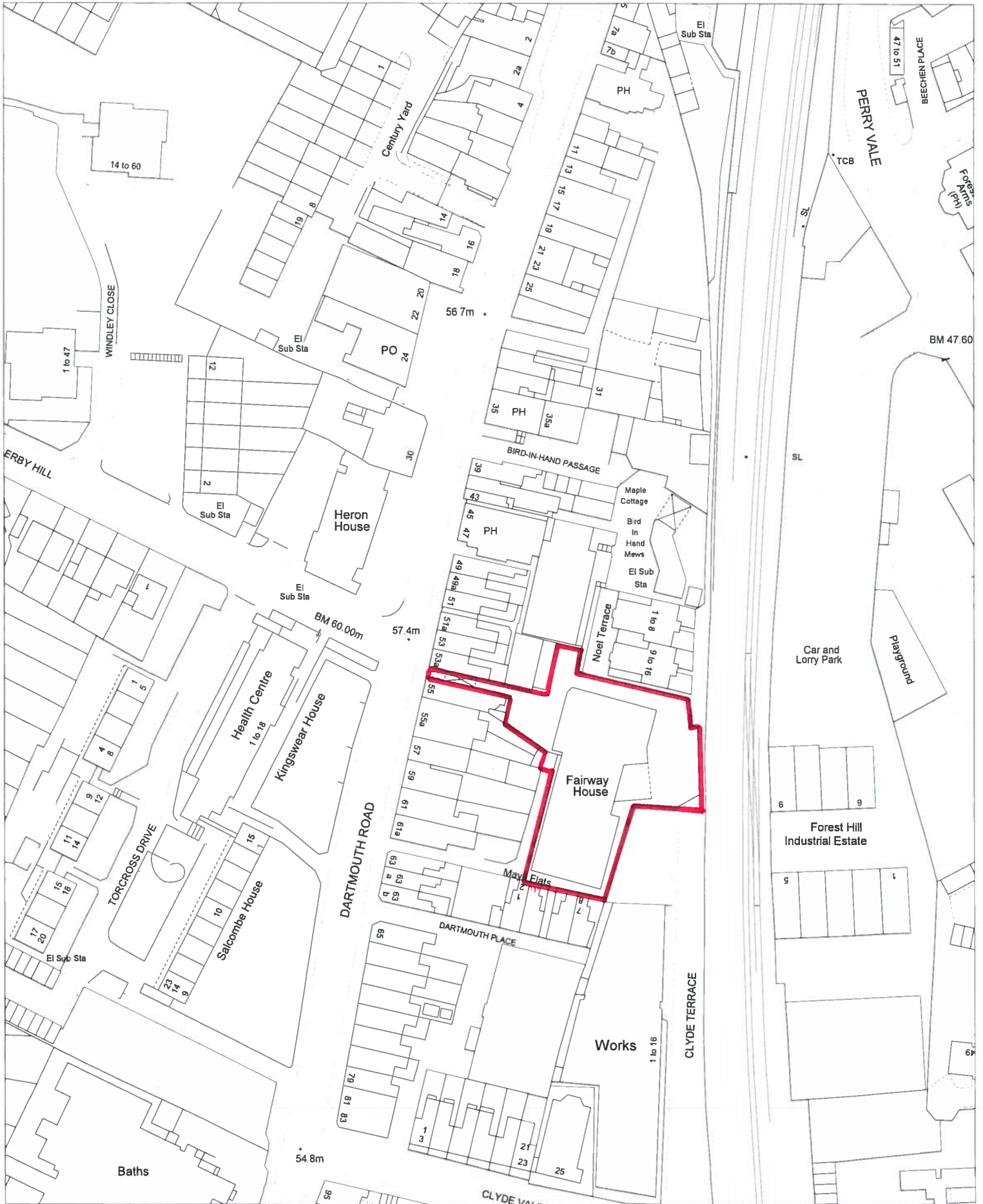
- (C) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.

<https://www.lewisham.gov.uk/myservices/environment/Pollution-information-for-developers-and-businesses/Documents/GoodPracticeGuide.pdf>

- (D) You are advised to contact Network Rail prior to the commencement of works - AssetProtectionKent@networkrail.co.uk

- (E) 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.
- (F) Assessment of all sound insulation scheme should be carried out by a suitably qualified acoustic consultant.
- (G) The weighted standardised level difference (D'nT,W + Ctr) is quoted according to the relevant part of the BS EN ISO 717 series. To guarantee achieving this level of sound insulation, the applicant is advised to employ a reputable noise consultant details of which can be found on the Association of Noise Consultants website.
- (H) Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- (I) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- (J) Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.
- (K) It is the responsibility of the owner to establish whether asbestos is present within their premises and they have a 'duty of care' to manage such asbestos. The applicant is advised to refer to the Health and Safety website for relevant information and advice.
- (L) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myserVICES/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>

R/O 53 DARTMOUTH RD, SE23



This page is intentionally left blank

Committee	PLANNING COMMITTEE A	
Report Title	14 Wastdale Road	
Ward	Crofton Park	
Contributors	Luke Mannix	
Class	PART 1	08 October 2015

Reg. Nos. DC/15/91507

Application dated 20.03.15 [as revised on 13.08.2015]

Applicant Rapleys LLP on behalf of Bernard Construction

Proposal The redevelopment of the existing hall consisting of the retention of the facade, the demolition of the rest of the existing building and the construction of a three storey block with green roof and photovoltaic panels at 14 Wastdale Road SE23, to provide 6, one bedroom and 3, two bedroom self-contained flats, together with the provision of cycle storage, refuse storage and associated amenity space.

Applicant's Plan Nos. **615/SE23/7/1_SLP01; Loss of Community Use Statement; Planning Statement; Sustainability Statement; Transport Technical Note; Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan (received 23rd March 2015); Design and Access Statement; Sustainability Monitoring Form (received 19th May 2015); 1113/P/100/001 Rev A; 1113/P/100/002 Rev B; 1113/P/100/003 Rev Mar 15; 1113/P/100/004 Rev A; 1113/P/100/005; 1113/P/100/006 Rev A; 1113/P/100/007 Rev B; 1113/P/100/008 Rev A; 1113/P/1250/001; 1094/P/50/001 Rev A; 1094/P/50/002; 1094/P/50/003; 1094/P/50/004 Rev C; 1094/P/50/005; 1094/P/50/006; 1094/P/50/007; 1094/P/50/008; 1094/P/50/009 (received 13th August 2015).**

Background Papers (1) Case File LE/641/14/TP
(2) Local Development Framework Documents
(3) The London Plan

Designation Undesignated land. Existing use is sui generis (social club).

Screening Not applicable

1.0 Property/Site Description

1.1 The property is located on the east side of Wastdale Road and contains a rendered brick hall of late Victorian construction. The building is currently used as

a private members club (formerly the Royal Naval Association Club) and includes rear amenity space that is ancillary to the use.

1.2 The surrounding area includes ex-GLC estate buildings constructed in the 1970's with a number of shop units opposite the site along Wastdale Road. The Forest Hill / Honor Oak Park railway line is located further west, with the light industrial buildings of the Malham Road Industrial Estate in between.

1.3 The property is not located in a Conservation Area, nor is it a listed building. However, the building is of special architectural merit, given the building's design and location amongst more modern 1970's residential buildings. As such the building is considered an 'undesigned heritage asset'.

2.0 Planning History

2.1 DC/12/80278 - Planning permission was refused for the construction of a part two/part three storey building on land to the rear of 14 Wastdale Road, to provide 5 one-bedroom self-contained flats, together with the provision of 5 cycle spaces and landscaping.

2.2 The proposal was refused for the following reasons:-

1. *The development would provide a poor level of accommodation for future residential occupiers, by reason of some rooms having unacceptable levels of outlook, four of the units being unacceptably cramped and a lack of direct and immediate vehicular access to the site. The proposal therefore conflicts with Policy 3.5 Quality and Design of Housing of the London Plan (July 2011), Core Strategy Policy 15: High Quality Design for Lewisham, Objective 10: Protect and Enhance Lewisham's character of the Core Strategy (June 2011) and Policies URB 3 Urban Design, HSG 4 Residential Amenity, Policy HSG 5 Layout and Design of New Residential Development and HSG 8 Backland In-fill Development of the UDP (July 2004).*

2. *The proposal would introduce a new form of over-intensive development which would be visually obtrusive and harmful to the amenity of neighbouring properties by reason of overbearing impact and loss of outlook. Consequently the proposal is contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 8 Backland In-fill Development of the UDP (July 2004), SPD: Lewisham's Residential Standards (Section 5.4), Policy 15: High Quality Design for Lewisham and Policy 1: Housing Provision, Mix, and Affordability of the Core Strategy (June 2011) and Policy 3.5 Quality and Design of Housing of the London Plan (July 2011).*

2.3 DC/13/82482 - Planning permission was refused for the construction of a part two/part three storey building on land to the rear of 14 Wastdale Road, comprising 3 two-bedroom self-contained flats, together with the provision of cycle and bin storage and associated landscaping.

2.4 The proposal failed to overcome the reasons for refusal from the previous application and subsequently was refused.

3.0 Current Planning Application

The Proposals

- 3.1 Planning permission is sought for the redevelopment of the existing private members club and the construction of a three storey block with green roof and photovoltaic panels at 14 Wastdale Road, to provide 6 one bedroom and 3 two bedroom self-contained flats, together with the provision of cycle parking, refuse storage and associated amenity space.

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the applicant and Council at pre-application and application stages.

Pre-Application Advice

- 4.2 No pre-application consultation with the community was undertaken by the applicant, though discussions were held with officers. A summary of those discussions is set out below.
- 4.3 Pre-application advice was sought on the proposed scheme and a letter formulating the Council's response was given on the 7th October 2014.
- 4.4 Objections were raised to the loss of the private members club without adequate justification. It was considered that, as a community facility facilitating the social meeting of residents, the premises was protected under local and regional policy. Therefore any loss of community premises without justification would be resisted.
- 4.5 The proposed buildings were considered to be overdevelopment of the site leading to poor levels of residential amenity. Furthermore, concerns were held over the standard of external amenity space in terms of access to sunlight and privacy.
- 4.6 The retention of the front facade was supported, however it was felt that the articulation of the building behind the facade would need more thought. In particular, the symmetry of the new buildings and the enhancement of the existing openings would be of particular importance in reaching the highest design standard necessary for planning permission to be granted.
- 4.7 Amended plans and subsequent information was received and further advice from the Council was sent on the 5th February 2015. This included a loss of community facility statement.
- 4.8 The loss of community facility statement was considered to be well thought out with a survey of other nearby community facilities and detailed justification of the loss against local and regional policies. Therefore it was concluded that the loss of the facility would be acceptable on the basis of this report.
- 4.9 However objections were still raised on the basis of the scale and design of the buildings. Issues had not been overcome in terms of the amount and usability of external amenity space. Furthermore, it was again outlined to the applicants that the articulation of the front facade would need to be improved in order to gain planning permission.

Statutory Consultation

- 4.10 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.11 Site notices were displayed and letters were sent to 55no. residents and businesses in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

- 4.12 Objections were received from three local residents. Their concerns are summarised as follows:
- Loss of daylight to east
 - Increased street lighting required to access road to east
 - Scale in relation to existing buildings
 - Increased visibility of building compared to existing
 - Increased parking pressure
 - Potential obstruction of highway with cars parked both sides
- 4.13 One letter of support was received, making the following comments:
- Sensitive and high quality design which will enhance the area

Sustainability Manager

- 4.14 No comments received.

Highways and Transportation

- 4.15 The results of the parking survey are accepted. The likely demand for parking in the area during the day is as a result of commuters using Forest Hill Station. A car free development of this scale is acceptable given the frequency of trains and buses available nearby, and provided that car club membership is secured for each unit. The location of the refuse storage is acceptable.
- 4.16 The above matters will be taken into consideration in the report.

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and

- (c) any other material considerations.

A local finance consideration means:

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

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

National Planning Policy Framework

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

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

Other National Guidance

5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

- 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 3.16 Protection and enhancement of social infrastructure
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 6.9 Cycling
Policy 7.4 Local character
Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)

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

Spatial Policy 1 Lewisham Spatial Strategy

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

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

Development Management Local Plan

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

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

DM Policy 22 Sustainable design and construction

DM Policy 24 Biodiversity, living roofs and artificial playing pitches

DM Policy 30 Urban design and local character

DM Policy 32 Housing design, layout and space standards

Site Allocations Local Plan

- 5.9 The Site Allocations local plan was adopted by the Council at its meeting on 26 June 2013. The Site Allocations, together with the Core Strategy, the Lewisham

Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan.

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.

Planning Obligations Supplementary Planning Document (January 2011)

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

6.0 Planning Considerations

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

- a) Principle of Development
- b) Mix of Units
- c) Design
- d) Standard of Accommodation
- e) Highways and Traffic Issues
- f) Impact on Adjoining Properties
- g) Sustainability and Biodiversity
- h) Trees and Landscaping

Principle of Development

- 6.2 The London Plan recognises the importance of housing given the need across the city. For this reason the Mayor has outlined the requirement of 423,887 new homes in London between 2015-2025, of which Lewisham has a target of providing 13,847 new homes.
- 6.3 The Council's Core Strategy has been developed in line with the London Plan and outlines the area of expected housing growth within the Spatial Strategy. It is expected that the majority of housing development would be within the regeneration areas of Lewisham and Catford town centres, as well as New Cross and Deptford. However, other parts of the Borough are expected to contribute through lower scale and infill development.

- 6.4 Given the above, the proposed increase in housing provision is supported by the Council.
- 6.5 The NPPF recognises three dimensions to planning, being an economic role, a social role and an environmental role. Under the social role, planning should support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- 6.6 For this reason, it is considered that local plans and planning decisions should not only look to increase housing but look to supply, and protect, facilities that meet the communities needs in a social sense.
- 6.7 Policy 3.16 of the London Plan is in line with the NPPF and states that proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure, without realistic proposals for reprovision, should be resisted. The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered.
- 6.8 The Core Strategy is also in line with the NPPF. Objective 11 relates to community well being and states that the Council will provide and support measures and initiatives that promote social inclusion and strengthen the quality of life and well-being for new and existing residents of the borough. This includes the provision of infrastructure which fosters community living.
- 6.9 Core Strategy Policy 19 seeks to implement this objective and outlines that the work of the Lewisham Infrastructure Delivery Plan and the relevant corporate plans and strategies of partners will be used to inform the provision of social infrastructure.
- 6.10 The proposal includes the loss of the existing private members club, which is considered to be a form of social infrastructure which provides residents with the opportunity to meet and socialise.
- 6.11 The Loss of Community Use Statement prepared by Rapleys LLP describes the use of the building in greater detail and assesses its importance as a community facility against the Council's Local Development Framework policies as well as the Infrastructure Delivery Plan (IDP). The statement also includes an assessment of other nearby community facilities and meeting spaces within a 1km radius of the site.
- 6.12 Regarding the community use, the statement draws the following conclusions:
- The existing private members club should not be classed as a community facility as it is not available to the general public. As stated in paragraph 3.16 of the report, the building is not listed as one of 90 community facilities within Lewisham under the IDP;
 - There is a healthy supply of alternative community facilities within the area, including the Ewart Road clubhouse adjoining the site to the north;

- The building is a dated facility which is no longer viable for continued use in light of declining membership (currently 20 members) and the availability of alternative facilities; and
- The constraints of the site and location of other community uses means there is no potential to develop for a new community use and therefore residential development is an acceptable form of development.

6.13 Whilst officers disagree with the assertion that the premises is not a community facility, it is recognised that the building is not well used and is not available for hire to the local community. Therefore, it does not form a significant role in the provision of community facilities locally. Furthermore, given the good number of nearby suitable facilities, including the Ewart Road clubhouse, it is considered that adequate provision of space for community meeting and socialising is available in order to meet the Council's objectives for community well-being.

6.14 Therefore the loss of the facility and the principle of redevelopment for residential purposes is considered acceptable.

Mix of units

6.15 The Council is seeking to reduce inequalities by providing greater housing choice in order to represent the needs of Lewisham's diverse community. While the quantity of housing will vary across the borough there are common issues that will need to be addressed regardless of location, such as dwelling size. For instance, it is known through the borough's Strategic Housing Marketing Assessment (SHMA) that there is a demand for three bedroom family dwellings.

6.16 This is outlined in Objective 3 of the Core Strategy, which states that provision will be made to meet the housing needs of Lewisham's new and existing population, which will include:

(a) provision of affordable housing;

(b) a mix of dwelling sizes and types, including family housing;

(c) lifetime homes, and specific accommodation to meet the needs of an ageing population and those with special housing needs; and,

(d) bringing vacant dwellings back into use.

6.17 For this reason, Core Strategy Policy 1 seeks to implement this objective and outlines that the Council will seek an appropriate mix of dwellings within a development, having regard to the following criteria:

- the physical character of the site or building and its setting;
- the previous or existing use of the site or building;
- access to private gardens or communal garden areas for family dwellings;
- the likely effect on demand for car parking within the area;
- the surrounding housing mix and density of population; and,

- the location of schools, shops, open space and other infrastructure requirements.

- 6.18 The Core Strategy policy is in line with London Plan Policy 3.8, which also states new developments should offer a range of housing choices, in terms of the mix of housing sizes and types, taking into account the identified needs of residents.
- 6.19 It is noted within the supporting Planning Statement that the proposal is not a major application and therefore the requirement for 3 bedroom family dwellings is not applicable. Whilst this is accepted, it is the Council's opinion that the mix of dwellings should be in line with the provisions of Core Strategy Policy 1 as detailed above.
- 6.20 The proposed building would accommodate 3 two bedroom dwellings and 6 one bedroom dwellings. It is noted that the site is constrained in terms of width, limiting the ability to provide family dwellings, as well as the space required for external amenity. Furthermore, as the retention of the facade is supported in order to provide a high quality design, this creates a further limitation on the configuration of the building behind.
- 6.21 It is considered that the access to parking and good availability of public transport would favour one and two bedroom flats. The availability of parking and public transport is detailed further below.
- 6.22 The surrounding area is dominated by the ex-GLA housing estate. It is unknown what the mix of housing sizes in these estate buildings would be. However, across the wider area there is a mix of single dwelling houses and flats. The provision of this number of flats on the application site would not cause an over provision of flats in the area.
- 6.23 The location of the site is near Dalmain Primary School on Brockley Rise. The site is also located close to shops and other services in Forest Hill town centre. There is an area of open space located close to the north of the site, however it is rather small and relatively hidden, thereby reducing its safety. Overall, the infrastructure in the area is considered to facilitate families, however it is considered that this is not sufficient enough to overturn the lack of on-site or nearby external amenity space and overall constraints of the site and area in general.
- 6.24 Therefore, on balance, the mix of one and two bedroom dwellings is considered acceptable.

Design

- 6.25 Policy 3.4 of the London Plan 2011 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; but that development should also optimise housing output for different types of location within the relevant density range.
- 6.26 Core Strategy Policy 15 states that for all development the Council will apply national and regional policy and guidance to ensure the highest quality design and the protection or enhancement of natural environment. The policy promotes development which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.

- 6.27 DM Policy 30 provides direction for the design of new development in line with the Council's framework. Within the general principles, the policy states development proposals will need to be compatible with and/or complement the urban typologies and address the design and environmental issues identified within the policy.
- 6.28 The detailed design issues outlined in DM Policy 30 include the creation of a positive relationship to the existing townscape to preserve and/or create an urban form which contributes to local distinctiveness such as plot widths, building features and uses, roofscape taking all available opportunities for enhancement. Furthermore, materials used should be high quality and either match or complement existing development.
- 6.29 The site contains an existing building 20m deep, 10.1m wide and 8.65m in total height. However the roof is pitched behind the facade with the eaves height being 6.2m in height and part of the building is single storey to the rear. The building is a handsome late Victorian community building with ornate detailing around the openings in the front facade. However it is noted that the building is in poor condition, with the top and southern-most window in the front facade blocked. The open space to the rear is used as amenity space for the existing club.
- 6.30 The area is dominated by ex-GLA estate buildings that extend towards Brockley Rise, Stanstead Road and Ewart Road. This is considered to be within the 'free form houses' residential urban typology as described within the Lewisham Character Study. Whilst there are lower scale urban terraces along Wastdale Road and industrial buildings around Malham Road, the dominant urban form is free form house.
- 6.31 The typology is typically a product of the early post-war period. It features low rise terraces and detached buildings which have a fragmented urban layout. This typically offers a poor relationship between building frontages and public spaces but does feature a relatively high degree of pedestrian permeability.
- 6.32 Development in the surrounding area features a mixture of heights, with the ex-GLA estate buildings typically two storey plus roof space. The terrace row opposite the site are a mixture of three and two storey properties.
- 6.33 The proposed development includes the retention of the original facade with a new rectangular building erected behind, to provide nine residential units. Overall, the proposed building would measure 32.4m deep, 8.3m wide and 8.65m high with a flat roof behind a parapet.
- 6.34 The proposed building would match the height of the existing development, however with a flat roof the height at the eaves would be greater than existing. The building would be slightly narrower behind the existing facade, however it would extend a further 12.4m in depth infilling the existing open space to the rear.
- 6.35 Whilst the proposed development would increase the scale and size of development on the site, given the building's setting with the free form house typology, the proposed height, scale and size is considered acceptable.
- 6.36 The proposal would retain the front facade, which is supported on account of its design quality and contribution to the character of the area. The design of the western elevation facing Wastdale Road has undergone various alterations during the planning determination stage in order to ensure that the integrity of the

articulation of the original façade is maintained. These changes are described below.

- 6.37 The original door would be retained as an entrance, however it would be a single door and much smaller. The areas around the door would be filled with panelling, however details of this has not been provided. The southern-most window would be opened up to the amenity space behind. The northern-most window would be opened up into the ground floor flat, which has an area of double height rooms to support the full glazing. The top window would open into the bedroom of the top floor flat.
- 6.38 With the above changes made to the design, the proposed development is considered to integrate satisfactorily within the existing facade. Furthermore the mass of the new building behind the front facade is considered to be symmetrically placed and is considered to sit comfortably behind the facade.
- 6.39 The proposed material palette would be simple, with a singular bright coloured brick. The windows and doors would be metal framed, most likely aluminium. Likewise, the boundary treatment is understood to be metal. Overall, the materials shown are considered acceptable within the existing character of the area. However, to ensure the highest standard of design is met, a condition should be added for the submission of material samples/specifications as well as the boundary treatment.
- 6.40 Overall, the design of the front of the building are considered to be sensitive to the existing character. Moreover, the retention and restoration of the front facade is a notable benefit to the architectural history of the area. Therefore, with the alterations made to the scheme on the recommendation of officers, the development is considered to be of the highest design standard and therefore is acceptable.

Housing Standards

- 6.41 DM Policy 32 states that the standards in the London Plan will be used to assess whether new housing development provides an appropriate level of residential quality and amenity. This will involve an assessment of whether the proposals provide accommodation that meet the following criteria:
- meet the minimum space standards for new development which should conform with the standards in the London Plan;
 - floor to ceiling heights of 2.5metres are sought for habitable rooms and kitchens and bathrooms, though the new Technical Housing Standards require 2.3 metres as a minimum across at least 75% of the floor area. Space that does not meet this standard will not count towards meeting the internal floor area standards;
 - provide accommodation of a good size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. There will be a presumption that residential units provided should be dual aspect. North facing single aspect flats will not be supported; and,

- include sufficient space for storage and utility purposes in addition to the minimum space standards.

6.42 The London Plan recognises the importance of private amenity space as a means of retreat to withdraw from the daily activity of London life. For that reason, all new development should have private open space. The London Plan Housing SPG baseline standard 4.10.1 states that for 1-2 bedroom dwellings, a minimum 5m² private amenity space must be provided. However, in exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement.

6.43 Pursuant to the London Plan and Technical Housing Standards, 1bed 2person units should have a minimum 50m² gross internal floorspace and 2bed 4person units should have a minimum 70m². Furthermore, the Technical Standards require that double bedrooms should have an area of at least 11.5m² and single bedrooms should be at least 7.5 m² . The London Plan requires that shared living/dining/kitchen spaces should be 23m² in area for 2 person units and 27m² for 4 person units.

6.44 An assessment of the proposed floorspace is given in Table 1. The areas have been calculated by officers based on the scaled plans submitted.

Table [1]

	Proposed Floorspace (m²)	Shared Living Space (m²)	Bedroom space (m²)
FLAT 1 (2b4p)	81.7	39.5	12.5 & 15.4
FLAT 2 (1b2p)	61.7	35.6	14
FLAT 3 (2b4p)	85	36.8	14 & 20.7
FLAT 4 (1b2p)	61.2	41	15
FLAT 5 (1b2p)	64.1	42	15
FLAT 6 (2b4p)	76.5	40.5	15
FLAT 7 (1b2p)	62.3	36.9	16
FLAT 8 (1b2p)	53.2	30.5	13
FLAT 9 (1b2p)	61.3	33.4	16.5

6.45 The proposed internal floorspace meets, and in some instances significantly exceeds, the minimum standards. Therefore the proposed flats are considered to be acceptable in terms of floorspace.

- 6.46 The proposed floor to ceiling height would be 2.7m on the ground floor, with part of the living room of the front flat double height to incorporate the original front window. However, the flats on the first and second floor would have 2.4m floor to ceiling heights.
- 6.47 It is noted that the agent has argued that the development would be above the Technical Housing Standard requirement of 2.3m. However the mayoral standards state that, to address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.
- 6.48 The ground floor flats are considered to be the most constrained in terms of light due to the balconies above windows and obstruction from existing trees and neighbouring properties. Therefore having the higher floor to ceiling heights in this location is favoured. The upper floor flats are less constrained in terms of light and, given that they are double aspect and exceed the minimum floor area standards, it is considered that the 2.4m floor to ceiling height is acceptable in this case.
- 6.49 The proposed dwellings are dual aspect with windows in the north and south elevation. Furthermore, external amenity space would be located in the south. Therefore the level of outlook is considered acceptable for the proposed units.
- 6.50 It is noted that the light into the south facing openings in the ground floor flats would be hindered due to the first floor balconies. However the windows would be full height and cover most of the external wall on the south elevation. For this reason, the amount of daylight into these flats is considered acceptable on balance. Furthermore, the daylight into the remaining flats is considered acceptable.
- 6.51 Daylight to the south facing windows would be partially obstructed by vegetation and neighbouring buildings to the south, although the buildings would be located a sufficient distance to have a negligible impact on the flats during most of the year. The impact would be most severe on the ground floor flats as there would also be obstruction from the first floor balconies, in particular the flats in Block B and C as the flat to the front would have a window in the west elevation.
- 6.52 However, as stated above, the windows are full length glazing with a higher floor to ceiling height. As such the overall level of amenities would remain at an acceptable level. Furthermore, the obstruction to light from the trees would be dispersed, together with less foliage in the winter months. Therefore the access to direct light is considered acceptable on balance.
- 6.53 The proposal is not overlooked by any adjoining windows, balconies or roof terraces. Therefore the proposed flats would have an adequate amount of privacy.
- 6.54 The ground floor flats would have external amenity space at the front and rear. Whilst the space to the rear would be north facing and narrow with high boundary treatment, thereby rendering the space unusable as amenity, the space to the front would meet the size standards of the London Plan and would be adequately lit.

- 6.55 The proposal includes landscaping and boundary treatment to the front gardens, to reduce overlooking from residents of the other flats as they enter the scheme. It is noted elsewhere in the report that details of boundary treatment and landscaping should be conditioned. This is considered to adequately overcome the issue of overlooking into the external amenity spaces.
- 6.56 Whilst the boundary treatment would improve the privacy of the occupants, it would increase overshadowing and a sense of enclosure. However, taking into account the overall size of the ground floor units, this is considered to offset any underused external amenity space. Therefore the external amenity for the proposed ground floor flats is not considered to be a reasonable reason for refusal.
- 6.57 The proposed balconies and inset terraces on the upper floors are considered acceptable in providing external amenity space.
- 6.58 In conclusion, the amenities of the proposed flats are considered acceptable on balance. Therefore the standard of accommodation is considered to be adequate to provide a suitable quality of life for future residents.

Highways and Traffic Issues

- 6.59 It should be noted that the NPPF promotes sustainable movement of people and states that the transport system needs to be balanced in favour of sustainable transport modes.
- 6.60 Paragraph 32 of the NPPF states development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.61 Paragraph 39 of the NPPF states that, if setting local parking standards for residential and non-residential development, local planning authorities should take into account:-
- the accessibility of the development;
 - the type, mix and use of development;
 - the availability of and opportunities for public transport;
 - local car ownership levels; and,
 - an overall need to reduce the use of high-emission vehicles.
- 6.62 The Core Strategy Policy 14 is in line with the NPPF and outlines that a managed and restrained approach to car parking provision will be adopted to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities.
- 6.63 In line with this, the Council would only require on site parking where the access to public transport is particularly poor and it is demonstrated that the existing level of on street parking is reaching capacity. This is normally calculated at 90% parking stress.

- 6.64 The site has a PTAL rating of 3, based on a scale of 1-6 with 6 being the highest. However it is noted that the site is located 170m from a bus stop with buses servicing Catford and Plumstead, through Lewisham. Furthermore the site is 800m from Forest Hill Station, which services trains into London Bridge and east London. Therefore, overall the access to transport is considered to be moderate/good.
- 6.65 A parking survey was submitted in support of the application. The survey was completed on Tuesday 24th February 2015, at 05:15 taking into account available spaces within 200m. This is considered to be in line with the accepted Lambeth methodology.
- 6.66 The parking survey found a total of 226 parking spaces within 200m of the site. Of these spaces, 78 were recorded as occupied, representing an average parking stress level of 35%. The accompanying technical note concluded that there is a good level of spare capacity in terms of on-street parking availability linked to residential land use.
- 6.67 Whilst it is noted that concerns were raised in regard to parking availability during the day from school parking and workers in the nearby industrial buildings, it is considered that the majority of future residents with cars would not be present at these times due to work. Therefore, the methodology of surveying spaces at early morning is considered the best practice to get a picture of car ownership. The Council's Highways Officer has reviewed the Transport Technical Note and Survey and confirmed that the results are accepted.
- 6.68 The application site is located in an area of moderate/good public transport accessibility. In these areas, planning policy seeks to reduce the need for the car and encourage use of the public transport network available, in order to reduce air pollution and congestion and encourage physical exercise, through walking and cycling, which is beneficial to human health and wellbeing. Notwithstanding this, planning policy also seeks to ensure that car limited developments will not have an undue adverse impact on the surrounding area.
- 6.69 In order to mitigate the lack of any parking provision on site, it is considered necessary to secure the provision of car club membership for the occupiers of each unit. Details of the car club membership proposals can be secured by condition.
- 6.70 The Council promotes the use of bicycles as a sustainable mode of transport in new development. Therefore the cycle parking standards in Table 6.3 of the parking addendum to Chapter 6 of the London Plan. Under this proposed scheme, a total of 13 cycle parking spaces would be required.
- 6.71 The proposal includes space for 16 on site cycle storage spaces. These would be located in the amenity spaces of the ground floor unit and at the end of the communal walkway along to the south of the building. While the number is considered acceptable, little details have been provided to ensure these spaces would be effectively private, dry and secure to promote their use by future residents. Therefore, it is considered necessary and reasonable to add a condition for the submission of these details.
- 6.72 In this case, it is considered that the proposal's "car-free" nature is acceptable, given the demonstrated parking capacity in local streets, the site's good

accessibility levels and the measures proposed to promote sustainable travel choices i.e. car club membership and cycle parking provision.

- 6.73 Under the Council's guidance on refuse storage, 55 litres of refuse should be allocated per future resident. Furthermore, 50% should be allocated to recycling.
- 6.74 The proposed scheme would accommodate a maximum number of 24 people. Therefore a total of 1,320 litres of refuse storage should be allocated and 660 litres should be reserved for recycling.
- 6.75 The proposed refuse storage area would be located to the north of the building close to the Wastdale Road. The location is considered suitable for the collection of waste by the Council, however it is uncertain how much refuse would be allocated to the proposed development. Therefore it is considered reasonable to add a condition for the submission of these details to ensure a sufficient level of storage is provided.

Impact on Adjoining Properties

- 6.76 DM Policy 32 requires new residential development to be neighbourly and result in no loss of amenities in terms of outlook, privacy and daylight/sunlight for neighbours.
- 6.77 The Council's Residential Standards SPD outlines that proposed development should maintain a 9m distance between neighbouring habitable windows and blank elevations or boundary walls. This is taken flexibly and the greater the height, the more distance required.
- 6.78 The site is situated within the free form housing typology, which is characterised by open spaces between buildings to incorporate pedestrian movement. As such, there are walkways between the site and the adjoining residential units to the south and east. The adjoining property to the north is the Ewart Road Housing Co-operative Office and Ewart Road clubroom. Therefore the impact on this property is negligible.
- 6.79 The existing building to the south, due to the orientation, would not be affected in terms of loss of sunlight/daylight. Furthermore, there are minimal habitable windows on the elevation facing the proposed development with existing vegetation obscuring views. Therefore the amount of overlooking is considered insignificant into these properties.
- 6.80 16 Wastdale Road to the east is expected to have some amount of overshadowing as a result of the development, however this would mostly be later in the day with areas of sunlight in the late morning/early afternoon. Furthermore, the building would be separated from the proposed development by a walkway, with the distance between the buildings being 18.5m. This is more than double the standard outlined in the Residential Standards SPD and therefore capable of absorbing the height of the proposed development. As such the scheme is considered to have an insignificant impact on outlook and daylight/sunlight. The Council also uses the BREEAM guide to good practice to determine the impact on sunlight/daylight from proposed development. The guidance states that if a new building, measured perpendicular to a main window, subtends an angle of more than 25° to the horizontal, then daylight of the existing building may be adversely affected.

- 6.81 When measuring from the scaled plans, the proposed building would be within a 24° angle of the windows on the rear elevation of the building to the east. This leaves 76° visible sky from the windows. Overall this is considered acceptable to provide adequate daylight/sunlight into the adjoining properties.
- 6.82 Whilst it is noted that the previous applications in 2012 and 2013 were refused on the basis of overbearing impact and loss of outlook, they were substantially different proposals, relating to development within the rear amenity area. The current proposal is in line with the design guidance of the Residential Standards SPD and will not result in harm to adjoining occupiers in terms of privacy or loss of daylight/sunlight.
- 6.83 It is also noted that the proposed development would be large, in comparison to the original building, when viewed from the neighbouring properties, as well as the walkway along the edge of the boundaries. However, considering the separation between the development, the high quality design and the presence of mature vegetation on the boundary, the development is not considered to have an adverse impact on the visual amenities, in terms of having an overbearing impact or creating a sense of enclosure, on the neighbouring properties.
- 6.84 Overall the proposed development is not considered to have a significant impact on the amenities of neighbouring properties in terms of sunlight/daylight, privacy or loss of outlook or visual amenities.

Sustainability and Biodiversity

- 6.85 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.
- 6.86 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:
- Be lean: use less energy
 - Be clean: supply energy efficiently
 - Be green: use renewable energy
- 6.87 Core Strategy Policy 7 Climate change and adapting to the effects, states that the Council will adopt a partnership approach to implement the principles of 'avoidance, mitigation and adaptation' by applying the London Plan policies relevant to climate change including those related to: air quality, energy efficiency, sustainable design and construction, retrofitting, decentralised energy works, renewable energy, innovative energy technologies, overheating and cooling, urban greening, and living roofs and walls and recognising the role that the reuse and modification, where appropriate, of heritage assets can play in securing sustainable development in order to reduce carbon emissions.
- 6.88 Core Strategy Policy 8 Sustainable design and construction and energy efficiency requires all new residential development to achieve a minimum of Code for Sustainable Homes Level 4.

- 6.89 The Code for Sustainable Homes has been replaced by the new Building Regulations which came into force on 1st October 2015. Where there is an existing plan policy which references the Code for Sustainable Homes, the Council may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy concerning energy performance (provided that it is consistent with the Government's proposed approach to zero carbon homes).
- 6.90 On this basis, the standards that will be sought by the Council are:
- Energy efficiency* - a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations (approximately equivalent to Code Level 4)
- Water efficiency* - 110 litres per person per day (this includes a 5 litre allowance for external water use).
- 6.91 A Sustainability Statement was included in support of the scheme. The statement outlined that the proposed development would meet Code for Sustainable Homes Level 4. Furthermore, it added that the specification of efficient water fixtures (low flow taps and showers, dual flush WCs and low volume baths) to reduce potable water demand to <90litres/person/day. This target is below the London Plan and above target of <105litres/person/day. Therefore the level of water efficiency is considered acceptable.
- 6.92 The proposal includes solar photovoltaic panels to increase the energy efficiency and reduce carbon dioxide emissions. The statement outlines that the energy generation figure for the units' 1.8kWp PV array would be 1,548kWh/year. Furthermore, other elements such as fabric energy efficiency, A rated white goods, energy efficient boilers and light fittings would be used to ensure the development is energy efficient.
- 6.93 The Council recommends the implementation of living roofs where feasible to enhance biodiversity, improve sustainable urban drainage and energy efficiency. DM Policy 24 relates to living roofs and states that new living roofs are required to be designed and fitted by a qualified and accredited installer and include an extensive substrate base, except where it can be demonstrated that such a base is not feasible and achievable. Developers should enter into an agreement with an installer that guarantees 80% coverage in 5 years.
- 6.94 The scheme proposes 150m² of living roof. It is noted that the roof would be an extensive living roof, which is in line with the Council's policies. Therefore the roof is considered to satisfactorily add to the sustainability of the site and the biodiversity of the area.
- 6.95 However it is noted that no details have been submitted in relation to the proposed living roof. It is essential to have a management and maintenance plan to include a species list and a plan for sustainable irrigation and replacement planting with a cross-section (1:20), demonstrating an appropriate substrate depth, to ensure that within five years of the planting date the selected plants will cover no less than 80% of the vegetated roof. Therefore it is considered reasonable that a condition should be added for the submission of details in relation to the living roof.

- 6.96 The sustainability monitoring form indicates 3 bird boxes, 3 bat boxes and 3 insect boxes would be included within the scheme. This is considered to be a biodiversity enhancement over the baseline position and therefore is supported. The sustainability monitoring form should be added with the approved plans to ensure these measures are implemented within the scheme.

Trees and Landscaping

- 6.97 The scheme involves the retention of the trees on the southern and western boundaries. An Arboricultural survey and tree protection plan was submitted as part of this application. A condition should be added to ensure construction works adhere to the tree protection plan to ensure there is no significant damage to the trees.
- 6.98 It is noted that there would be areas of landscaping around the private amenity space, communal walkway and to the front of the building between the highway. Given the importance of the landscaping to the privacy of residents and the quality of the design to the front, it is considered that a condition for the submission of details in relation to landscaping is relevant and necessary to an acceptable development and should be added to the decision notice.

7.0 Community Infrastructure Levy

- 7.1 The above development is CIL liable. A standard informative should be added to make the developer aware of this.

8.0 Equalities Considerations

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

9.0 Conclusion

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

- 9.2 The proposed development would involve the acceptable loss of a community facility. Furthermore, the proposed building is considered to be of the highest design standard whilst not significantly impacting on the amenities of neighbouring properties. The standard of accommodation is considered to be acceptable on balance to provide a satisfactory standard of living for future occupiers.

RECOMMENDATION (A)

GRANT PERMISSION subject to the following conditions:-

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:

615/SE23/7/1_SLP01; Sustainability Statement; Transport Technical Note; Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan (received 23rd March 2015); Sustainability Monitoring Form (received 19th May 2015); 1113/P/100/001 Rev A; 1113/P/100/002 Rev B; 1113/P/100/003; 1113/P/100/004 Rev A; 1113/P/100/005; 1113/P/100/006 Rev A; 1113/P/100/007 Rev B; 1113/P/100/008 Rev A; 1113/P/1250/001; 1094/P/50/001 Rev A; 1094/P/50/002; 1094/P/50/003; 1094/P/50/004 Rev C; 1094/P/50/005; 1094/P/50/006; 1094/P/50/007; 1094/P/50/008; 1094/P/50/009 (received 13th August 2015).

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

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

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

3. (a) The buildings hereby approved shall be constructed in accordance with the approved Sustainability Statement in order to achieve the following requirements:
- a minimum 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and
 - a reduction in potable water demand to a maximum of 110 litres per person per day
- (b) Within 3 months of occupation of any of the residential units, evidence (prepared by a suitably qualified assessor) shall be submitted to the Local Planning Authority and approved in writing 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 (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

4. No development shall commence on site until a detailed schedule and specification/samples of all external materials and finishes, windows and external doors, balcony and stair railings to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

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

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

6. (a) 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).

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

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

- 8. (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 Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- 9. Details of the number and location of the 3no. bird, 3bo. bat and 3no. insect boxes to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

- 10. (a) Prior to the construction of above ground works, details of the living roof shall be

submitted to and approved in writing by the Local Planning Authority. These shall include:-

- (i) Management and maintenance plan;
 - (ii) Cross section at 1:20; and,
 - (iii) An agreement with the installer that guarantees 80% coverage within 5 years.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015) , Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

11. None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority. The development shall be completed in compliance with the measures and standard outlined in the Tree Protection Plan (TPP) hereby approved by the Council.

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

12. (a) None of the residential units hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority and approved in writing that car club membership will be provided for a period of two years for the occupiers of each unit beginning the date of occupation of each individual unit.
- (b) within one month of occupation of all the residential units or within 6 months of occupation of the first unit (whichever is earlier) evidence submitted and approved in writing by the Local Planning Authority to demonstrate Part A of this condition has been complied with.

Reason: To minimise the impact of overspill parking from the development in accordance with Core Strategy Policy 14 Sustainable Movement and Transport and Development Management Local Plan Policy DM 29 Car Parking.

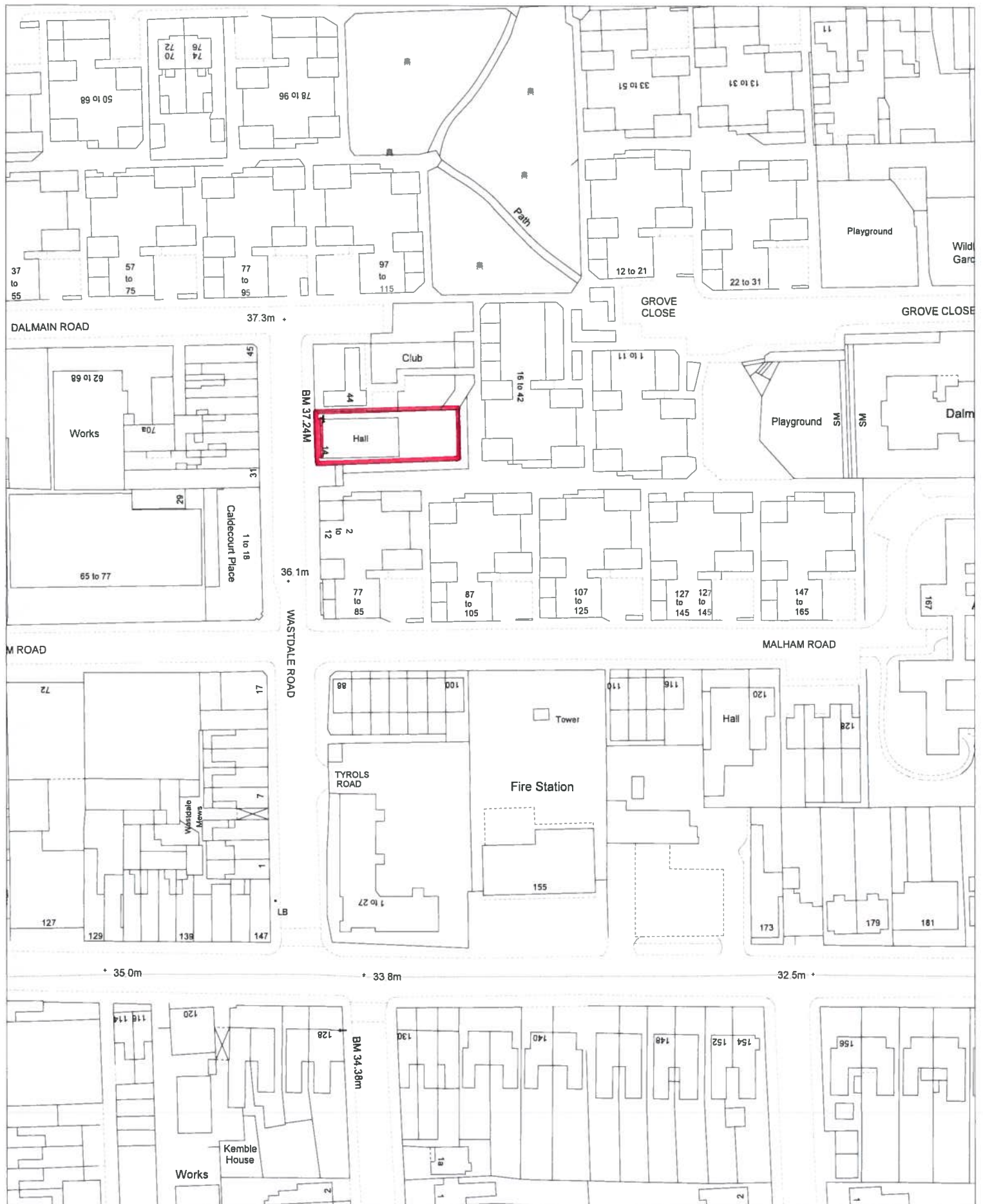
Informatives

- A. **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. Further discussions took place which resulted in further information being submitted.

- B. 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.
- C. It is the responsibility of the owner to establish whether asbestos is present within their premises and they have a 'duty of care' to manage such asbestos. The applicant is advised to refer to the Health and Safety website for relevant information and advice.
- D. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- E. 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.

This page is intentionally left blank

14 WASTDALE RD, SE23



This page is intentionally left blank

Committee	PLANNING COMMITTEE (A)	
Report Title	10 Round Hill, SE26 4RG	
Ward	Forest Hill	
Contributors	Geoff Whittington	
Class	PART 1	8 October 2015

Reg. Nos. DC/14/89254

Application dated 12 September 2014, revised 2 February 2015

Applicant Mr Rubano

Proposal The demolition of the existing garage and the construction of a two bedroom single-storey dwelling-house to land at the rear of 10 Round Hill SE26, incorporating a courtyard and green living roof, together with the erection of boundary fencing and the provision of refuse and cycle stores.

Applicant's Plan Nos. BA13343AE05 Rev A; BA13343AE06 Rev A; BA13343AP01; BA13343AP02; BA13343AP20; BA13343AP21 Rev A; BA13343AP22 received 2 February 2015; Lifetime Homes Assessment; Design & Access Statement; Sustainability Statement

Background Papers (1) Case File LE/455/10/TP
(2) Local Development Framework Documents
(3) The London Plan (2015)

Designation PTAL 3

1.0 Property/Site Description

- 1.1 The application site is a 212sq.m backland plot that is currently occupied by a single-storey garage used for storage purposes. The site is accessed via a 35 metre long passageway from Round Hill, measuring approximately 2.2 metres wide.
- 1.2 The surrounding area is comprised mostly of 2-storey residential dwellings. To the west of the site is a terrace of 2-storey houses with associated gardens at the rear that measure approximately 9 metres deep. To the north are 2-storey dwellings fronting Thorpewood Avenue, with rear gardens measuring approximately 25 metres deep.
- 1.3 To the south are 2-storey dwellings fronting Round Hill that have 20 metre deep rear gardens with garages sited to the rear end, which are accessed via the existing passageway to the side of no.10 Round Hill.
- 1.4 A church building and associated land lies to the east of the application site, accessed from Dartmouth Road.

- 1.5 The site is not located within a conservation area, nor within the vicinity of any Grade 1 or 2 Listed Buildings, however nos.2-10 Round Hill to the south are locally listed properties designed by Edward Christmas.
- 1.6 The site lies within a short walking distance of Dartmouth Road, which is served by bus routes. The PTAL for this area, on a scale of 1-6 is 3, where 6 is excellent. There are unrestricted on-street parking opportunities within the immediate area.

2.0 Planning History

2.1 In 2008, permission was refused for the construction of a detached, 2 bedroom dwelling-house upon the site at the rear of 10 Round Hill, for the following reasons:

- 1) The proposed development, by reason of its positioning within this restricted site and close proximity to neighbouring dwellings, would result in an unacceptable impact upon the amenities of the occupiers at 28 & 30 Round Hill by way of increased sense of enclosure and possible overshadowing to the bottom end of the garden areas, contrary to policies URB 3: Urban Design, HSG 4: Residential Amenity and HSG 5: Layout and Design of New Residential Development of the Council's adopted Unitary Development Plan (2004).
- 2) The design and appearance of the proposed dwelling is considered to be unacceptable, including bulky dormers to the front elevation that would appear as unsightly and incongruous features, contrary to policy URB 3: Urban Design of the adopted UDP.
- 3) The proposed standard of accommodation is considered to be unacceptable, particularly on the first floor of the building whereby both bedrooms would have insufficient headheight, contrary to policy HSG 5: Layout and Design of New Residential Development of the adopted UDP.

2.2 In 2011, permission was refused for the demolition of two garages on land at the rear of 10 Round Hill SE26 and the construction of a two bedroom bungalow and single garage, together with the provision of two car parking spaces with access onto Round Hill, for the following reasons:

- 1) The principle of constructing a dwelling-house in this location raises concern due to the remote nature of this backland site, with the only access to the dwelling being via a poorly lit 40 metre long single track, that would be likely to compromise pedestrian safety during night-time hours particularly, contrary to policies HSG 4 Residential Amenity and HSG 8 Backland and Infill Development in the adopted Unitary Development Plan (July 2004).
- 2) The proposed dwelling is considered to be an unneighbourly and overbearing form of development, resulting in reduced outlook and an unacceptable sense of enclosure to neighbouring occupiers at nos 28-30 Round Hill, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity and HSG 5 Layout and Design of New Residential Development in the adopted Unitary Development Plan (July 2004).

- 3) The proposed development does not include any sufficient sustainability measures that would minimise the consumption, and achieve the sustainable use, of water, energy and materials, and is therefore contrary to CS Policy 8: Sustainable Design Construction and Energy Efficiency in the Local Development Framework: Core Strategy (May 2011).
- 4) The proposed development does not include sustainable urban drainage measures to reduce the risk of flooding, and is therefore contrary to CS Policy 10: Managing and Reducing the Risk of Flooding in the Local Development Framework: Core Strategy (May 2011).

2.3 The applicant appealed the decision, which was subsequently dismissed on 23 February 2012. The Planning Inspector raised no objections to the principle of a residential dwelling, however the scale of proposed development was considered excessive, and would result in visual harm to neighbouring occupiers.

3.0 Current Planning Applications

The Proposal

- 3.1 The current application proposes the demolition of an existing garage and the construction of a single-storey, two bedroom 4 person dwelling-house with private courtyard. Access would be from Round Hill along an existing 35 metre long passageway. The building and the associated central courtyard space would occupy much of the site, whilst being set away from the east and west boundaries by up to 1.7 metres.
- 3.2 The proposed building would measure 16 metres deep and 9.8 metres wide. The western flank nearest the existing dwellings at nos. 26, 28 & 30 Round Hill would measure a height of 2.4 metres above the established ground level, with 1.6 metres set below. Due to the slope of the site downwards to the east, the opposite side of the dwelling would stand 3.2 metres above the established ground level.
- 3.3 The dwelling would benefit from a 27.5sq.m private central courtyard space, which would be enclosed on all sides. A narrow passageway to the western side of the building would accommodate a bin store.
- 3.4 Proposed external materials would include a primary use of London Stock brick to all elevations and timber framed windows/ doors, whilst a biodiverse green living roof would be constructed.
- 3.5 No off-street parking would be provided, however secure cycle parking would be located on site.

4.0 Consultation

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

Written Responses received from Local Residents and Organisations

- 4.3 Seven objections and a petition signed by 18 local residents have been received from neighbouring properties. The issues raised are summarised below.
- unsuitable site to build a dwelling-house;
 - the design is not in keeping with surrounding properties;
 - subsidence concerns;
 - right of access;
 - noise and disturbance during construction works;
 - additional car parking/ traffic;
 - the development would compromise an existing Oak tree in the rear garden of a Thorpewood Avenue dwelling.

- 4.4 On 6 August 2015, a further 21 day reconsultation process was undertaken. One letter was received, objecting on the following grounds:
- the principle of a residential dwelling – ‘the garages were supposed to be used as garages and therefore should be left as garages’;
 - subsidence concerns;
 - concerned regarding construction management during building works, including the narrow access into the site.

(Letters are available to Members)

Fire Brigade

- 4.5 Guidance states that for single family dwelling houses, there should be vehicle access for a pump appliance to within 45 metres of all points within the dwelling house, which would not be achievable as the access measures only 2.2 metres wide. Appliances require a minimum 3.1 metre width, therefore the applicant would be expected to engage with the Fire Brigade to discuss alternative safety measures, ie an internal sprinkler system.

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)
- 5.2 Section 38(6) of the Planning Compulsory Purchase Act 2004 makes it clear that if regard is to be had to the development plan for the purpose of any

determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011) and Policies in the London Plan (2015). 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 Development Management Plan 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 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (2015)

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

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character

Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

London Plan Best Practice Guidance

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

Core Strategy

- 5.9 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the London Plan and the Development Management 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
Policy 1 Housing provision, mix and affordability
Policy 7 Climate change and adapting to the effects
Policy 8 Sustainable design and construction and energy efficiency
Policy 15 High quality design for Lewisham
Policy 16 Conservation areas, heritage assets and the historic environment

Development Management Local Plan (2014)

- 5.10 The following policies are considered to be relevant to this application:
- | | |
|--------------|--|
| DM Policy 1 | Presumption in favour of sustainable development |
| DM Policy 37 | Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest |
| DM Policy 22 | Sustainable design and construction |
| DM Policy 23 | Air quality |
| DM Policy 25 | Landscaping and trees |
| DM Policy 30 | Urban design and local character |
| DM Policy 32 | Housing design, layout and space standards |
| DM Policy 33 | Development on infill sites, backland sites, back gardens and amenity areas |
| DM Policy 37 | Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest |

- 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 and accessibility, and materials.

6.0 Planning Considerations

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

- a) Principle of Development
- b) Design
- c) Standard of Accommodation
- d) Impact on Neighbouring Occupiers
- e) Highways and Traffic Issues
- f) Sustainability
- g) Landscaping

Principle of Development

- 6.2 Policy 3.4 'Optimising housing potential' of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.
- 6.3 DM Policy 33 of the Development Management Local Plan states that if a site is considered suitable for development, planning permission will not be granted unless the proposed development is of the highest design quality, relates successfully and is sensitive to the existing design quality of the streetscape, and sensitive to the setting of heritage assets. This includes the importance of spaces between buildings which may be as important as the character of the buildings themselves, and the size and proportions of adjacent buildings.
- 6.4 The application site is considered to be a backland site, defined in DM Policy 33 as 'land to the rear of street frontages not historically in garden use.' The policy does not preclude new development, however a proposed scheme must be sensitively designed to avoid 'visual and functional intrusion due to close proximity to existing housing.'
- 6.5 The acceptability of the principle of development depends upon the existing use of the site and whether it is designated for a specific purpose, together with the nature and character of the surrounding area. In this case, the application site is an undesignated backland plot that has been occupied by a garage for many years. The surrounding area is predominantly residential in character.
- 6.6 No objections are raised toward the proposed loss of the existing garage, considering it is of no architectural merit, and is used for storage purposes rather than for the parking of vehicles.
- 6.7 In 2011, an application for a single-storey building was refused permission due in part to visual harm upon neighbouring occupiers. A subsequent appeal was dismissed. The Planning Inspector raised no objection to the principle of a

residential dwelling upon the application site, more so the scale and height of the development, and the visual harm to neighbouring occupiers.

- 6.8 The principle of a residential dwelling remains appropriate considering the immediate area is predominantly residential in character.
- 6.9 The locally listed status of the dwellings at 2-10 Round Hill would not preclude development upon the site, however the proposed building would be expected to respect their character, significance and contribution to the local setting.
- 6.10 The site lies a short walking distance from Dartmouth Road, which is served by bus routes, albeit the site itself lies within an area of a PTAL 3 rating, where on a scale of 1-6, 6 is excellent.
- 6.11 The proposal would not result in the loss of any existing residential gardens or public open space.
- 6.12 In summary, considering the immediate area is predominantly residential in character, the principle of a new dwelling upon this plot is acceptable provided the design is of the highest quality, and other policies are met, such as ensuring there would be no adverse impact upon neighbouring amenity, the nearby locally listed dwellings or the character of the streetscene.
- 6.13 The proposal has been designed to utilise the restricted nature of the site whilst seeking to respect the character of the surrounding streetscape, which will be demonstrated within this report.

Design

- 6.14 Paragraph 63 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'.
- 6.15 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.
- 6.16 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure highest quality design and is sensitive to the local context and responds to local character. DM Policy 30 of the Development Management Local Plan states that the Council will require all developments to attain a high standard of design.
- 6.17 In this case, the applicant has proposed a modern design approach that would not seek to replicate the appearance of neighbouring properties. Paragraph 15 of the National Planning Policy Framework (p15) states: "local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- 6.18 The applicants engaged in pre-application discussions with officers to seek advice on what would constitute an acceptable form of development upon the site. Officers were presented with different options, and the current proposal was considered to be of good, modern design that would respect the character of the

surrounding area. The design approach of the single-storey building is considered to be appropriate, incorporating distinctive features including a mono pitched biodiverse green living roof and an internal courtyard space. Whilst the approach is in contrast to more traditionally designed neighbouring dwellings, it is considered the proposed development would compliment the immediate area.

- 6.19 The overall height of the building would be minimised to the western side by submerging the building approximately 1.6 metres below the existing slope of the site, with 2.4 metres being above ground level. On the eastern side, the building would lie 0.8 metres below the established ground level, and 3.2 metres above. The siting of the building would serve to reduce visual harm upon neighbouring occupiers, whilst minimising the overall scale, height and massing of the development.
- 6.20 The building would be predominantly brick faced (London Stock), with extensive glazing around the perimeter of the courtyard and high level openings to the front. Window frames would be painted timber throughout. The proposed materials are considered to be appropriate in principle, however it is suggested a Condition be included to request samples for further assessment.
- 6.21 Considering the development would be a relatively small two bedroom single dwelling-house, the density of development is unlikely to result in demonstrable harm to the character of the local area or the amenities of neighbouring residential occupiers.
- 6.22 In summary, the proposed dwelling is considered to be appropriate in respect of scale, height and massing, respecting the general form of development within the immediate area, and befitting of this location. The applicants will be requested by way of planning conditions to provide external material samples, together with detailed plans of the green living roof.

Locally Listed Buildings:

- 6.23 DM Policy 37 states the Council 'will seek to retain and enhance locally listed buildings and structures and may use its powers to protect their character, significance and contribution made by their setting, where appropriate.'
- 6.24 The existing dwellings at 2-10 Round Hill to the south of the site are locally listed properties, being a terrace of five suburban houses designed by Edward Christmas in the late 1920s. They are considered to be of 'high design and build quality', and are 'externally, largely unaltered and of excellent group value.'
- 6.25 Officers are satisfied the proposed dwelling would not adversely harm the character of the locally listed houses, considering it would lie a sufficient distance away - approximately 25 metres - whilst being only single-storey in height.

Standard of Accommodation

- 6.26 The Council's adopted Residential Standards SPD (updated 2012) sets out criteria for new residential units but this document is largely superseded by Core Strategy and London Plan requirements. The London Plan Housing SPG sets out guidance to supplement London Plan policies. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity

space (including cycle storage facilities) as well as core and access arrangements.

- 6.27 Table 3.3 of the London Plan and Standard 4.1.1 of the SPG sets out minimum space standards for new development, including unit and room sizes.

Table 1

	Proposed	Required
Dwelling Size	90m ²	70m ²
Living/ dining/kitchen	46m ²	27m ²
Bedroom 1 (double)	13.1m ²	12m ²
Bedroom 2 (single)	11.8m ²	8m ²
Floor-Ceiling Height	2.6 m	2.5 m

- 6.28 The proposal is for a single family dwelling in private tenure, that would provide 2 bedrooms and a kitchen/ living/ diner. The 2 bedroom, 4 person dwelling would have a gross internal area (GIA) of 90 square metres, which comfortably exceeds the minimum 70sq.metres set out in the London Plan SPG.
- 6.29 All rooms would be appropriately sized, in accordance with guidelines. The main bedroom would be 13.1 sq.m, exceeding the minimum 12sq.m as stated in the London Plan SPG, whilst the second bedroom would be 11.8sq.m. The kitchen/ living/ diner would measure in excess of 40sq.m, exceeding the minimum 27sq.m requirement. Storage space would be provided within a cupboard and a void area within the ceiling.
- 6.30 Floor to ceiling heights would meet with the minimum requirement of 2.5 metres. As identified in the London Plan, high ceilings can positively impact on how spacious, light and comfortable the dwelling is, and can improve the amount and quality of natural light and ventilation and provide flexibility in the use of a room.
- 6.31 All habitable rooms within the new dwelling would be provided with sufficient outlook and privacy, whilst assured of natural light intake.
- 6.32 New residential development is no longer required to meet the Lifetimes Home Criteria at planning stage, however it remains a design consideration. Lifetime Homes Criteria seeks to incorporate a set of principles that should be implicit in good housing design enabling housing that maximizes utility, independence and quality of life. Annotated plans have been submitted demonstrating that the dwelling would be capable of meeting Lifetime Homes, with the exception of criterion 1 (car parking) as this is a car free scheme.
- 6.33 In regard to private amenity space, a courtyard would be provided measuring 27.5sq.m area, located to the central area of the building between the bedrooms and kitchen/ living/ diner. The provision of amenity space within the development is considered to be acceptable.
- 6.34 In summary, the proposed standard of residential accommodation is considered to be accordance with policy guidance.

Impact Upon Neighbouring Properties

- 6.35 DM Policy 32 states that new residential development must *'provide a satisfactory level of privacy, outlook and natural lighting for both its future residents and for its neighbours.'*
- 6.36 The nearest residential dwelling-houses lie directly to the west at nos 26-30 Round Hill. These are 2-storey and have rear gardens measuring approximately 9 metres deep. The applicant has acknowledged the shallowness of the gardens by setting the development into the slope of the site, measuring 2.4 metres above ground level nearest the dwellings, which would serve to minimise the visual impact of the development. The construction of a biodiverse living roof would also serve to provide a greener outlook for neighbouring occupiers.
- 6.37 The existing boundary fence to the rear of the nearest Round Hill dwellings is relatively low and in poor condition. The applicant has proposed to erect a new 1.5 metre high close boarded fence, with trellising affixed to allow for planting that would further reduce the impact of the new dwelling. Details of boundary treatment would be requested by Condition, whilst ensuring the fence is erected prior to first occupation and retained thereafter. A 2 metre high close boarded fence is shown on the proposed plans, however the applicant acknowledges this is too high and would appear oppressive to the existing occupiers.
- 6.38 It is not considered that the development would result in any significant visual harm upon other neighbouring occupiers, with no overlooking or loss of privacy. A Condition would prevent the formation of access to the roof or use for amenity purposes.
- 6.39 It is recommended that given the backland nature of the site, and proximity to neighbouring buildings, all permitted development rights are removed should permission be granted. This would afford officers an opportunity to formally assess any alterations to the building, and to safeguard the amenities of neighbouring occupiers.
- 6.40 Due to the single-storey nature of the proposed building, it would be unlikely to result in an increased sense of enclosure or any significant level of overshadowing to neighbouring occupiers.
- 6.41 The applicant has advised verbally that external lighting measures are intended to the proposed dwelling and passageway, however the application does not provide any information. A Condition will therefore ensure any external lighting would be of a maximum lux level that would not adversely affect neighbouring occupiers.
- 6.42 Details of construction works and methods will be requested by Condition. Possible subsidence has also been raised as a concern by some residents, however this is a matter for Building Control - or their equivalent - to formally assess.
- 6.43 Rights of access in respect of the existing passageway is a civil matter to be resolved between the interested parties.
- 6.44 In summary, officers are satisfied the siting, scale and height of the proposed dwelling would not be to the detriment of existing neighbour amenity.

Highways and Traffic Issues

a) Access

- 6.45 Access into the site would be from the existing passageway from Round Hill, which is 35 metres in length. The applicant advises that low level security lighting would be installed to ensure the passageway is 'well lit and inviting'.
- 6.46 It is considered the development would accord with DM Policy 33 which seeks a 'proper means of access and servicing which is convenient and safe for drivers and pedestrians', however as advised earlier, the applicant should contact the Fire Brigade to discuss appropriate safety measures as the 2.2 metre width of the passageway is less than the minimum 3.1 metre requirement for a fire vehicle to access.

b) Cycle Parking

- 6.47 The Design and Access Statement advises 'cycle stores' would be provided, however it does not confirm the construction of the stores, or where they would be located. A Condition would therefore require further information to ensure the cycle parking would be secure and dry, and appropriately sited.

c) Car Parking

- 6.48 Policy 6.13 of The London Plan states; 'The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car-parking provision that can undermine cycling, walking and public transport use.' 'In locations with high PTAL, car-free developments should be promoted.'
- 6.49 The proposal does not include off street car parking. The site is located within close proximity to bus routes that operate along Dartmouth Road, whilst there are on-street parking opportunities within the immediate area. A car free approach in this case is considered to be acceptable.

d) Refuse

- 6.50 Refuse and recycling bins would be stored within an external area to the western side of the proposed dwelling. On collection day, the bins would be wheeled to the front of 10 Round Hill.
- 6.51 The refuse details reflect the arrangement to other properties in the street and are therefore considered acceptable.

Sustainability and Energy

- 6.52 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.
- 6.53 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

- 6.54 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.
- 6.55 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes, though residential development is still expected to meet code level in regard to energy performance and water efficiency.
- 6.56 The scheme would achieve Code Level 4 for Sustainable Homes, with an overall 22% saving in carbon emissions from renewables over Building Regulations Part L 2013 Target Emissions Rate.
- 6.57 From 1 October 2015, the Ministerial Statement advised that the standard for energy efficiency in new residential development will be a 19% reduction in CO2 emissions over Building Control requirements, which is equivalent to Code Level 4.
- 6.58 In regard to water efficiency, from 1 October 2015 new development is expected to achieve a consumption of 110 litres per person per day, including a 5 litre allowance for external water use. A Condition will ensure this is achieved.

Landscaping

- 6.59 A mix of soft and hard landscaping is proposed to the courtyard area, with permeable paving to the areas around the building.
- 6.60 The landscaping approach is acceptable in principle, however it is appropriate to apply a Condition requiring further details, and to ensure the hard surfaces to be laid would be permeable to avoid rainwater run-off.
- 6.61 An objection has been received from a neighbouring occupier on Thorpewood Avenue who is concerned the development would harm the roots of their garden Oak tree. A tree protection condition is therefore suggested that would be formally assessed prior to the commencement of works.

7.0 Local Finance Considerations

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

8.0 Community Infrastructure Levy

8.1 The proposed development is CIL liable.

9.0 Equalities Considerations

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

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

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

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

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

10.0 Conclusion

10.1 The demolition of the existing garage structure and the construction of a single dwelling-house upon the site is considered acceptable due to the existing residential character of the immediate area.

10.2 The design and massing of the proposed development is considered to be appropriate, respecting the general character of the area. The proposal accords with Core Strategy Policy 15 High quality design for Lewisham, which expects a high standard of design that seeks to complement the scale and character of existing development and its setting, and DM Policy 32 Housing design, layout and space standards, which expects all new residential development to be attractive, to be neighbourly and to meet the functional requirements of all future habitants.

10.3 It is considered that the proposed standard of accommodation and provision of amenity space would be compliant with policies. Appropriate Conditions would ensure the development meets with design criteria, and would not result in visual harm to neighbouring occupiers.

10.4 For these reasons, it is therefore recommended that planning permission be granted.

11.0 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:

BA13343AE05 Rev A; BA13343AE06 Rev A; BA13343AP01; BA13343AP02; BA13343AP20; BA13343AP21 Rev A; BA13343AP22 received 2 February 2015; Lifetime Homes Assessment; Design & Access Statement; Sustainability Statement

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 development shall commence on site until a Construction Logistics Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall demonstrate the following:-
 - (a) Rationalise travel and traffic routes to and from the site.
 - (b) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity.
 - (c) Measures to deal with safe pedestrian movement.
 - (d) The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction and Policy 6.3 Assessing effects of development on transport capacity of the London Plan (2015).

- (4) (a) Prior to any works commencing, full details of the proposed living roof shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a 1:20 scale plan of the living roof that includes contoured information depicting the extensive substrate build up and a cross section showing the living roof components and details of how the roof has been designed to

accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings.

- (b) The development shall be carried out strictly in accordance with the details so approved under (a) and shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority. Evidence that the roof has been installed in accordance with (a) & (b) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

- (5) No development shall commence on site until a detailed schedule, specifications and samples of all external materials and finishes to be used on the building, including London Stock facing brick and timber framed windows/ doors as stated in the Design and Access Statement, 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 and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

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

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014)

Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

- (7) Any planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

- (8) Any external lighting is required to meet with CIBSE and ILE criteria of a maximum 2 lux at the nearest neighbouring residential window.

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

- (9) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (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 DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (10) No extensions or alterations to the building hereby approved, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (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).

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

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

- (12) The residential units hereby approved shall achieve the following energy efficiency and water efficiency standards :
- Energy efficiency - a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations;
 - Water efficiency - 110 litres per person per day (including a 5 litre allowance for external water use).

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 (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (13) The whole of the private amenity space as shown on the plans hereby approved shall be provided in full prior to first occupation, and retained permanently thereafter for the benefit of the occupiers of the residential dwelling hereby permitted.

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

- (14) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the roof of the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (15) (a) No development shall commence on site until details of the proposed boundary treatments including replacement fencing to the shared boundary with nos.26-30 Round Hill, and any gates or walls have been submitted to and approved in writing by the local planning authority.
- (b) All approved boundary treatments shall be implemented prior to occupation of the building 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 Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (16) No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council. The TPP should follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

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

INFORMATIVES

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

(B) 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>

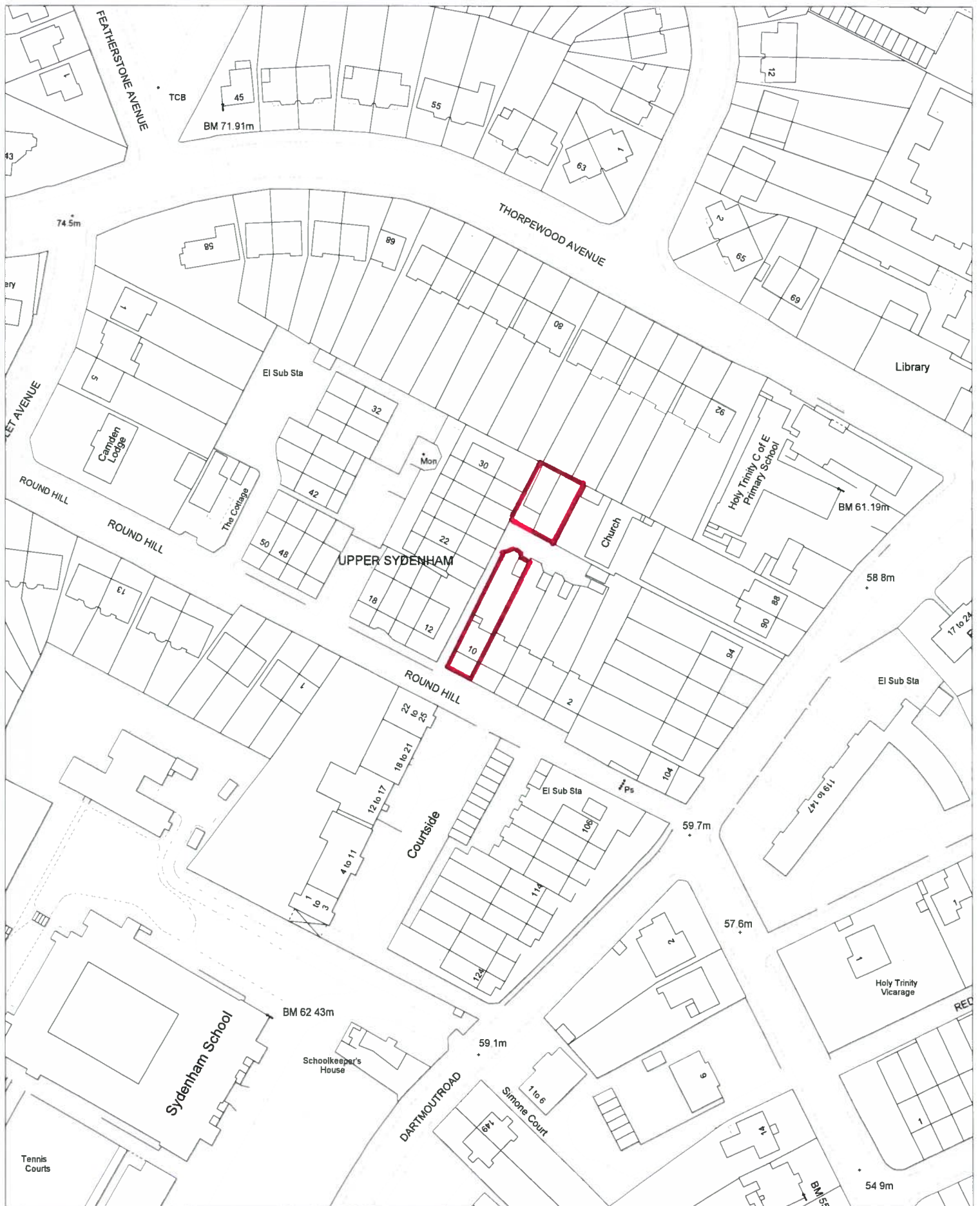
(Department of Communities and Local Government) and

<http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>

(C) 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.

(D) You are advised to contact the Fire Brigade to discuss suitable safety measures:- david.rowson@london-fire.gov.uk

10 Round Hill, SE26



This page is intentionally left blank