

PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 19 NOVEMBER 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)
Stella Jeffrey
Obajimi Adefiranye
Andre Bourne
Amanda De Ryk
Roy Kennedy
Pat Raven
Alan Till
Paul Upex**

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, 10 November
2015**

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

**Telephone No: 0208 314 8092
Email: Rachel.Stephenson@lewisham.gov.uk**



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	PLANNING COMMITTEE (A)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 19 th November 2015

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

(1) Personal interests

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

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

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

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

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

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

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

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

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

(6) Sensitive information

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

(7) Exempt categories

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

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

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Committee	PLANNING COMMITTEE (A)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 19 th November 2015

MINUTES

To approve the minutes of the meeting of Planning Committee (A) held on the 8th October, 2015.

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Committee	PLANNING COMMITTEE A	
Report Title	1 Ringmore View, Ringmore Rise, London, SE23	
Ward	Forest Hill	
Contributors	Andrew Hartcher	
Class	PART 1	19 November 2015

Reg. Nos. DC/15/93284

Application dated 10 August 2015

Applicant Mr. Alex Hornby

Proposal The construction of a two storey rear extension at 1 Ringmore View, together with the installation of 4 rooflights, an external staircase on the north side of the house and a timber deck to the rear.

Applicant's Plan Nos. EX-000, EX-001, EX-002, EX-003, EX-004, EX-100, PL-201, PL-202, PL-203, PL-204, PL-205, Design and Statement.

Background Papers (1) LE/55/1/TP
(2) Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)

Designation PTAL 1a
Not in a Conservation Area
Not a Listed Building

Screening N/A

1.0 Property/Site Description

- 1.1 The subject application relates to a single semi-detached house located at 1 Ringmore View, Ringmore Rise, SE23 3DB.
- 1.2 Ringmore view is located on Ringmore Rise near the top of Forest Hill with rear views looking north-west towards Dulwich. Ringmore Rise is a residential street consisting of mix of housing types.
- 1.3 The property slopes steeply downwards towards the east from its frontage to Ringmore View towards the rear garden of the property.
- 1.4 The house forms part of a pair with No. 2 Ringmore View and has a small single storey rear projection (7m long by 1.4m deep by 3.2m high to main ridgeline) with a low pitched roof sloping towards the rear. The house has an upper, middle and lower timber deck at the rear providing access to the rear garden. At present, a large timber panelled privacy screen is provided between the upper deck of No. 1 and No. 2 Ringmore View.
- 1.5 The upper levels of the rear of the property (first, second floors and roof/loft area) are visible from Tewkesbury Avenue, however the ground floor is predominantly

out of sight due to the lay of the land, mature trees and vegetation at the rear. The rear garden of the property is tucked away from public view due to the slope of the land and is screened well on all sides by mature trees and vegetation.

- 1.6 The property is not located within a conservation area. It is not a listed building and it is not subject to an Article 4 direction.

2.0 Planning History

- 2.1 **DC/00/46355** – The construction of a pair of two-storey plus roof space four-bedroom semi-detached houses fronting onto Ringmore Rise, together with the provision of a car parking space at the front of each property and the provision of new vehicular crossovers onto Ringmore Rise. **Approved November 2000.**
- 2.2 DC 15/91675 - The construction of a lower ground floor extension, ground floor extension, first floor extension and roof extension to the rear of 1 Ringmore View, Ringmore Rise SE23, together with an additional roof light in the front roof slope and alterations to the rear decking. Withdrawn July 2015.
- 2.3 DC 15/91678 - The construction of a lower ground floor extension, ground floor extension, first floor extension and roof extension to the rear of 1 Ringmore View, Ringmore Rise SE23, together with an additional roof light in the front roof slope and alterations to the rear decking. Withdrawn July 2015.
- 2.4 DC 15/93283 – Lawful development certificate for a rear loft extension and new rooflights to the front of the property. Approved October 2015.

3.0 Current Planning Applications

The Proposal

- 3.1 The subject application seeks approval for the construction of a two storey rear extension at 1 Ringmore View, together with the installation of 4 rooflights, an external staircase on the north side of the house and a timber deck to the rear.
- 3.2 The proposed two-storey rear extension would include a ground floor element and a basement element.
- 3.3 The extension would be approximately 7m long and would range from 3.95m to 4.6m deep (depending on the floor level). The extension would be up to 5.8m high (excluding a 0.25m high parapet) above basement floor level and would have a flat roof on both levels.
- 3.4 The proposed extension would add 43.2m² of internal floor space to the existing property (total 177.1m²), an increase of 32%.

Basement level element

- 3.5 The basement level element of the rear extension would be 7m long by 3.95m deep by 2.9m high above basement level.
- 3.6 The basement level element of the rear extension would extend approximately 0.90m beyond the rear building line of the proposed ground floor rear extension. As above, the basement would accommodate a new sitting room.

- 3.7 The basement level element of the rear extension would have four glazed aluminium powder coated sliding doors on the rear elevation which would open out to a new timber deck which would be 6.2m by 2.6m at its longest and deepest points. Stairs would provide access from the deck to the rear garden.

Ground floor element

- 3.8 The ground floor element of the rear extension would be approximately 7m long by 4.6m deep by 2.9m high (excluding a 0.25m high parapet) with a flat roof.
- 3.9 Although the ground floor element of the rear extension would be 4.6m deep, it would extend 3m beyond the existing rear building line. This is because the existing 1.4m deep single storey rear projection of the property would be removed and replaced by the proposed flat roofed ground floor rear extension.
- 3.10 The ground floor element of the rear extension would accommodate a new dining room connecting to the existing kitchen and living room. This new space would include a staircase providing access to the new sitting room which is proposed underneath at basement level (see below).
- 3.11 The ground floor element of the rear extension would have a obscure glazed window on the north side, two fixed (outer) and two sliding (inner) glazed aluminium powder coated doors and a small glazed Juliette balcony on the rear elevation.
- 3.12 Four rooflights (2.4m long by 1.2m deep) would also be installed on the roof of the ground floor element of the rear extension. The roof would also accommodate a small exhaust flue for a fireplace which would protrude 0.43m above the flat part of the roof.
- 3.13 A new external staircase is also proposed on the north side of the house to provide direct access to a new timber deck below at lower ground level.
- 3.14 The materials used to construct the proposed extension would be as follows:

Walls (upper section)	Rendered to match existing building
Walls (lower section)	Red stock brick to match existing building
Windows	Glazed aluminium powder coated
Doors	Glazed aluminium powder coated
Roof	Single ply roof membrane
Juliette balcony	Glazed

- 3.15 There are no alterations proposed to the front elevation of the property.

Supporting Documents

- 3.16 The application is accompanied by a Design and Access Statement.

4.0 Consultation

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

4.2 A site notice and conservation area notice were displayed, letters were sent to residents in the surrounding area and the application was advertised in the local newspaper for a period of three weeks. Local ward Councillors were consulted.

4.3 A total of 4 submissions were received, all objecting to the proposal.

Public Submissions

4.4 Three objections to the scheme were received from residents at No. 42 Tewkesbury Avenue, No. 14 Ringmore Rise and No. 2 Ringmore View.

4.5 No. 42 Tewkesbury Avenue raised the following key concerns with the proposal:

- the northern side window proposed on the rear ground floor extension would cause overlooking of the garden at No. 42. It was requested that the window be removed from the subject application.

4.6 No. 14 Ringmore Rise raised the following key concerns with the proposal:

- a lack of pre-application consultation on the proposal by the owners of the subject site and failure to display a site sign;
- the proposal would not enhance and protect the character of the streetscape;
- due to the scale of the proposal, it would significantly harm the character of the streetscape when viewed from Tewkesbury Avenue;
- the proposal would result in an overwhelming loss of privacy, an extreme sense of enclosure and a severe loss of ability to enjoy amenity (garden) space at No. 14 Ringmore Rise;
- the proposal would destroy the rear garden outlooks to the north; and
- the proposal is out of scale with the existing building, would be over-dominant and would destroy the architectural integrity of the building/s.

4.7 No. 2 Ringmore View raised the following key concerns with the proposal:

- the proposal would not enhance and protect the character of the streetscape;
- due to the elevated position of the site and the scale of the proposal, it would be over-dominant, visually intrusive and would introduce an incongruous element that would significantly harm the character of the streetscape when viewed from Tewkesbury Avenue;
- the rear ground floor extension would block out sunlight and daylight to No. 2 Ringmore View affecting the living room and outdoor deck of this property;
- the proposal would destroy the rear outlook of No. 2 Ringmore View to the north and result in an extreme sense of enclosure on the outdoor deck;
- the rear ground floor extension would result in overlooking of the rear garden of No. 2 Ringmore View leading to a loss of privacy with no screening proposed; and
- the proposal is out of scale with the existing building, would be over-dominant and would destroy the architectural integrity of the building/s.

Forest Hill Councillors

Forest Hill Councillors were consulted on the subject application and did not make a submission.

The Tewesbury Lodge Residents Association

The Tewesbury Lodge Residents Association was consulted on the subject application and objected on the following grounds:

- the proposal would not enhance and protect the character of the streetscape; and
- due to the elevated position of the site and the scale of the proposal, it would be over-dominant and visually intrusive and would significantly harm the character of the streetscape when viewed from Tewkesbury Avenue.

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 1.1 Delivering the strategic vision and objectives for London
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.4 Retrofitting
Policy 5.7 Renewable energy
Policy 5.11 Green roofs and development site environs
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.2 Planning obligations
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)
Sustainable Design and Construction (2006)

London Plan Best Practice Guidance

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

London Housing Design Guide (Interim Edition, 2010)

Core Strategy

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

Core Strategy Policy 7 Climate change and adapting to the effects
Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Development Management Local Plan

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

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 3	Conversion of a single dwelling to two or more dwellings
DM Policy 22	Sustainable design and construction
DM Policy 26	Noise and vibration
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards

Residential Standards Supplementary Planning Document (amended 2012)

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

6.0 Planning Considerations

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

- a) Design and impact of the proposal on the subject property and surrounding area; and
- b) Impact on the amenity adjoining properties.

Design and impact on the subject property and surrounding area

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 DM Policy 31 Alterations and extensions to existing buildings including residential extensions states that development proposals for alterations and extensions, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context. New rooms provided by extensions to residential buildings will be required to meet the space standards in DM Policy 32 Housing Design, layout and space standards.
- 6.5 DM Policy 31 also states that residential extensions should retain an accessible and usable private garden that is appropriate in size in relation to the size of the property, and retain 50% of the garden area.
- 6.6 Paragraph 6.2 of the Residential Standards SPD states that when considering applications for extensions the Council will look at these main issues:
- how the extension relates to the house;
 - the effect on the character of the area - the street scene and the wider area;
 - the physical impact on the host building, and the amenity of occupiers of neighbouring properties; and
 - a suitably sized garden should be maintained.
- 6.7 Paragraph 6.3 of the Residential Standards SPD states that bricks and roofing materials used to construct an extension should match those in the original building.
- 6.8 Paragraph 6.4 of the Residential Standards SPD states that extensions should be smaller and less bulky than the original building and reflect its form and shape. It states that traditionally, extensions to buildings are subsidiary to the main structure and that over-dominant extensions may destroy the architectural integrity of existing buildings.
- 6.9 The gross internal floor space of the existing dwelling is 133.9m². The proposed extension would add 43.2m² of internal floor space (total 177.1m²), an increase of 32% which is considered to be reasonable.
- 6.10 Public submissions did not raise any issues of concern in relation to the proposed basement element of the rear extension.
- 6.11 Due to the lay of the land, mature trees and vegetation which surround the site perimeter at the sides and rear, the basement element of the rear extension would be predominantly 'tucked away' (i.e. cut into the slope of the site) from public and private view and would not be readily visible from Tewkesbury Avenue.
- 6.12 The proposed basement element of the rear extension is considered to be of a modest size that is of an appropriate scale and proportion when compared to the existing property. Further, this element of the proposal is considered to be of a site specific and sensitive design quality that responds to topography of the site, compliments the design (e.g. use of high quality, complimentary and matching

materials) and respects the rectangular form and shape of the existing dwelling in accordance with DM Policy 31.

- 6.13 At 3m beyond the existing rear building line of the property, the ground floor element of the rear extension would essentially take up the same area currently occupied by the upper timber deck of the property.
- 6.14 At 2.9m high, the proposed ground floor element of the rear extension would be around 0.30m lower than the ridgeline of the existing single storey rear projection at the property which has a low pitched roof sloping towards the rear. The ground floor rear extension has been designed so that it is of a modest and appropriate size. It is also rectangular in shape to reflect (and provide a continuation of) the original dwelling and has a flat roof to ensure that it retains its subservience to the host dwelling.
- 6.15 In addition to the above, a suitably sized rear garden (over 50% of the existing) would be retained at the property and all materials used to construct the proposed extension have been chosen to compliment, match or improve the quality of the existing property (e.g. matching render, replacement of UPVC with aluminium powder coated windows and doors).
- 6.16 Given the above, it is concluded that the proposed extension would not result in any adverse design impact to the subject building or the character of the streetscape and would be compliant with the requirements of DM Policy 31 and the Residential Standards SPD.
- 6.17 Concern was raised in public submissions that the proposal is out of scale with the existing building, would be over-dominant and would destroy the architectural integrity of the building/s.
- 6.18 However, when considering the size of the existing property (internal floor area of 171.1m²) and the rear garden (around 17.5m deep), Council officer's are satisfied that the proposed extension is of an acceptable size and of an appropriate scale that is not overly dominant and relates well to the proportions of the existing dwelling.
- 6.19 Council officer's recognise that while the proposed extension is substantial and would impact on the appearance of the host dwelling, the building is of a contemporary style (built in 2002) that is not architecturally significant, is not located in a Conservation Area and it is not a Listed Building. Further, it is noted that while the properties at No. 1 and No. 2 Ringmore View are very similar, they are not an identical pair as the roofline (main and rear projection) of No. 2 is around 0.4m higher than No. 1 and No. 2 already has a full width rear extension at lower ground floor/basement level. As such, the impact of the proposal on the architectural integrity of the host dwelling and adjoining No. 2 Ringmore View is not considered to be significant enough to warrant refusal of the application. The symmetry and architectural integrity of buildings would be maintained at the front elevation where no changes are proposed and as discussed in further detail below, the proposed rear extension is only partially publicly visible from Tewkesbury Avenue.
- 6.20 Concern was also raised in public submissions that due to the elevated position of the site and the scale of the proposal, it would be visually intrusive and would

introduce an incongruous element that would significantly harm the character of the streetscape when viewed from Tewkesbury Avenue.

- 6.21 Council officer's have visited the site and viewed the property from Tewkesbury Avenue and note that the existing rear ground floor projection of the property is only partially visible from this avenue. This view is generally restricted to the upper section of the north-western corner of the projection and more specifically, the gutter and eaves. This is because views to this area are predominantly screened by mature trees and vegetation which surround the site perimeter at the sides and rear.
- 6.22 As the existing single storey rear projection of the property would be removed and replaced by the proposed ground floor element of the rear extension, this too would be screened by vegetation and would only be partially publicly visible from Tewkesbury Avenue. Views towards this area are also at reasonable distance of around 17m to 27m (depending on where a person stands on the road). Finally, given that the proposed ground floor element of the rear extension would be modest in size (as previously established in this report) with a flat roof that is approximately 0.30m lower than the ridgeline of the existing rear wall projection of the property, Council officer's do not consider that this element of the proposal would be over-dominant, visually intrusive or introduce an incongruous element that would significantly harm the character of the streetscape of Tewkesbury Avenue.

Impact on the Amenity Adjoining Properties

- 6.23 For areas of stability and managed change, Core Strategy Policy 15 states that small household extensions and adaptations to existing housing will need to be designed to protect neighbour amenity.
- 6.24 DM Policy 31 states that residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens. This was an issue of concern raised in public submissions.
- 6.25 Concern was raised in public submissions that the northern side window proposed on the rear ground floor extension would cause overlooking of the garden at No. 42 Tewkesbury Avenue.
- 6.26 To negate this issue, the Applicant has amended the plans to show this window as being obscure glazed (i.e. frosted). Council officer's are therefore satisfied that the proposed extension would not result in significant overlooking of the rear garden at No. 42.
- 6.27 It is also noted that the rear elevation of No. 42 Tewkesbury Avenue is located over 14m away from the subject property. As such, Council officer's are also satisfied that the proposal would not result in any significant amenity impacts at No. 42 in terms of daylight and sunlight access, sense of enclosure, loss of outlook or overshadowing.
- 6.28 Concern was raised in public submissions that the proposal would result in an overwhelming loss of privacy, an extreme sense of enclosure and a severe loss of ability to enjoy amenity (garden) space at No. 14 Ringmore Rise and would destroy the rear garden outlooks to the north.

- 6.29 The basement level rear extension would not be visible from the garden of No. 14 Ringmore Rise and would only be partially visible from the upper floors. Therefore, this aspect of the proposal is not considered to significantly impact on the amenity of No. 14.
- 6.30 No. 14 Ringmore Rise does not adjoin the subject property but is located around 10m to the south adjoining No 2 Ringmore View (the adjoining property). Given this distance and that views of the proposed rear ground floor extension would be minimal from this location and would be predominantly screened by existing vegetation and side boundary fences, the proposal is considered unlikely to result in any significant amenity impacts in terms of daylight and sunlight access, sense of enclosure, loss of outlook, overshadowing or overlooking at No. 14 Ringmore Rise.
- 6.31 Concern was raised in public submissions that:
- the the rear ground floor extension would block out sunlight and daylight to No. 2 Ringmore View affecting the living room and outdoor deck of this property.
 - the proposal would destroy the rear outlook of No. 2 Ringmore View to the north and result in a extreme sense of enclosure on the outdoor deck; and
 - the rear ground floor extension would result in overlooking of the rear garden of No. 2 Ringmore View leading to a loss of privacy with no screening proposed.
- 6.32 Due to the siting of the property with its rear elevation facing due west, access to sunlight and daylight in the living room and on the outdoor deck at No. 2 Ringmore View is unlikely to be affected by the proposal. Further, it is noted that a large timber panelled privacy screen is currently provided between the upper deck of No. 1 and No. 2 Ringmore View. This screen would essentially be replaced by a rendered wall of similar size associated with the south elevation of the rear ground floor extension. As such, rear garden outlooks to the north from No. 14 Ringmore Rise towards the subject property would not change significantly as a result of the proposal.
- 6.33 It is also noted that the upper section of the side wall would be rendered a white/cream colour to match the existing dwelling which would reflect some additional light into the living room and onto the outdoor deck. Given the above, the proposal is not considered to result in any significant additional impacts to No. 2 Ringmore View in terms of light access, loss of outlook or sense of enclosure than the existing privacy screen.
- 6.34 The rear ground floor extension would have two fixed (outer) and two sliding (inner) glazed aluminium powder coated doors and a small glazed Juliette balcony on its rear elevation which has the potential to result in some overlooking of the rear garden of No. 2 Ringmore View leading to a loss of privacy. However, these views are likely to be minimal as they would be screened by existing vegetation on the south side boundary and would not be dissimilar to the views currently experienced from the upper deck of the subject property. Further, it is noted that due to the siting of the property, these limited views would be restricted to only a portion of the rear garden of No. 2 which is large at around 20m deep. As such, Council officer's are satisfied that the proposal would not adversely impact on privacy levels in the rear garden of No. 2 Ringmore View.

Other Matters

- 6.35 A public submission raised concern that the Applicant has not put up a a site notice.
- 6.36 However, the Applicant has provided Council with a signed certificate of site notice display indicating that the site sign was put up on display at the property on 8 September 2015, five (5) days after the start of the 21 day consultation period.
- 6.37 Although the site sign was put up five (5) days late, the Applicant has advised Council that the site sign was left up for a period of 21 days from 8 September 2015.
- 6.38 In addition, Council notified all adjoining landowners of the subject application by letter inviting public submissions on 3 September 2015 and all submissions on the proposal are accepted up until an eventual Committee date.
- 6.39 Given the above, it is concluded that the minimum statutory requirements required by the Council's adopted Statement of Community Involvement have been exceeded.

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; and
 - (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 In this matter there is no impact on equality.

8.0 Conclusion

- 8.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 8.2 Council officer's acknowledge that while the proposed extensions are sizable, they are of an acceptable scale, and proportionate to the existing property and large rear garden.
- 8.3 Council officer's are satisfied that the proposed extensions are of a site specific and sensitive design quality; would be smaller and less bulky than the original building; would respect the form and shape of the original dwelling; would be subservient to the host dwelling; would not significantly impact on the architectural

integrity or characteristics of the host dwelling/s; would be constructed using high quality, matching or complimentary materials; and would retain a suitably sized garden. The proposal would therefore be compliant with the requirements of DM Policy 31 and the Residential Standards SPD.

8.4 Finally, Council officer's are satisfied that the proposal would not adversely impact on the amenity of adjoining occupiers.

8.5 As such, the proposal is recommended for approval, subject to conditions.

9.0 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:

Design and Access Statement (received 10th August 2015); EX-000, EX-001 Rev B, EX-002 Rev B, EX-003 Rev A, EX-004 Rev A, EX-010 Rev A, EX-100, PL-201 Rev C, PL-202 Rev A, PL-203, PL-204 Rev B, PL-205 Rev A (received 21 October 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.
 - (a) The development shall be constructed in those materials as submitted namely: red stock brick to match the existing building, render to match the existing building, aluminium powder coated doors and windows and in full accordance with PL-201 Rev C, PL-202 Rev A, PL-203, PL-204 Rev B and PL-205 Rev A.
 - (b) The scheme shall be carried out in full accordance with those details, as approved.

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

4. 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 flat roofed extension hereby approved shall be as set out in the application and

no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014).

5. The side window on the rear extension hereby approved shall be retained with obscured glazing and fixed shut.

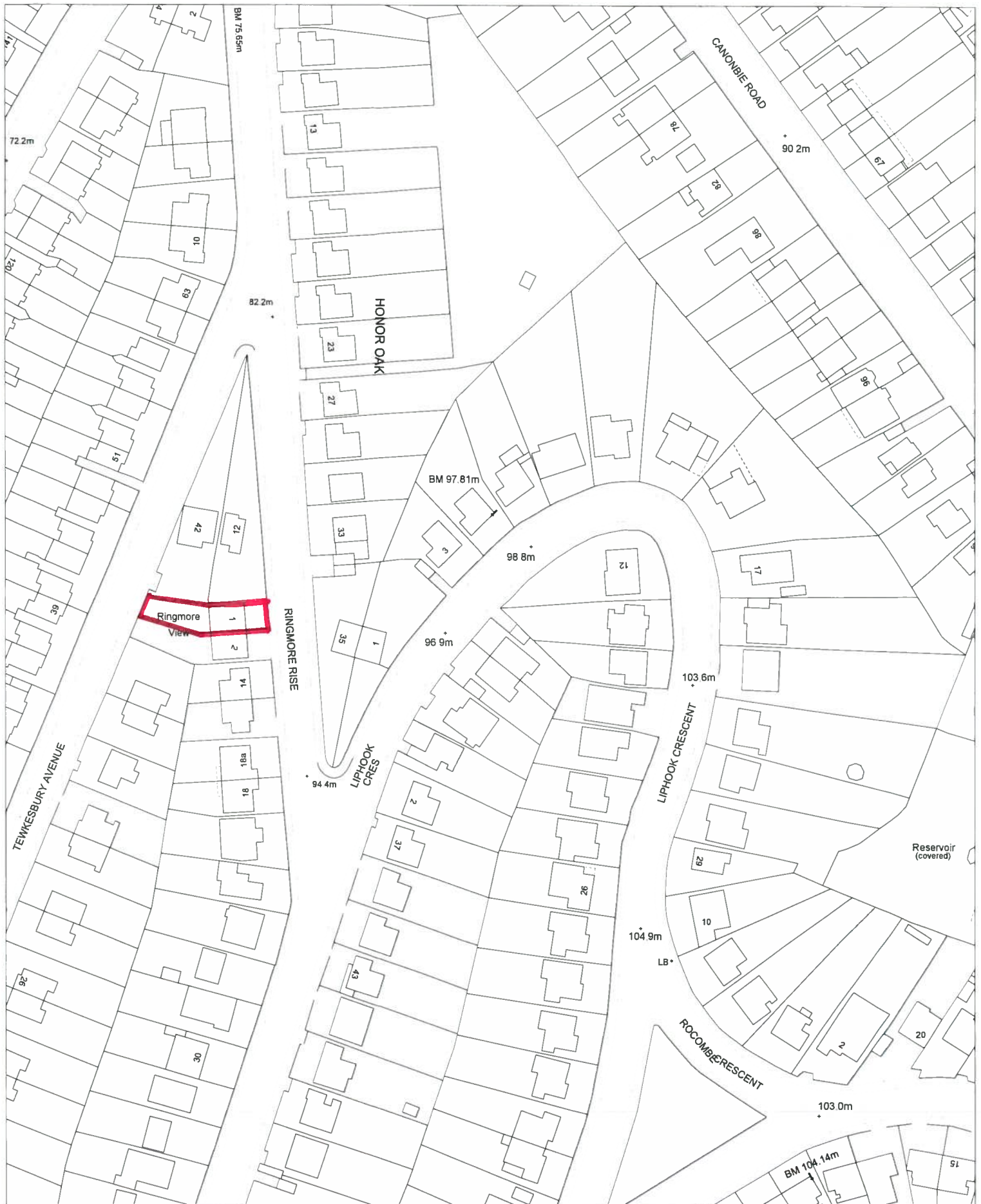
Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014).

6. No alterations to the extension hereby approved, whether or not permitted under Article 3 to Schedule 2 of 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).

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

1 Ringmore View, SE23



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Committee	PLANNING COMMITTEE A	
Report Title	204 DEVONSHIRE ROAD SE23	
Ward	Forest Hill	
Contributors	Elizabeth Donnelly	
Class	PART 1	DATE: 19TH NOV 2015

<u>Reg. Nos.</u>	DC/15/93122
<u>Application dated</u>	28.07.2015
<u>Applicant</u>	Robinson Escott Planning
<u>Proposal</u>	The alteration and conversion of 204 Devonshire Road SE23, together with the construction of a single storey extension to the rear and an extension in the rear roof slope to provide 1, three bedroom self-contained flat, 2, two bedroom self-contained flats, together with privacy screen to the existing first floor balcony, the installation of Solar Panels, alterations to the front and rear elevations and the provision of secure cycle and bin storage areas.
<u>Applicant's Plan Nos.</u>	2171-14-PL001 Rev P2; 2171-14-PL002 Rev P5; 2171-14-PL003 Rev P1; S15/4781/01; Planning, Design and Access Statement; Sustainability Statement
<u>Background Papers</u>	(1) Case File LE/33/204/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	PTAL 3
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 This application relates to a semi-detached 6 bedroom single family dwellinghouse located on the south eastern side of Devonshire Road. To the rear, the application site adjoins railway land and is located approximately 90m from the railway line itself.
- 1.2 The house is two storey with additional living space at roof level. It has distinct architectural characteristics, including front facing pitched gables, sash windows and a bay window at ground floor with render surrounds. The house is constructed from London stock brick, with red brick detailing in the form of horizontal banding.

- 1.3 As existing, the house is in a state of disrepair both internally and externally and requires extensive reburishment.
- 1.4 The host building has a kitchen, living room, dining room, bathroom and conservatory at ground floor level, with 3 bedrooms and a bathroom at first floor level and 3 bedrooms and a bathroom with compromised head height at second floor level (roof level). There is a private garden to the rear which is 98.2sqm in area.
- 1.5 The rear of the property is stepped with a flat roofed single storey projection which is 2.4m deep and 3.5m high. The roof of this structure is accessed via the doors from Bedroom 1 at first floor level.
- 1.6 The surrounding street presents a mix of housing types and sizes. The application property and it's pair are set apart from surrounding properties by their larger size.
- 1.7 The rear of the property is not visible from the street.
- 1.8 The application site is not located within a conservation area, nor is it subject to an Article 4 direction. It is not a listed building.

2.0 Planning History

- 2.1 **2014:** The alteration and conversion of 204 Devonshire Road SE23, together with the construction of a single storey extension to the rear and an extension in the rear roof slope to provide 1, three bedroom self-contained flat, 2, two bedroom self-contained flats, together with privacy screen to the existing first floor balcony, the installation of Solar Panels and the provision of secure cycle and bin storage areas (DC/14/89081).

Following officer feedback regarding the unacceptability of the scheme in relation to DM Policy 3 'Conversion of a single family house to two or more dwellings', the applicant withdrew this application.

3.0 Current Planning Applications

- 3.1 The alteration and conversion of 204 Devonshire Road SE23, together with the construction of a single storey extension to the rear and an extension in the rear roof slope to provide 1, three bedroom self-contained flat, 2, two bedroom self-contained flats, together with privacy screen to the existing first floor balcony, the installation of Solar Panels, alterations to the front and rear elevations and the provision of secure cycle and bin storage areas.

Change of use and associated alterations

- 3.2 The proposal seeks to convert the existing 6 bedroom house into 3 self-contained flats. This would include a 3 bedroom unit and two 2 bedroom units. The 3 bedroom flat (Flat 1) would be located over the ground floor, with Flat 2 and Flat 3 at first and second floor level, respectively.
- 3.3 The units would have the following measurements:

Unit	Unit Type	GIA (sq m)	Bedroom sizes (sq m)	Living/kitchen sizes (sq m)	Amenity space (sq m)
1	3 bedroom 5 person	92	Bedroom 1 – 16.4 Bedroom 2 – 14.6 Bedroom 3 – 13.3	Living/kitchen/dining – 30.9	Shared garden (86)
2	2 bedroom 3 person	61	Bedroom 1 – 13.8 Bedroom 2 – 14.1	Living/kitchen/dining – 21.7	Shared garden (86) Private terrace – 8.7
3	2 bedroom 3 person	62.9	Bedroom 1 – 14 Bedroom 2 – 15.4	Living/kitchen/dining – 21	Shared garden (86)

- 3.4 At ground floor level, the floor to ceiling height would be 3m. At first floor and second floor level, the floor to ceiling heights would be 2.7m and 2.35m respectively. At second floor level, 2.35m is a maximum, the ceiling is sloping and therefore the floor to ceiling height varies.
- 3.5 Each of the proposed units would have access to a shared garden which would have a total area of 86sqm. Flat 2 which would be located at first floor level would have access to the existing roof terrace which would provide private external amenity space and has an area of 8.7sqm.
- 3.6 The existing roof terrace which is located on the side of the house closest to No.206 Devonshire Road would be altered to include privacy screening and glass balustrade. To the side of the terrace, the privacy screening would include a brick wall for 1.4m from the rear wall of the main house and a further 1m of frosted glass privacy screen which would wrap around to the front of the terrace for a further 0.4m. The brick and glass privacy screening would be 1.5m in height. To the front of the terrace, there would be 0.9m high glass balustrade which would include brushed stainless steel posts.
- 3.7 The proposal includes cycle storage and refuse storage within the existing lean to which is located at the side elevation of the property closest to No. 202 Devonshire Road.
- 3.8 The proposal does not include any car parking provision.

External alterations/extensions

- 3.9 The proposed single storey extension would be located to the rear of the building. It would extend 2.5m in depth from the rear wall of the main house. The rear of this building is stepped, with an inset section towards the side of the building closest to 206 Devonshire Road. The extension would extend the width (7m) of the projecting part of the rear wall. It would have a flat roof which would be 3.2m high with 2 rooflights. As a result of the rooflights, the extension would have a maximum height of 3.3m. The extension would be constructed from London stock

brick and would have 2 sets of bifolding doors which would open onto the rear garden.

- 3.10 The proposal includes the construction of a dormer window to the rear roof slope. It would replace the existing rooflight with a structure that would be 2m in width, 2.1m in depth and 2.1m in height. This would result in an additional roof volume of 4.2 cubic metres and would be set back 0.2m from the eaves line. It would be constructed from aluminium clad that would be painted black.
- 3.11 The proposal also seeks to infill the inverted part of the rear gable at roof level. This would result in additional roof volume of 1 cubic metre.
- 3.12 At roof level, the proposal would introduce 17.8sq m of photovoltaic panels to the side roof slope.
- 3.13 To the rear elevation, on the the inset section of rear wall, the proposal would replace to the existing windows and door with a new 4 paned window.
- 3.14 To the front elevation, the existing front door would be repositioned and an additional front entrance door would be installed.

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the applicant prior to submission and the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to residents in the surrounding area, the relevant ward Councillors and the Forest Hill Society were consulted. The Council's Highways and Environmental Sustainability teams were also consulted.
- 4.3 No consultation responses were received. Ward Councillor for Forest Hill, Councillor Upex, requested that the application was decided at committee.

5.0 Policy Context

Introduction

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

A local finance consideration means:

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

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

National Planning Policy Framework

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

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

Other National Guidance

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

London Plan (March 2015)

5.6 On the 15th March 2015, the London Plan (consolidated with alterations since 2011) was adopted. 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 3.6 Children and young people's play and informal recreation facilities
- 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 5.8 Innovative energy technologies
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local character

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)

Sustainable Design and Construction (2006)

Core Strategy

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

Spatial Policy 3 District Hubs

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

Development Management Local Plan

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

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

DM Policy 1 Presumption in favour of sustainable development

DM Policy 3 Conversion of a single family house to two or more dwellings

DM Policy 22 Sustainable design and construction

DM Policy 29 Car parking

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

DM Policy 32 Housing design, layout and space standards

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

6.0 Planning Considerations

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

- Principle of Development
- Design
- Housing
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy

Principle of Development

- 6.2 The proposed development seeks to convert the existing 6 bedroom house into 3 self-contained flats.
- 6.3 The acceptability of the principle of development will be assessed in relation to DM Policy 3 'Conversion of a single family house to two or more dwellings'. The aim of this policy is to appropriately manage the future subdivision of single family dwelling houses into self-contained flats.
- 6.4 The application submission suggests that due to the size of the property, it is possible to convert the building into 3 flats whilst retaining a generous size family dwelling at ground floor level. It is therefore felt by the applicant that this application presents a unique circumstance whereby the Council should support the proposal, even in light of DM Policy 3 and it's goal to protect family homes. The applicant states that "the conversion would not see a net loss in family homes occur given the provision of a ground floor family dwelling that is proposed". It should be noted that the Council's intention of DM Policy 3 is not only to protect single family dwellings of 3 bedrooms or more in order to meet the identified need for family housing, but to promote and retain housing choice.
- 6.5 This reflects London Plan Policy 3.8 which states that Londoners should have "a genuine choice of homes that they can afford and meet their requirements for different sizes and types of dwellings in the highest quality environments".
- 6.6 This also accords with the NPPF (para 50) which clearly highlights the importance of housing choice. It states:

"To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the

community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes) and identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand”.

Context/ background to DM Policy 3

- 6.7 Unitary Development Plan Policy HSG 9 ‘Conversion of Residential Property’, which was superseded by the Development Management in 2014, did allow the conversion of single family dwelling houses into flats provided that the scheme provided an increase in suitable accommodation. This policy required the provision of at least one family unit to be provided in every conversion scheme unless the dwelling was considered to be unsuited for family occupation because of its location or character.
- 6.8 When preparing the Development Management Local Plan, the Council used the Lewisham Strategic Housing Market Assessment (LSHMA) as an evidence base. The study identified a future need for the retention and creation of larger family dwellings; this was considered crucial in the retention of families within the Borough and ensuring the long-term sustainability of local communities. In addition to this, the Housing Conversion study (para 6.160) also demonstrated that over the last 4 years, family sized dwellings have represented the minority of new dwellings coming forward, with 3 to 6 bedroom dwellings representing an average of approximately 11% of the new supply in Lewisham between 2008-2011. Furthermore, the monitoring report written in relation to the year 2013-14 provides some more recent data and shows that just 3% of new dwellings delivered across the entire borough had more than 3 bedrooms in that year.
- 6.9 As well as further reiterating the need for family housing in the borough, the above findings highlight the importance of not only 3 bedroom houses, but houses with up to 6 bedrooms.
- 6.10 As a result, the Council made a conscious decision to move away from policy HSG 9 which allowed the conversion of single family dwellings where a unit suitable for family occupation would be provided (i.e. a 3 bedroom unit). It was estimated by the Lewisham Conversion Study that DM Policy 3 (a policy option at the time) would ensure the retention of up to 7,300 unconverted family dwellings in comparison to what could potentially be granted planning permission by retaining UDP Policy HSG 9. The retention of this type of accommodation through the provisions of DM Policy 3 was considered to be integral to the delivery of suitable family housing in line with housing need in Lewisham as identified in the Lewisham SHMA.
- 6.11 During the preparation of the Development Management Local Plan, the retention and taking forward of the thresholds set out in UDP policy HSG 9 was considered. It was found that this option would not reduce the loss of larger family sized units and would reduce housing choice across significant areas of the Borough.
- 6.12 The sustainability appraisal explored DM Policy 3 as a policy option and showed beneficial impacts on population, human health and material assets; outlining that “the policy option will have positive effects on the population and human health through the promotion of sufficient housing with appropriate mix, promotion of

social inclusion and addressing inequalities through the opportunity to live in a decent home”.

- 6.13 The above helps to set out the Council’s intention for DM Policy 3 and the rationale for the move away from HSG 9 which did allow the conversion of single family dwellings as long as a unit suitable for family occupation is provided. It is in this light that the Council rejects the notion that the provision of 3 bedroom unit makes the conversion acceptable.

DM Policy 3 – principle of loss of 6 bedroom family house

- 6.14 It is acknowledged that the proposal includes a 3 bedroom ground floor flat with access to a shared garden which may be considered to provide a residential unit suitable for family occupation. However, when considered in relation to DM Policy 3 and the evidence base discussed above, the proposal would give rise to the loss of existing valuable family housing, which in this case comprises a 6 bedroom house.
- 6.15 In line with DM Policy 3, the Council would only permit the loss of such a dwelling where environmental conditions mean that the single family house is not suitable for family accommodation due to any factor listed below:
- a. adjacent to noise generating or other environmentally unfriendly uses
 - b. lack of external amenity space suitable for family use
- 6.16 In relation to the above, the applicant has requested that the Council consider the noise caused by traffic on Devonshire Road and the adjacent railway line. The applicant considers these to represent heavy noise generating uses which supports the case for the proposed conversion. These are not considered to be significant noise generating uses, nor environmentally unfriendly uses.
- 6.17 With regards to part (b) which refers to external amenity space, the existing house provides 98.2sqm of private garden space. This is considered to provide external amenity space suitable for family use.
- 6.18 The principle of development is therefore unacceptable with regards to DM Policy 3 as the proposal gives rise to the loss of a single family dwelling house that contributes to housing choice throughout the Borough. It is also considered to be contrary to the aims of London Plan Policy 3.8 and the NPPF.
- 6.19 The Council make decisions in accordance with the Development Plan and any other material considerations. Personal circumstances can constitute material considerations, however, varying weight is given to personal circumstances dependent upon their nature and context.
- 6.20 Whilst it does not form part of the planning application, the applicant has informed officers of the drive behind the current application. The applicant’s father has owned the property for 26 years; he has not acquired the property purely for the purposes of conversion. The property is now too big and the plan is for him to live within one of the proposed 2 bedroom flats.

- 6.21 Officers appreciate that the house is a 6 bedroom property which is larger than the average family house in the Borough and generally too large for one person to live in.
- 6.22 Nevertheless, the house is not considered to comprise an unusually oversized family home. At ground floor level, there is a kitchen, dining room, lounge and conservatory. There are 3 good sized bedrooms and a bathroom at first floor level, with 3 bedrooms with compromised head height and a bathroom at second floor level. It is felt that it would provide a larger family with a good quality family home.
- 6.23 Further to this, Devonshire Road has a mix of house size and types, with the host building just one of two houses of this larger size in the immediate surrounding area. It is recognised that there may be financial challenges associated with a house of this size compared to a smaller house, however, given the points outlined above, it is not considered to be unreasonable or unsustainable to seek to retain this property. The house is considered to make a valuable contribution to the housing choice within the street, the Forest Hill ward and the Borough.
- 6.24 Whilst taking the personal circumstance of the applicant into account, officers stress that DM Policy 3 is part of a wider strategy for the Borough and central to the building of a sustainable community.
- 6.25 Officers do not envisage that sites that come forward for future development, for example, those appropriate for infill or backland development, will be likely to deliver 6 bedroom houses, at least not of the quality and character of the application property.
- 6.26 It is therefore felt that if this 6 bedroom house is lost, it would not be replaced in the future by new development. There are families within the Borough that are suited to houses of this size and Devonshire Road, that presents a mix of housing size, are the type of streets that encourages mixed, balanced and sustainable communities which is a focus in Council's vision for Lewisham.
- 6.27 Further to this, it is noted that the proposal includes alterations and extensions to the exterior to make the building larger in order to facilitate the proposed conversion.
- 6.28 The proposal seeks to deliver 3 units that just meet the minimum requirements as set out by the London Plan with regards to the room sizes. The existing building offers generous sized rooms and the opportunity for flexible and adaptable living in the context of changing family needs that the proposed units would not provide.
- 6.29 Therefore, whilst the specific personal circumstances of the applicant are acknowledged, officers do not consider this to outweigh the wider strategic objective to retain larger family houses that contribute to the addressing of local housing needs, the delivery of housing choice and contribute the building of sustainable communities borough wide. Furthermore, those circumstances are not in themselves considered to be unique and many older residents live in or own larger houses that are no longer suitable for their needs. To enable this circumstance to justify an exception to DM 3 is considered to set an unwelcome precedent that would undermine the policy position and lead to a loss of family units.

- 6.30 To conclude in relation to the principle of the development proposed, officers have considered Council's policy and material considerations. The conversion of the existing 6 bedroom house would be contrary to the aims of DM Policy 3, London Plan policy 3.8 and paragraph 50 of the NPPF. It is therefore recommended that planning permission is refused.
- 6.31 Nevertheless, in order to provide a full assessment of the scheme, officers will have regard to design, standard of accommodation, impact on neighbours, sustainability and highways/transport.

Design

- 6.32 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.
- 6.33 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. In addition to this, paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 6.34 In relation to Lewisham, Core Strategy Policy 15 outlines how 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.
- 6.35 DM Policy 32 of the Development Management Local Plan seeks to apply the above design principles more specifically to individual proposals. It seeks to ensure that the siting and layout of all new-building housing responds positively to the site specific constraints and opportunities as well as to the existing and emerging context of the site and surrounding area.
- 6.36 Further to this, DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 6.37 The proposed development includes some alterations and extensions to the existing building. These would include alterations to the front entrance door, the replacement of the existing rooflight in the rear roof slope with a dormer window, a single storey extension at ground floor level and PV's to the side roof slope.
- 6.38 The proposed single storey extension would be 2.5m deep and 3.2m height. It would be constructed from yellow London Stock brick to match the existing house. The scale of the proposed extension is considered to be in proportion with the main house so that it would appear a subservient addition. The proposed

materials would match the existing and therefore respect the character and appearance of the original house. It would not be visible from the street, so would not impact upon the streetscene.

- 6.39 The proposed dormer window is also considered to be subservient to the rear roof slope and would not be visible from the street. The dormer window would be constructed from black painted aluminium clad, providing a contrast to the existing house. It is considered to be acceptable.
- 6.40 The proposed PVs would cover the majority of the surface area of the side roof slope. Whilst they would be visible from the street, the building has a front parapet wall which would ensure that the panels would not be visible when the house is viewed from most angles. For this reason, it is not felt that the PVs would give rise to a negative relationship between the host building and the streetscene. Nevertheless, given that their impact upon the streetscene is relatively minor, the wider sustainability benefits of the introduction of the PVs is considered to outweigh the design issues in this case.
- 6.41 The proposal includes the replacement of the existing windows and door to the rear of the existing single storey projection with new windows. This is considered to be acceptable.
- 6.42 The plans also show that there would be changes to the front entrance of the building. At present, the front entrance comprises a single front door which allows access to the house. The proposal includes the addition of a door within the front entrance which would allow access to the stairs up to Flats 2 and 3. As the entrance is inset within an open porch area, this would not be considered to negatively impact upon the streetscene.
- 6.43 In light of the above, it is not felt that the proposal would give rise to a detrimental impact upon the character and appearance of the host building or the existing streetscene. The proposed development is therefore considered to be acceptable with regards to design.

Housing

- 6.44 DM Policy 32 and Policy 3.5 of the London Plan set out the requirements with regards to housing design, seeking to ensure that new residential units are designed to a high quality, ensuring the long term sustainability of the new housing provision.
- 6.45 The Mayors Housing SPG provides guidance on how to implement the housing policies in the 2015 London Plan. In particular, it provides detail on how to carry forward the Mayor's view that "providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods". It is informed by the Government's NPPF and by its Housing Strategy for England. The document sets out a number of Baseline and Good Practice quality standards in terms of internal layouts, amenity space, car and cycle parking.
- 6.46 As DM Policy 3 resists the conversion of single family houses to two or more flats, the proposed unit mix is considered to be unacceptable in principle.

- 6.47 With regards to the unit sizes proposed, the proposed 3 bedroom 5 person flat (Unit 1) at ground floor level would be 92sqm and would therefore comply with the minimum space standards for this unit type (96sqm) as set out in DM Policy 32 and the London Plan. Each of the proposed bedrooms within this unit would exceed the minimum requirement for a double room. The living space would constitute a shared living/kitchen/dining area that would be 30.9sqm, meeting the London Housing SPG guidance for these combined spaces. However, it is questionable as to whether an open plan living space would meet the needs of family occupiers. Had other aspects of the scheme been acceptable, officers would have sought further discussions about this layout.
- 6.48 Although the proposed units at first floor and second floor level would both have two bedrooms that exceed the requirements for double bedrooms, their overall floor areas reflect the floor area for 2 bedroom 3 person units. They will therefore be assessed on this basis.
- 6.49 Each of the 2 bedroom units would have combined living/kitchen/dining areas which would be 21.7sqm (Unit 2) and 21 sqm (Unit 3) in floor area.
- 6.50 The combined living spaces are not considered to meet the Good Practice Guidance design standards for 3 person units which is outlined at 25sqm.
- 6.51 Whilst this alone would not constitute a reason for refusal, it serves to further demonstrate the unsuitability of this building for conversion into flats. The marginal compliance of the units demonstrates the better use of this building as a single family house where bedrooms would typically be located at first floor level with generous living space located at ground floor.
- 6.52 The floor to ceiling heights vary throughout the property. At ground floor, the floor to ceiling height would be 3m and at first floor it would be 2.7m. Whilst both ground floor and first floor comply with the policy requirement, Unit 2 which is located at second floor would have varying floor to ceiling heights which would be 2.35m high at its maximum. Officers have calculated approximately 10sqm of the proposed unit to be under 2.3m in floor to ceiling height.
- 6.53 DM Policy 32 states that habitable rooms, kitchens and bathrooms are required to have a minimum floor to ceiling height of 2.5m between finished floor level and finished ceiling level.
- 6.54 However, on 21 August 2015 the Mayor of London published Minor Alterations to the London Plan 2015 which states that 'considering the nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling' it is proposed to change London Plan requirements to reflect the proposed national standards. It is however noted that 2.5m would be a recommended floor to ceiling height in order to address the unique heat island effect of London and to ensure that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.
- 6.55 Even in the context of the recent policy changes, the proposed two bedroom flat would fall below the minimum space standards as set out in DM Policy 32 when the floor to ceiling heights are taken into account, as just 53sq m of the unit would achieve a floor to ceiling height of 2.3m.

- 6.56 Nevertheless, the London Housing Standards SPG outlines that rooms with sloping or stepped ceilings should achieve the minimum ceiling heights in at least 60% of the area of the room. It is also recognised that when dealing with the conversion of an existing building, a pragmatic approach should be taken to the application numerical standards including minimum internal floor to ceiling heights.
- 6.57 Whilst the proposed unit may be acceptable in light of the guidance, the low floor to ceiling heights further support the argument made above which considers the host building to be more suitable and capable in providing a good quality standard of accommodation as a single family unit.

Outlook, privacy and natural lighting

- 6.58 The existing house has windows in the front and rear elevations. As a result, the proposed units would each have windows to the front and rear elevations. The single storey extension to the ground floor unit would also have rooflights in its roof which would increase the amount of light coming into the living space of Unit 1.
- 6.59 In light of this, the proposed units would be provided with decent outlook and good natural lighting levels.
- 6.60 There would be no additional windows inserted as a result of the proposal, therefore, the proposed development would not compromise the privacy of occupiers or neighbours. However, the proposal does seek to formalise the use of the existing roof terrace which has the potential to give rise to privacy issues for neighbouring occupiers. This is addressed and discussed in greater depth in the residential amenity part of this report.

Amenity space

- 6.61 DM Policy 32 requires new housing development to provide readily accessible, secure, private and usable external space and include space suitable for children's play. Further to this, the London Plan Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant.
- 6.62 The proposal includes the provision of private amenity space for Unit 2 in the form of the roof terrace which is 8.7sqm in floor area. However, Units 1 and 3 would only have access to the rear garden which would constitute a shared garden for all 3 units. The proposed development therefore fails to provide each of the units with private amenity space as required by policy.
- 6.63 It is acknowledged that the proposal is working within the constraints of an existing building and that a shared garden is a solution to providing each unit with access to amenity space. However, it is argued within the application documents that the ground floor unit is suitable for family accommodation; a garden shared with the occupants of two further units is not considered to provide a family with good quality access to amenity space that is also suitable for children's play.
- 6.64 Again, whilst this would not be a reason to refuse the application, the proposed amenity space provision illustrates the compromises necessary to provide 3 residential units which officers consider to not be of the necessary quality overall.

Functional requirements of future residents

- 6.65 Where appropriate, the Council would seek the provision of new homes designed, or capable of adaptation, to housing for long term needs. London Plan Policy 3.8 and Core Strategy Policy 1 require all new homes to be built to Joseph Rowntree Foundation's Lifetime Homes Standards. The practical application of the Lifetime Homes Standard is to apply the criteria where relevant as many sites would not lend themselves to all of the criteria and some flexibility in their application is required particularly when dealing with conversions.
- 6.66 New residential development is no longer required to meet the Lifetimes Homes 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.
- 6.67 The applicant has advised that all of the proposed units would have entrance door ways and internal door way widths that would be adequate for a wheelchair user.
- 6.68 This is considered to be acceptable.

Highways and Traffic Issues

- 6.69 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site. Safe and suitable access to the site should be achieved for all people. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.70 Core Strategy Policy 14 'Sustainable movement and transport' supports this policy approach and promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans. Core Strategy Policy 7 'Climate change and adapting to the effects' and Core Strategy Policy 9 'Improving local air quality' further promote sustainable transport.
- 6.71 The application site has a PTAL rating of 3 throughout the site. The site is considered to be generally accessible by public transport with bus links on Honor Oak Park within approximately 400m of the site.

a) Car parking

- 6.72 With regards to car parking, the proposed development does not seek to provide any car parking. In comparison to the existing 6 bedroom house, the proposed development may generate further car parking in the area given the increase in self-contained units. Nevertheless, due to the scale of the development, this increase would not be considered to be significant.

b) Cycle parking

- 6.73 Policy 6.9 'Cycling' of the London Plan states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3. Table 6.3 outlines that all new dwellings greater than 45sqm in floor area should provide 2 cycle parking spaces each.
- 6.74 The application submission outlines that cycle parking would be provided for the proposed units and that it would be located within the existing side extension. The proposed plans show two cycle parking spaces. It is a London Plan requirement that 2 cycle spaces are provided for each of the proposed units given their sizes.
- 6.75 If an otherwise acceptable scheme, a condition would be proposed to secure 2 policy compliant cycle spaces per unit, 6 in total.

c) Refuse

- 6.76 It is also proposed that there would be refuse storage located in the existing side extension. This is considered to be an acceptable solution to refuse storage.
- 6.77 In light of the above, subject to details required by condition, the proposed development is considered to be acceptable in highways terms.

Impact on Adjoining Properties

- 6.78 Core Strategy Policy 15 'High quality design for Lewisham' seeks to ensure that proposed development is sensitive to the local context. Officers therefore expect proposed developments to be designed in a way that will not give rise to significant impacts upon the amenities of existing neighbours and future occupiers. Development Management Policy 33 'Development of infill sites, backland sites, back gardens and amenity areas' therefore seeks to ensure that infill development would result in no significant overshadowing or overlooking, and no loss of security or amenity. Further to this, Development Management Policy 31 'Alterations and extensions to existing buildings including residential extensions' states that residential extensions should result in no significant loss of sunlight and daylight to adjoining properties.
- 6.79 The proposal includes a single storey extension to the rear elevation. It would be 2.5m deep and 3.2m high. It would be located 1.6m from the boundary with No. 206 and 4m from the boundary with No. 202.
- 6.80 These distances from the boundaries are considered to offset any impacts that an extension of this height could have upon the amenities of neighbouring occupiers.
- 6.81 The proposed dormer would replace the existing rooflight. It would not be considered to give rise to overlooking beyond what is already established by the openings on the rear elevation of the existing building.
- 6.82 The proposal includes alterations to the existing roof terrace which comprises associated privacy screening.
- 6.83 A roof terrace is shown on the plans as existing. The existing roof terrace does not appear to be a formal provision, with doors from bedroom 1 providing access to the roof of the existing flat roofed single storey projection.

- 6.84 Therefore, by proposing privacy screening and balustrades, the proposal essentially seeks to formalise the roof terrace. It is considered that this would give rise to an intensification of the use of the roof terrace in comparison to the existing situation.
- 6.85 Officers do not generally support the principle of roof terraces on residential properties due to the overlooking, privacy and noise issues that they give rise to. However, due to the existing roof terrace and the proposed screening, officers do not object to the principle of the terrace in this instance.
- 6.86 In light of this, if an otherwise acceptable scheme, officers would seek to ensure that the proposed privacy screening and balustrade is positioned so that occupiers cannot utilise the full extent of the roof area at this level. It is considered that this would minimise the impact on privacy that the roof terrace would give rise to.
- 6.87 For the reasons outlined above, the proposed development would be acceptable with regards to neighbouring amenity.

Sustainability and Energy

- 6.88 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be consistent with the Government's zero carbon buildings policy and adopt nationally described standards. In determining planning applications, Local Planning Authorities should expect new development to comply with adopted policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 6.89 Core Strategy Policies 7 and 8 support the London Plan principles and also require all new residential development to meet a minimum of Level 4 standards in the Code for Sustainable Homes and non-residential development to meet a minimum of BREEAM 'Excellent'.
- 6.90 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.
- 6.91 The applicant has provided a Sustainability Statement. The statement outlines measures that would be put in place to ensure the sustainability of the development. These include energy saving, water saving and reference to aspects such as the use of sustainable building materials.
- 6.92 The proposed plans include Photovoltaic panels to the side roof slope. The Sustainability Statement does not appear to address the installation of PVs. However, if an acceptable scheme, officers would require further detail of the proposed PVs by condition in addition to proposing that the energy and water saving measures identified are secured by condition.

7.0 Conclusion

- 7.1 This application has been considered in light of the policies set out in the development plan and other material considerations. It is considered that the proposed conversion of the existing 6 bedroom single family dwellinghouse is contrary to Council policy and unacceptable in principle.
- 7.2 It would give rise to the loss of a valuable housing resource that is considered to contribute to the delivery of housing choice across the Borough in specific relation to the provision of larger family homes.
- 7.3 The borderline acceptability of the standard of residential accommodation proposed is considered to further demonstrate the unsuitability of the host building as self-contained flats opposed to the existing good quality larger family home. The existing house is considered to provide the opportunity for flexible and adaptable living in the context of changing family needs.
- 7.4 In light of the above, it is recommended that planning permission is refused on the basis that the proposal is unacceptable in principle and directly contrary to DM Policy 3, London Plan policy 3.8 and paragraph 50 of the NPPF which seek to ensure the delivery of housing choice and that proposed development responds to identified local housing need in Lewisham.

8.0 RECOMMENDATION

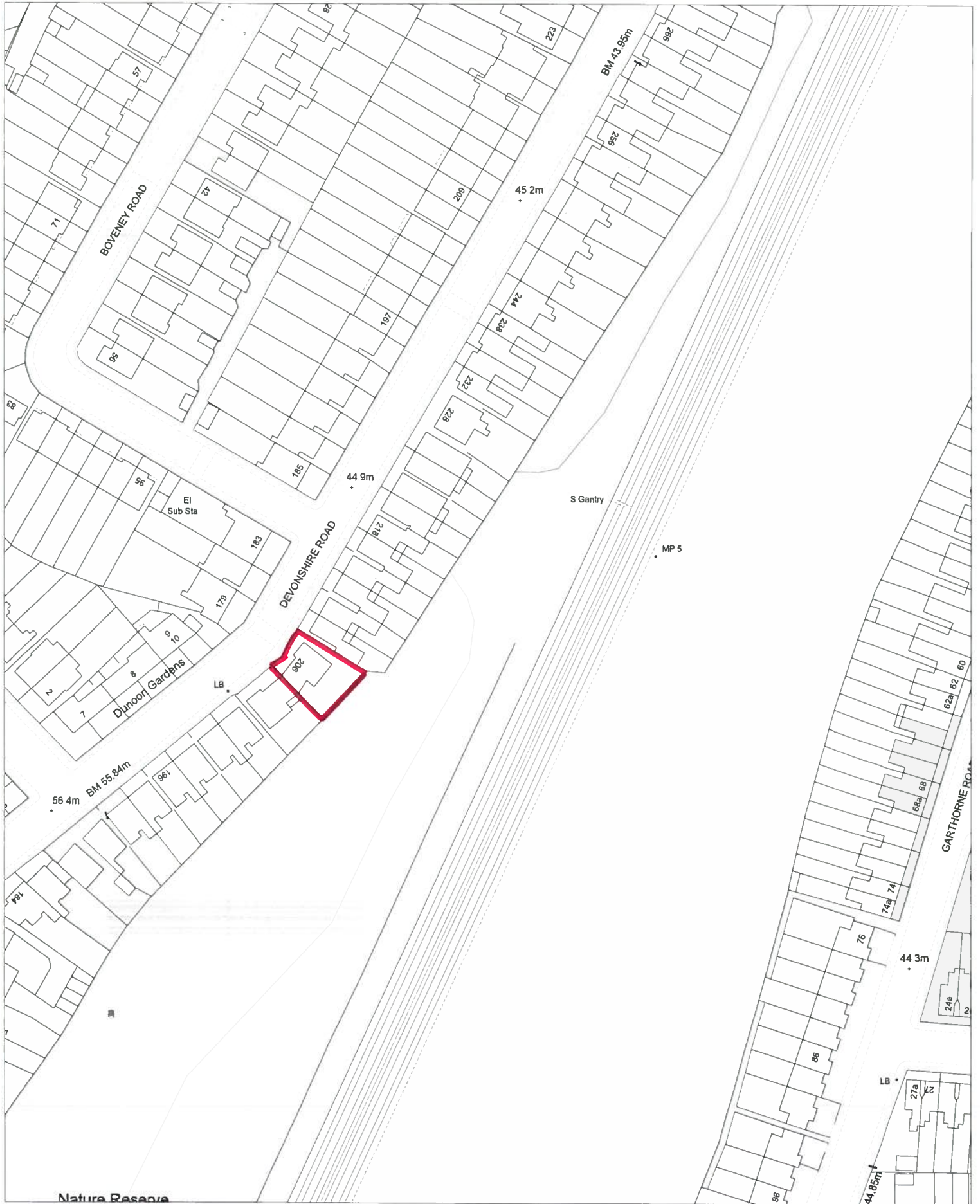
REFUSE PERMISSION for the following reason:

1. The proposed conversion of the existing 6 bedroom single family dwellinghouse into 3 self-contained flats is unacceptable in principle as it would give rise to the loss of a valuable housing resource that is considered to contribute to the delivery of housing choice in Lewisham, specifically in relation to the provision of larger family homes, which is directly contrary to the Council's aim to build mixed, balanced and sustainable communities and DM Policy 3 of the Development Management Local Plan (2014), Policy 1 of the Core Strategy (2011), Policy 3.8 of the London Plan (2015) and paragraph 50 of the National Planning Policy Framework (2012).

INFORMATIVES

1. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought before the application was submitted. As the proposal was clearly contrary to the provisions of the Development Plan, it was considered that further discussions would be unnecessary and costly for all parties.

204 Devonshire Rd, SE23



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Committee	PLANNING COMMITTEE A	
Report Title	38 Ommaney Road, SE14 5NT	
Ward	Telegraph Hill	
Contributors	Ronan Kelly & Karl Fetterplace	
Class	PART 1	Date: 19 November 2015

Reg. Nos. DC/15/91590

Application dated 26/03/15

Applicant Mino Architects on behalf of Cantel Investments Ltd

Proposal The demolition of the existing property and the construction of a three storey terrace house plus attic comprising five bedrooms at 38 Ommaney Road, SE14.

Applicant's Plan Nos. MA053-01 Rev B, MA053-02 Rev B, MA053-03 Rev B, MA053-04 Rev B, MA053-05 Rev B, MA053-09 Rev B - Heritage Statement (April 2015, Mino Architects), MA053-10 Rev B received 27th April 2015; MA053-11 Rev A, MA053-12 Rev A received 8th May 2015; MA053-13 Rev B, MA053-14 Rev B, MA053-15 Rev B, MA053-16 Rev B, MA053-17 Rev B, MA053-18 Rev B, Planning Statement – Final Issue (May 2015, Butterworth Planning) received 14th May 2015; MA053-06 Rev C, MA053-07 Rev C, MA053-08 Rev C - Design and Access Statement (July 2015, Mino Architects) received 13th July 2015.

Background Papers

- (1) Core Strategy (2011)
- (2) Development Management Local Plan (2014)
- (3) The London Plan (2015)

Designation PTAL 6a
Telegraph Hill Article 4(2) Direction
Telegraph Hill Conservation Area
Not a Listed Building
Unclassified Road

Screening N/A

1.0 Property/Site Description

- 1.1 No. 38 Ommaney Road is a mid terrace, three storey (basement, ground & first floor) plus attic space brick built property that consists of two flats (1 x 1 bed and 1 x 2 bed). This property is relatively modern, constructed of yellow brick, concrete roof tiles, uPVC windows & doors and has a concrete front garden. It sits awkwardly with its neighbours due to height differences between the properties and does not reflect the Victorian character of the surrounding buildings. The property has a height of 10.9m, with a depth of 7.7m and a width of 5.2m.
- 1.2 The property is located on the northern side of Ommaney Road, which is comprised predominantly of three storey plus attic space brick built terrace residential properties. The site is within the Telegraph Hill Conservation Area and is subject to the Telegraph Hill Article 4(2) Direction, but is not a listed building.

2.0 Planning History

- 2.1 **DC/04/56481:** The construction of a three storey extension to the rear of 38 Ommaney Road SE14, to provide additional living accommodation. – Withdrawn 16/6/2004.
- 2.2 **DC/06/63091:** ‘The construction of a three storey extension to the rear of 38 Ommaney Road SE14, together with the installation of 2 rooflights in the rear roofslope to provide 2, two bedroom self contained flats and 1, three bedroom self contained maisonette.’ – Withdrawn 19/9/2006.
- 2.3 **DC/07/64829:** ‘The alteration and conversion of 38 Ommaney Road SE14, together with the construction of a three storey extension to the rear, alterations to the rear elevation and installation of two roof lights in the rear roof slope, to provide 2 one bedroom and 1 three bedroom, self-contained maisonettes.’ – Permission Granted 14/5/2007.
- 2.4 Note: an additional application to those above was also made (DC/04/56317) but withdrawn on 12/3/2004 and returned to the applicant.

3.0 Current Planning Applications

The Proposals

- 3.1 The application seeks the demolition of the existing property three storey plus attic space property and the construction of a three storey terrace house plus attic with three storey rear projection, single storey rear extension to infill the side return and a conservatory comprising five bedrooms at 38 Ommaney Road, SE14. This dwelling would aim to reflect the Victorian character of the surrounding buildings. The property would be used as a single family dwelling.
- 3.2 Access to the proposed property is from Ommaney Road. No on site parking provision has been applied for. Off street parking is available outside at street level. Access to the basement level would be provided by stairs from pavement level to a hardwood timber door located underneath the ground floor staircase.
- 3.3 The total depth of the dwelling is 22.6m, which includes the proposed front yard landscaping. The proposed width of the property would be 5.7m wide, with the

main component having a depth of 9.1m and a proposed height of 11.85m to the ridge of the pitched roof. Two velux roof lights are also proposed on the rear roof slope of the main component, measuring 0.9m x 0.9m.

- 3.4 The three storey rear projection would have a depth of 6.8m, height of 10.1m and width of 3.6m. The proposed materials for the dwelling and original rear projection would be London Stock Brick to match the neighbouring dwellings, with timber sliding sash windows.
- 3.5 The single storey in part extension (acting as a side infill extension) to the rear of the property would have a depth of 6.8m, height of 3.2m and width 1.4m. Four roof lights have been proposed in the roof slope, measuring 1m x 1m. The proposed materials are not specified.
- 3.6 A single storey conservatory has also been proposed to the rear of what would form the original rear projection, which would have a proposed height of 3.185m, depth of 3.6m and width of 3.25m. The proposed materials for the conservatory are not specified, although it is assumed that if built in the traditional style this would be predominantly glass. To the rear of the dwelling would be paved with permeable block paving.
- 3.7 Regarding the front elevation, the front door is proposed to be painted hardwood timber, the roof grey slate tiles, the windows timber sliding sash and the walls London stock brick. The cornices would be painted white and window surrounds would be rendered and painted white.
- 3.8 The front garden area is proposed to have permeable block paving and spot up-lighting at basement level. It is assumed that this lighting would be flush or very near flush with ground level, as it's not shown on the section that it would project up from ground level. Storage is also proposed for two bicycles at lower level and refuse storage at pavement level, surrounded by a dwarf brick wall.
- 3.9 It is important to note that the applicant had previously proposed uPVC windows to be installed on the front and rear of the property. Concerns from officers were raised with the applicant, who subsequently agreed to amend plans to show timber sliding sash windows on the front and rear elevation. uPVC windows are still incorrectly indicated on the proposed Section A-A.
- 3.10 A Heritage Statement, Design and Access Statement, Sustainability Statement and Planning Statement have been submitted as supporting documents.

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 thirty nine neighbouring properties including the Telegraph Hill Ward Councillors were consulted. One objection was raised by a local resident. The Telegraph Hill Society was also consulted and provided the comments outlined below.

4.3 The Councils Conservation, Ecological Regeneration and Environmental Health teams were consulted.

Written Responses received from Local Residents – 40 Ommaney Road

4.4 An objection was received from residents at 40 Ommaney Road, raising concerns relating to the boundary/party wall issues. They have noted that the properties at 36 and 40 sustained considerable damage from a wartime bomb.

Telegraph Hill Society

4.5 The Telegraph Hill Society have objected to the proposed development for the following reasons:

- The proposed installation of uPVC windows to the front elevation.
- The front appearance of the property in general – stating that insufficient detail has been submitted to ensure that the proposed dwelling would match the surrounding dwellings rather than act as a poor pastiche of them, with regard to the following:
 - Detailing of brickwork, including stringer courses (omitted on drawing)
 - Flemish bonding (bonding not specified on drawn)
 - Mouldings on window pilasters (none are shown, but an acanthus leaf design is required, and columns require detailing)
 - Window design (the glazing pattern is wrong, there are no horns on the sashes and no window handles)
 - Detailed design of boundary wall and railings
 - Roof tiling pattern (front bay should have fishtail slates)
 - Roof ornamentation (ridge tiles and ornaments needed).
 - Detailed proposals for front garden and path.
- The installation of rooflights in the rear “side infill extension” – these are too large and cause issues with light spill and overlooking. They should be reduced in size, obscure glazed and fitted with blinds.
- The rear doors should be more in keeping with Victorian design. The rear windows should be timber rather than uPVC.

These comments were submitted in relation to the superseded plans for the application and the Society responded on 4 August to state that they were satisfied with the replacement of uPVC windows with timber windows, however, no other amendments had been made and therefore the remainder of the objections stood.

Amenity Societies Panel

4.6 No comment or objection has been received from the Amenities Society Panel.

5.0 Policy Context

Introduction

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

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

A local finance consideration means:

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

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

National Planning Policy Framework

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

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

London Plan (March 2015)

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

Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.14 Existing housing
Policy 5.3 Sustainable design and construction
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)
Sustainable Design and Construction (2006)

Core Strategy

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

Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

Development Management Local Plan

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

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

DM Policy 1 Presumption in favour of sustainable development

DM Policy 2	Prevention of loss of existing housing
DM Policy 22	Sustainable design and construction
DM Policy 25	Landscaping and trees
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens
DM Policy 38	Demolition or substantial harm to designated and non-designated heritage assets

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.

Telegraph Hill Conservation Area Appraisal and Supplementary Planning Document (2007)

- 5.11 This document sets out the history and spatial character of the area, identifying areas of distinct character, advises on the content of planning applications, and gives advice on external alterations to properties within the Telegraph Hill Conservation Area. The document provides advice on repairs and maintenance and specifically advises on windows, satellite dishes, chimney stacks, doors, porches, canopies, walls, front gardens, development in rear gardens, shop fronts and architectural and other details.

6.0 Planning Considerations

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

- a) Principle of Development
- b) Design, scale and impact on the conservation area
- c) Standard of residential accommodation and amenity space
- d) Transport and servicing
- e) Impact on Adjoining Properties
- f) Sustainability and Energy

Principle of Development

- 6.2 Housing is a priority use for all London boroughs and the Core Strategy welcomes the provision of small scale infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity

space. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

- 6.3 The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay.
- 6.4 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.
- 6.5 DM Policy 1 states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 6.6 DM Policy 2 Prevention of loss of existing housing states that the reconversion of a former single dwelling house with multiple dwellings to a single dwelling may be acceptable in predominantly residential areas suitable for family occupation subject to amenity considerations and DM Policies 30, 31, 32 and 33.
- 6.7 DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets states that proposals for demolition or substantial harm to designated heritage assets will be refused unless it can be demonstrated that these are necessary to achieve substantial public benefits that outweigh the harm or loss, and that there is no practical way of realising the benefits without demolishing the building or causing substantial harm.
- 6.8 This building does not make a positive contribution to the conservation area and therefore its demolition is not objected to, particularly since it is proposed to be replaced with a new dwelling that reflects the design of the surrounding area. A condition is proposed that would require a Construction Management Plan, in order to ensure that the demolition of this building would be appropriately managed.
- 6.9 The area surrounding the subject site is a predominantly residential area that is suitable for accommodating a single family dwelling of the scale proposed, particularly since this building would replace the poorly designed existing dwelling. However, the principle of development is subject to the design and impact of the dwelling on the conservation area. As it is proposed that this dwelling be built in the traditional style to match the character of the surrounding dwellings and conservation area, it will need to be a well designed building, to ensure that this development adequately reflects the high quality detailing of surrounding properties. This is further discussed in the design, scale and impact on the conservation area section of this report.
- 6.10 The other aspects considered in relation to the principle of development are the standard of accommodation and impacts on neighbouring occupiers, which are discussed under the relevant headings in this report.

Design, scale and impact on the conservation area

- 6.11 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.

- 6.12 London Plan Policy 7.4 states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. High quality design requires that the development, amongst other things, is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area.
- 6.13 London Plan Policy 7.8 states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 6.14 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.
- 6.15 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.
- 6.16 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. The retention and refurbishment of existing buildings that make a positive contribution to the environment will be encouraged and should influence the character of new development and a sense of place. Residential extensions should retain an accessible and usable private garden that is appropriate in size in relation to the size of the property.
- 6.17 DM Policy 32 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, including external features such as chimneys, and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.18 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 states that the Council, having paid special attention to the special interest of its Conservation Areas, and the desirability of preserving and or enhancing their character and or appearance, will not grant planning permission where 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.

Three storey building

- 6.19 The proposed development of a three storey building would include the demolition of the existing building, which is out of context with the existing street, as previously discussed. The scale of the proposed development is considered to be in keeping with the existing properties within the area. The proposed three storey property would be a traditional design of a scale and with materials that would complement the existing streetscene and roofscape of the street and therefore represent an improvement on the current dwelling, subject to the provision of further detail on the proposed materials and design of the front elevation. The submitted plans are lacking in sufficient detail to ensure that the detailing of the building would be a faithful replica of neighbouring properties. Such detail would be integral to the acceptability of the proposed building in principle and would normally be sought as part of the submitted plans to ensure that the building would be of the necessary design quality. In this case, the applicant has requested that the details are secured by condition and has not been willing to provide the necessary detail upfront. The full architectural detailing of the building is therefore proposed to be conditioned in a full schedule of works, including any external guttering, downpipes and vents. Given how integral this is to the acceptability of the scheme in principle, this would be necessary prior to the commencement of any works on site.
- 6.20 The Telegraph Hill Society had objected to this proposal, with particular reference to the proposed uPVC windows on the front elevation, along with the general lack of details about the front appearance of the property in general. Officers consulted with the agent and made these concerns known. Amended plans were subsequently submitted, proposing timber sliding sash windows on all elevations. The proposed windows are now considered acceptable, subject to further detail that would be conditioned in a schedule of works.
- 6.21 The two velux rooflights that are proposed on the rear roof slope of the main component of the building would not be visible from the public realm and are considered acceptable.

Three storey rear projection

- 6.22 The proposed development also includes a three storey extension to the rear elevation. This would be a traditional design of a scale and with materials that would complement the proposed main property and act as an original rear projection. This is a common design feature within Ommaney Road, with the vast majority of the houses on the street having a three storey rear extension, including nos.36 and 40. Further detail on the proposed materials is proposed to be conditioned in a schedule of works. The scale of this portion of the dwelling would be consistent with the existing properties in the area.
- 6.23 The Telegraph Hill Society has objected to the proposed design and appearance of the rear windows, however, the plans have since been amended to indicate that the proposed windows would be timber sliding sash. Additionally, the Society has stated that the rear doors should be more in keeping with Victorian design. Given that these doors are at basement/garden level and not visible from the public

realm, officers consider that it is not necessary that their design is altered. The change of the windows to timber sliding sash is welcomed, subject to the submission of further details that would be conditioned, and the overall design of the three storey rear extension is acceptable.

Single storey "side infill" extension

- 6.24 The proposed development also includes a single storey extension to what would form the original rear projection. It is evident that there are other similar dwelling components attached to the properties in the surrounding area and therefore this would not be out of character. However, no materials have been specified and therefore it is difficult for officers to fully assess the suitability of this component of the dwelling. Conditions are proposed to secure further details in this regard.
- 6.25 Whilst not an original feature of dwellings typical of this era, the installation of four rooflights in the rear "side infill extension" is considered acceptable in principle, particularly given that this component of the dwelling is designed to act more as a modern tradition and would therefore not be constructed completely of traditional materials like the majority of this dwelling. No plans have been submitted to indicate the extent to which these rooflights would extend from the roof of the dwelling and therefore this detail is proposed to be conditioned.
- 6.26 Having said this, the proposed single storey extension would not be seen from the public realm or from the conservation area and would therefore not detract from the appearance of the Telegraph Hill conservation area.

Conservatory

- 6.27 The proposed single storey conservatory to the rear of what would form the original rear projection is considered acceptable. The proposed materials for the conservatory are not specified and therefore it is difficult for officers to fully assess its suitability, although it is assumed that if built in the traditional style this would be predominantly glass. Having said this, conditions are proposed to seek further details in this regard. To the rear of the dwelling would be paved with permeable block paving.

Front garden works

- 6.28 The permeable block paving proposed in the front garden area and spot up-lighting at basement level is considered acceptable in principle. It is assumed that this lighting would be flush or very near flush with ground level, as it is not shown on the section that it would project up from ground level. Storage is also proposed for two bicycles at lower level and refuse storage at pavement level, surrounded by a dwarf brick wall. Several of the existing properties on Ommaney Road have lightwells installed with small open areas to the front, which are also used for refuse collection and therefore this is considered acceptable, however, further detail would need to be sought by condition regarding these details, as well as the proposed railings and stairs and any planting.
- 6.29 Given that there are a significant number of aspects of this development that lack detail, it is proposed to condition a schedule of works and then include informatives to advise the applicant of Council's preferences for all the different aspects addressed in the schedule of works. The aspects requiring further detail have been

outlined in this report. This has been aided by advice from Council's conservation team.

- 6.30 Overall, officers consider that a benefit is gained by replacing a building that detracts from the significance of the conservation area with a well designed building that complements the streetscene and therefore the principle of development is supported in relation to design and impact on the conservation area. However, as previously discussed, the plans are lacking in detail and consequently, a detailed Schedule of Works would be required to ensure that the detail of this design is of the necessary high quality. A scheme that fails to faithfully replicate the neighbouring properties will not be acceptable and such a scheme cannot be guaranteed without the provision of significantly more detail.

Standard of residential accommodation and amenity space

- 6.31 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 and states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.
- 6.32 DM Policy 32 states that the standards in the London Plan and the London Plan Housing Supplementary Planning Guidance (2012) will be used to assess whether new housing development including conversions provides an appropriate level of residential quality and amenity in terms of size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. The standards and criteria in this policy, including those of the London Plan and the London Plan Housing Supplementary Guidance, will ensure a reasonable level of residential amenity and quality of accommodation, and that there is sufficient space, privacy and storage facilities in development to ensure the long term sustainability and usability of the homes.
- 6.33 This dwelling would provide approximately 250sqm of floorspace, which comfortably meets the largest of the minimum space standards for a 3 storey house, this being 113sqm for a 4b6p dwelling. Whilst the proposed dwelling would technically be a 5b10p house based on the bedrooms provided, it is considered that there is still adequate space provided, as the floorspace would be more than double that of the largest house requirement. Following on from this, adequate daylight and sunlight would be available to the necessary rooms of the dwelling.
- 6.34 The applicant has sought to demonstrate compliance with lifetime homes criteria where possible. The proposal is considered acceptable in this regard.

Transport and servicing

- 6.35 This site has a PTAL rating of part 6A, therefore the residents of the proposed dwelling would have excellent public transport access and the non-provision of car parking with this application is considered appropriate and in accordance with Core Strategy Policy 14, DM Policy 29 Car parking and Policy 6.13 Parking of the London Plan.
- 6.36 Storage is proposed for two bicycles at lower ground level. This is considered consistent with the London Plan Policy 6.3 and Core Strategy Policy 14 Sustainable movement and transport.

6.37 Residential Development Standards SPD (amended 2012) seeks to ensure that all new developments have adequate facilities for refuse and recycling. A refuse storage area is proposed at the front of the building at pavement level, surrounded by a dwarf brick wall, that could comfortably accommodate three wheelie bins. This arrangement is considered acceptable in principle, but further details are proposed to be sought via condition.

Impact on Adjoining Properties

6.38 For areas of stability and managed change, Core Strategy Policy 15 states that small household extensions and adaptations to existing housing will need to be designed to protect neighbour amenity.

6.39 DM Policy 30 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.

6.40 The development would reduce neighbouring properties access to sunlight or daylight to an extent when compared to the existing scenario, given that there is no original rear projection on the existing building. However, the enlargement of the building footprint in this fashion is a typical feature of many London properties and its impact is not considered to be unreasonable. The conservatory and side infill extension would be built to the boundary of the adjoining properties, but it is noted that their proposed heights of 3.185m and 3.2 respectively would not have an unreasonably adverse impact on neighbouring amenity.

6.41 With regard to overlooking, it is considered that obscure glazing should be applied to the shower room and toilet windows on the ground floor (effectively one level above ground level at the rear of the dwelling) and bathroom window on the first floor, for the privacy of the residents of the dwelling but also to limit the impact of overlooking on neighbouring occupiers. This will be secured via condition. Is it not considered that the windows facing into the rear garden from the main component of the dwelling or what would form the original rear projection require obscure glazing.

6.42 Objection has been raised by the Telegraph Hill Society to the four rooflights in the infill side extension, who has stated that the lights should be reduced in size, obscure glazed and fitted with blinds. It is acknowledged that there would be light spill from the four rooflights above the basement level, however this would not be considered to have an unreasonably adverse impact on neighbouring properties, particularly given that they are located at ground level, and therefore they are considered acceptable.

6.43 With regard to the objection received from the neighbouring resident, all construction must be undertaken in accordance with the Building Regulations and Party Wall Act. The Building Regulations would ensure that the design and construction of the dwelling is satisfactory in terms of structural design, noise separation, fire safety, ventilation etc. and the Party Wall Act would protect the interests of the adjoining neighbours. It is acknowledged that some noise and some disruption is inevitable, however it is not envisaged that this would have an unreasonably adverse impact. Having said this, due to the scale of the demolition and construction proposed by this application and the proximity to neighbouring properties because this is a mid-terrace house, it is proposed to include a

condition to require a Construction Management Plan, in order to ensure, amongst other things, that there are no adverse impacts on neighbouring properties with regard to noise and vibration, dust and traffic. Further to this, a condition would be included to regulate the hours of delivery trucks during construction so that any impacts are kept to a minimum.

- 6.44 The rear garden faces north and it is not expected that this development would have some overshadowing impacts, but that these would not be unreasonably adverse.
- 6.45 This proposal is therefore considered to have an acceptable impact on neighbouring amenity.

Sustainability and Energy

- 6.46 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
- 6.47 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy.
- 6.48 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.
- 6.49 Core Strategy Policy 8 Sustainable design and construction and energy efficiency states that the Council is committed to prioritising the reduction of the environmental impact of all new developments, with a focus on minimising the overall carbon dioxide emissions of the development while improving sustainability aspects through sustainable design and construction, to meet the highest feasible environmental standards during design, construction and occupation. The Policy requires all new residential development (including mixed use) will be required to achieve a minimum of Level 4 standards in the Code for Sustainable Homes from 1 April 2011.
- 6.50 Since this application was prepared, the government has announced the intention to cease using the Code for Sustainable Homes policy. At the current time, for schemes of this scale, it is only possible to secure building regulation equivalent standards for water saving and energy efficiency. A Sustainability Statement has been provided, which is adequate for the purposes of this proposal as it demonstrates that the proposal can achieve Level 4 of the Code for Sustainable Homes. The proposed materials are durable and can be maintained and repaired. Further compliance will need to be achieved in this regard under the Building Regulations.

7.0 Local Finance Considerations

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

8.0 Community Infrastructure Levy

- 8.1 The above development is CIL liable and the applicant has completed the relevant form.

9.0 Equalities Considerations

- 9.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (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 no impact on equality.

10.0 Conclusion

- 10.1 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) The London Plan (2015, as amended) and the National Planning Policy Framework (2012).
- 10.2 The area surrounding the subject site is predominantly residential area that is suitable for family occupation and therefore the proposed development is acceptable in this regard. It is acceptable from a design, scale and conservation perspective as it would be a well designed dwelling (subject to more detail on a

number of aspects that would be required to be conditioned via a schedule of works) that reflects the character of the surrounding conservation area and accords with the scale of the surrounding buildings, whilst also meaning that the poorly designed existing dwelling would be removed. The standard of accommodation is considered adequate and it is not expected that there would be any unreasonably adverse impacts on neighbouring occupiers.

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:

MA053-01 Rev B, MA053-02 Rev B, MA053-03 Rev B, MA053-04 Rev B, MA053-05 Rev B, MA053-09 Rev B - Heritage Statement (April 2015, Mino Architects), MA053-10 Rev B received 27th April 2015; MA053-11 Rev A, MA053-12 Rev A received 8th May 2015; MA053-13 Rev B, MA053-14 Rev B, MA053-15 Rev B, MA053-16 Rev B, MA053-17 Rev B, MA053-18 Rev B, Planning Statement – Final Issue (May 2015, Butterworth Planning) received 14th May 2015; MA053-06 Rev C, MA053-07 Rev C, MA053-08 Rev C - Design and Access Statement (July 2015, Mino Architects) received 13th July 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).

- (4) No development shall commence on site until a detailed schedule of works including drawings, specifications and/or samples (where specified in the informatives) of all external materials and finishes, windows, eaves, roof coverings, railings, boundary and retaining walls, guttering, downpipes and vents on the front elevation, the stairs to the main entrance and any planting have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (5) All sash windows shall be set in a reveal half a brick deep with sash boxes set behind the facing brick, matching the window openings of the historic houses in the street.

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 DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (6) No extensions or alterations to the building hereby approved, whether or not permitted under Article 3 to Schedule 2 of 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).

- (7) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the shower room and toilet windows on the ground floor and bathroom window on the first floor side elevation of the rear projection of the building hereby approved shall be fitted as obscure glazed 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 of the Development Management Local Plan (November 2014).

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

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

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with 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).

INFORMATIVES

- (1) Positive and Proactive Statement: The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (2) 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>
- (3) **Schedule of Works**

The applicant is advised that in order to satisfy condition 4 (regarding the schedule of works), the following details are required to be submitted to and approved in writing by the local authority prior to the commencement of any works. Detailed advice regarding the contents of the Schedule of Works can be sought via the Council's paid pre-application service. Further information regarding this is available at the link below:

<http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Get-planning-advice.aspx>

Samples of the proposed brick should be presented on site.

The facing brick should match in type, size, colour and finish the brick of the historic houses in the street. This is likely to be an Imperial sized brick.

A 1 metre x 1 metre brick panel showing the proposed brick, type of bonding, and pointing method for both front elevation and proposed boundary wall should be erected for approval on site.

Details of the mortar mix should be submitted for approval prior to the erection of any walls.

The facing brick to the front wall should be constructed and pointed with a traditional lime based mortar containing a suitable mix of sand, lime and aggregates that matches that of the historic building.

Front elevation only: details of the proposed front windows including elevation and section drawings of a scale no less than 1:10 and joinery details, including details of horn and glazing bars, of a scale no less than 1:2 should be submitted for approval.

At basement level the two windows to the sides flanking the central sash window should also be vertical sliding sash windows.

Front elevation only: vertical and horizontal section drawings of the front elevation of both the entrance bay to the left and the full-height canted bay to the right should be submitted for approval, for all levels, i.e. basement, upper ground floor and first floor level, to a scale no less than 1:20.

Front elevation only: Notwithstanding the details shown on Drawing MA053-17B 'Proposed Window Details', an elevation drawing and horizontal and vertical section drawing of the canted bay for the two upper levels (including the sash-windows) should be submitted for approval to a scale no less than 1:10.

A section drawing of the eaves detail of a scale no less than 1:5 should be submitted.

Section drawings of the proposed stairs to the main entrance to a scale no less than 1:10 should be submitted for approval.

The proposed front stairs should be traditionally detailed with tread and

riser in stone or cast stone, and the tread be provided with a traditional nosing.

A sample of the proposed Grey Slate Tiles and ridge tiles should be submitted for approval.

For the front elevation natural slates should be used of either Welsh, Canadian or Spanish provenance. Rivendale Eternit is acceptable for the rear elevation.

Front elevation only: a section drawing of the proposed front garden specifying levels, retaining / boundary walls, lighting and any railings to a scale no less than 1:20 should be submitted for approval.

Front elevation only: A landscaping plan for both 'Basement Floor Garden' and 'Ground Floor Front Garden' specifying any materials for hardstanding, lighting and any planting.

The area for the bin storage should be at a lower level so as to reduce the visual impact of the wheelie bins. The landscaping should include soft planting to the front, e.g. a hedge behind the boundary wall.

Details for any of the proposed railings to the front of the building should be submitted for approval.

Details of the proposed paint and colour for all render detailing should be submitted for approval.

Front elevation only: an elevation drawing showing any external guttering, downpipes and vents should be submitted for approval to a scale no less than 1:50.

Any gutters and downpipes to the front should be in black painted cast aluminium; any external extractor vents should be set behind brick vents.

Details of materials for the rear side infill extension, including the rooflights and the extent to which these would project from the roof, should be submitted for approval.

Details of materials for the conservatory should be submitted for approval.

38 Ommaney Rd, SE14



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Committee	PLANNING COMMITTEE A	
Report Title	9 Tyson Road, London, SE23 3AA	
Ward	Forest Hill	
Contributors	Kasuni Thewarapperuma	
Class	PART 1	19 November 2015

Reg. Nos. DC/15/92829

Application dated 04 June 2015

Applicant Mr Henderson GR Henderson Architectural Design for Mr and Mrs Bullock

Proposal The installation of replacement uPVC double glazed windows to the front, rear and sides of 9 Tyson Road SE23

Applicant's Plan Nos. Site Location Plan, Existing Elevations 01, (dated 18-06-2015, G.R. Henderson Arch Design)
Revised drawings Proposed Elevations 01 Rev E (received 5 November 2015, G.R Henderson Arch Design)

Background Papers (1) Case File LE/69/9/TP
(2) Core Strategy (Adopted June 2011) and Development Management Local Plan (adopted November 2014)

Designation PTAL 2
Local Open Space Deficiency
Not in a Conservation Area
Not a Listed Building
Unclassified

1.0 Property/Site Description

- 1.1 The application property relates to a four storey detached brick building located on the northern side of Tyson Road, SE26. The property has been converted to flats in the early 1980s.
- 1.2 As existing, the property contains timber top hung windows to the front, sides and the rear. The front and the side elevations are visible from the public footpath. Other properties on the street appear to have a mixture of window styles and materials.
- 1.3 The site is not located within a Conservation Area and is not a Listed Building. It is not subject to an Article 4 Direction.

2.0 Planning History

- 2.1 **1983:** Planning application for the alterations and conversions of 9 Tyson Road, SE23 into 4 self contained flats, together with the formation of a gable extension at roof level was granted on 1 December 1983.

3.0 Current Planning Application

3.1 The application relates to the installation of replacement uPVC double glazed windows to the front, rear and sides of 9 Tyson Road SE23. The proposed windows are:

Elevation	Floor Level	No.	Height	Width	Proposed Window Style
Front	Lwr Ground	W1	1100	810	Sliding sash - uPVC
	1st floor	W2	1820	660	Sliding sash – uPVC
	1st floor	W3	1820	910	Sliding sash – uPVC
	1st floor	W4	1820	660	Sliding sash – uPVC
	2nd floor	W5	1070	710	Sliding sash – uPVC
	2nd floor	W6	1070	710	Sliding sash – uPVC
	1st floor	W7	1540	810	Sliding sash – uPVC
Rear	Ground	W8	1680	810	Top Hung casement uPVC
	1st floor	W9	1680	810	Top Hung casement uPVC
	2nd floor	W10	1070	710	Top Hung casement uPVC
	2nd floor	W11	1070	710	Top Hung casement uPVC
	1st floor	W12	1680	810	Top Hung casement uPVC
	Ground	W13	1540	810	Top Hung casement uPVC
Side (East)	1st floor	W14	1540	810	Top Hung casement uPVC
Side (West)	1st floor	W15	1070	710	Sliding sash – uPVC

3.2 Not all windows would be replaced. The windows that are not being replaced are mainly timber and with uPVC framed windows located on the side and front elevations.

3.3 All of the proposed windows would be uPVC double glazed windows which would replace the existing timber windows that are currently in poor condition.

3.4 The scheme has been revised following initial concerns about the opening styles of windows. The revised scheme proposes sliding sash windows to the front and western side elevations which currently contain sliding sash windows.

3.5 Window labelled W14 on the eastern elevation would be a top hung uPVC window. Officers note that the other window on this elevation which would not be replaced is also a top hung uPVC window.

4.0 Consultation

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

4.2 A site notice was displayed and letters were sent to residents in the surrounding area.

Written Responses received from Local Residents and Organisations

4.3 No responses received.

Written Responses received from Statutory Agencies

- 4.4 No responses received.
- 4.5 Although no objections have been received, this matter is referred to committee as the applicant is a Member of the Council.

5.0 Policy Context

Introduction

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

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

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

London Plan (March 2015)

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

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:

Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 15 High quality design for Lewisham

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 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings

Residential Standards Supplementary Planning Document (August 2006)

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

6.0 Planning Considerations

- 6.1 The main planning considerations for this application are the design and the impact of the proposed development upon the appearance of the property and the surrounding area. Regard should also be given to the impact upon neighbouring amenity.

Design

- 6.2 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.

- 6.3 London Plan and Core Strategy design policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design, whilst the Development Management Local Plan, most specifically DM Policy 30 and 31, seeks to apply these principles. The Council's Residential standards SPD provides officers with further detailed guidance to apply to such residential proposals.
- 6.4 DM Policy 30 supports the Core Strategy as it sets out detailed principles to support good urban design in the borough and the Council will require alterations to existing buildings to attain a high standard of design. The policy also addresses detailed design issues and states that planning applications must demonstrate the creation of a positive relationship to the existing townscape to preserve an urban form which contributes to local distinctiveness, such as building features. Furthermore, building materials used should be of high quality and either match or complement the existing development.
- 6.5 DM Policy 31 sets out more specifically how to achieve good quality alterations to existing buildings and states that proposals for alterations will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features. It further states that replacement windows where controllable by the Council should closely match the pattern of the original windows.
- 6.6 The proposal seeks to replace the existing original timber single glazed windows currently in poor repair with uPVC double glazed windows, inserting the proposed windows into the existing openings.
- 6.7 At the rear, the windows would not be visible from public viewpoints.
- 6.8 Sliding sash windows are proposed to the front and western side elevations which would be visible from the public realm. These elevations feature existing sliding sash windows. The existing top hung windows on the front (top floor) and west side elevations would be replaced with sliding sash windows, which results in all windows visible from the public realm restored to the original opening style, consistent with the DM Policy 31.
- 6.9 The window (W14) on the eastern side elevation would be replaced with a top hung window. Officers note that the other window on the ground floor which would remain unchanged by this application is also a top hung uPVC window. Window W14, while not of the original style, maintains the uniformity of opening styles on this elevation. On balance, officers consider this to be unobjectionable.
- 6.10 The proposed windows are therefore considered to be acceptable in this regard. Given the mixture of window materials within this street, uPVC replacements are also considered to be unobjectionable.
- 6.11 Whilst officers would encourage consistency across elevations, in this case, given the fact that some existing timber windows are being retained which is welcomed. The proposal is, on balance, considered to be acceptable.

Residential Amenity

- 6.12 Core Strategy Policy 15 states that new development should be designed in a way that is sensitive to the local context. More specific to this, DM Policy 31 seeks to ensure that residential alterations should result in no significant loss of privacy and amenity to adjoining houses and their back gardens. It must therefore be

demonstrated that proposed alterations are neighbourly and that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, loss of outlook or general noise and disturbance.

6.13 The proposed alterations to the property do not include the creation of additional openings. It is therefore considered that there would be no increase in overlooking or loss of privacy.

6.14 In light of the above, the proposed development is considered to be acceptable with regards to 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 In this matter there is no impact on equality.

8.0 Conclusion

8.1 The proposed development is considered to be acceptable with regards to design and neighbouring amenity and permission is therefore recommended.

9.0 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:

Site Location Plan, Existing Elevations 01, (dated 18-06-2015, G.R. Henderson Arch Design)

Revised drawings Proposed Elevations 01 Rev E (received 5 November 2015, G.R Henderson Arch Design)

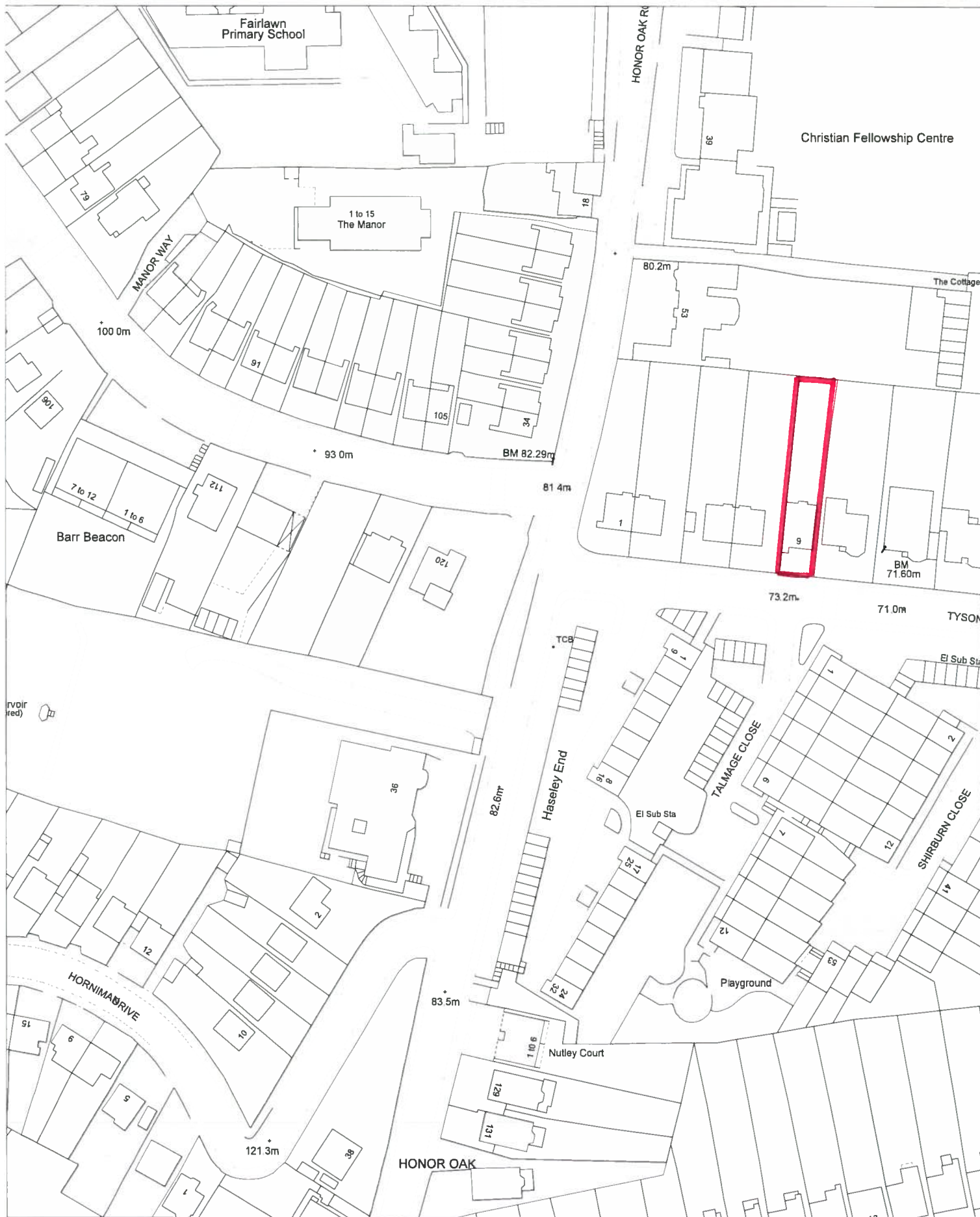
Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

10.0 **INFORMATIVE**

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

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9 Tyson Road, SE23



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Committee	PLANNING COMMITTEE (A)	
Report Title	Riverdale House, 68 Molesworth Street SE 13	
Ward	Lewisham	
Contributors	Colm Harte	
Class	PART 1	19 November 2015

Reg. Nos. DC/15/91069
Application dated 19 February 2015

Applicant Mr Gaskell CMA Planning

Proposal Construction of a part one, part two storey extension to the roof of Riverdale House, 68 Molesworth Street, London, SE13 7EY and the alteration and conversion of the Mill House to residential use to provide a total of 25 dwellings comprising fourteen 1 bedroom dwellings, seven 2 bedroom dwellings and four 3 bedroom dwellings along with the provision of associated cycle parking and refuse storage.

Applicant's Plan Nos. EX-P-B01;EX-P-L00; EX-P-L01; EX-P-L02; EX-P-L03; EX-P-L04; EX-P-L05; EX-P-L06; EX-E-01; EX-E-02; EX-E-03; EX-S-01;EX-S-02; EX-S-03; EX-P-D-L05; EX-P-D-L06; EX-P-D-R01; EX-E-M-01; EX-S-M-01; EX-P-M-L00; EX-P-M-L01; EX-P-M-L02; EX-P-M-L03; EX-P-M-L04; EX-P-M-D-L00; EX-P-M-D-L01; EX-P-M-D-L02;EX-P-M-D-L03; EX-P-M-D-L04; SC-EW; GA-P-B01; GA-P-B01 W/C; GA-P-L04_01; GA-P-L04_01 LTH; GA-P-L05; GA-P-L05_01; GA-P-L05 LTH; GA-P-L06; GA-P-L06_01; GA-P-L06_01 LTH;GA-P-L06 WC; GA-P-L07; GA-P-L07_01; GA-P-L07_01 LTH;GA-P-R01; D-TY-FT1; D-TY-RT1;D-TY-RT2, D-J-101; D-J-102; D-J-103; D-J-104; D-J-105; D-J 106; EX-P-D-B01; EX-P-D-00; EX-P-D-01; EX-P-D-02; EX-P-D-03; EX-P-D-04; EX-P-D-L05; EX-P-D-L06; EX-P-D-R01; Site Location Plan; Planning Statement Version 2 (March 2015, CMA Planning); Design and Access Statement including Lifetime Homes Standards (February 2015, Alan Camp Architects);Noise Impact Assessment (November 2014, KR Associates); Viability Statement (February 2015, Strut and Parker); Ground Borne Vibration Assessment (January 2015, Peter Brett Associates); Flood Risk Assessment (January 2015, Peter Brett Associates); Phase 1 Ground

Condition Assessment (Contamination) (January 2015, Peter Brett Associates); Sustainability Statement (January 2015, Metropolis Green); Built Heritage Statement (January 2015, CgMs); Energy Strategy (January 2015, Metropolis Green); Air Quality Assessment (December 2014, Air Quality Consultants); Mill House Building Design Philosophy Statement (January 2015, Tully De'Ath Consultants); Transport Statement (January 2015, Peter Brett Associates); Residential Travel Plan Framework (January 2015, Peter Brett Associates); Daylight and Sunlight Assessment (January 2015, DPR)

D-J-110; D-J-111; D-J-112; D-J-113; D-J-114; D-J-115; D-J-116; D-J-117; D-J-118; D-TY-WT1 rev A; D-TY-WT1-Plan; D-TY-WT2 rev A; GA-P-M-L04 rev A; GA-P-M-L02 rev A; Addendum to Design and Access Statement – Appearance; Proposed living roof specification and management strategy (dated June 2015) Email correspondence from applicant received 23 July 2015

D-J-101 rev B; D-J-116 rev A; D-J-119 rev A; GA-E-01 rev A; GA-E-02 rev A; GA-E-03 rev A received 26 August 2015; GA-SP rev B (Site Plan) received 25 September 2015; GA-SP (Construction site layout plan); Riverdale House-Phase Two Logistic Strategy rev 2 received 28 September 2015; D-J-120; D-J-121; GA-P-M-L00-01-LTH rev A; GA-P-M-L01-01-LTH rev A; GA-P-M-L02-01-LTH rev A; GA-P-M-L03-01-LTH rev A; GA-P-M-L04-01-LTH rev A; GA-S-M-01 rev A; GA-S-M-02 rev A; GA-S-M-03 rev A; GA-S-M-04 rev A; GA-E-M-01 rev A; GA-E-M-02 rev A; GA-E-M-03 rev A; GA-E-M-04 rev A received 08 October 2015

Background Papers

- (1) Local Development Framework Documents
- (2) The London Plan
- (3) Case File LE/812/A/TP

Designation

Area of Archaeological Priority
Local Employment Location

PTAL 6b
Major District Centre
Local Open Space Deficiency
Development Site
Metropolitan Open Land
Flood Risk Zone 3
Not in a Conservation Area
Not a Listed Building

A Road

1.0 Property/Site Description

- 1.1 Riverdale House is located on the western side of Molesworth Street towards the junction with Engate Street and is bounded by the Ravensbourne River to the west. Directly north of the site is a 6 storey building which is in use as a data centre and to the south is an area of open space, known as the Sculpture Park, which gives access to the Ravensbourne. The building is located within a landscaped setting with a pond to the front and a separate part two part four storey building, plus roofspace known as the Mill House.
- 1.2 Riverdale House is a four to six storey building plus an undercroft built in the early 1980s on the site of a former bakery. The building has a distinctive design in red brick with a series of turret type structures and a distinctive parapet delineating the roofline. The undercroft provides car and cycle parking in addition to refuse storage for the building. Riverdale House has previously been in use as an office for the Citibank Group since the early 1990s.
- 1.3 The four-storey plus attic Mill House is built of yellow stock brick, and is rectangular in plan with a pitched slate roof. The regular fenestration has multi-paned, timber, pivot-hung sashes although those on the ground floor of the south-east elevation are modern uPVC replacements. This elevation has weather-boarded housing for the hoist with a multi-paned sash window and hipped slate roof. The mill is adjoined on the north-west elevation by a 1990s three-storey link building with a sloping slate roof linking to the two-storey element. All original internal machinery has been removed, although the interior does retain the original cast-iron columns, timber floor beams and roof structure. The largely rebuilt stock brick engine house stands to the south-west, separated from the mill by a replacement waterwheel which was added in 1982.
- 1.4 The site is located within the Lewisham Town Centre and is a Local Employment Location. The Waterlink Way cycle route is located on Molesworth Street and the vehicular access crosses that route.

2.0 Planning History

- 2.1 There is an extensive planning history for this site. The history of most relevance is:
- 2.2 DC/14/87761: Approval of alterations to the existing elevations at Riverdale House, 68 Molesworth Street SE13 together with the installation of replacement of aluminium framed double glazed windows and the replacement of the semi circular curtain wall glazing above the entrance canopy (currently being implemented).
- 2.3 DC/14/86564: Prior approval was given for the change of use of Riverdale House, 68 Molesworth Street SE13, from office use (Class B1(a)) to residential (Class C3) to create 137 units (currently being implemented).
- 2.4 DC/13/85132: Prior approval was given for the change of use of Riverdale House, 68 Molesworth Street SE13, from office use (Class B1(a)) to residential (Class C3) to create 99 units.
- 2.5 DC/95/39068: Approval of a change of use of the Mill House Molesworth Street SE13 to a restaurant (Use Class A3) together with the erection of a side extension.
- 2.6 DC/94/37963: The change of use of the ground and first floors of The Mill House and the second & third floors as offices (Use Class B1).
- 2.7 Planning permission was granted in 1978 for the redevelopment of the former Wallis Bakery site for 180,000sq.ft of office space and 20 residential units in accordance with the Riverdale Site Development Brief. The approval reserved details of the siting and the design of buildings subject to further approvals. The site now known as Riverdale House formed part of this wider area along with the public space to the south and the data centre and car park to the north.
- 2.8 The detailed design aspects were approved in 1979 and Riverdale House was constructed in the early 1980s as 'phase 1' of this wider redevelopment. The later phases of this plan were not built and the housing element was removed from the development brief.
- 2.9 Applications to Historic England to nationally list the Mill House:
- 2.10 Council records reveal that two applications have previously been made to Historic England to nationally list the Mill House building. On 21 August 1974, the Department of the Environment concluded that the Mill Houses, due to the removal of the original industrial mill fittings was not sufficient interest to warrant national listing
- 2.11 On 30 September 2015 , Historic England concluded that Riverdale Mill, Lewisham does not merit listing for the following principal reasons:

- Architectural interest: The mill is an imposing but architecturally plain building, typical of its date and type and, therefore, lacking special architectural interest;
- Degree of alteration: The building has been subject to major alteration, albeit largely sympathetically done, during and since its restoration in 1982;
- Date: The early C19th date of the building means that it is a relatively late example of a water-driven flour mill and many more complete examples survive nationally;
- Technical innovation: The addition of auxiliary steam power to the mill is of some interest but by the 1830s was not uncommon and the surviving expression of this technological development, the engine house, has been largely rebuilt;
- Machinery: The mill has lost all its machinery, including the original waterwheel;
- Historic association: The probable builder, John Penn Senior, is of local rather than national interest.

2.12 Historic England's report concluded that the Mill House does not have sufficient special interest, in a national context, to recommend for statutory designation but does however have clear local interest.

2.13 During the course of the negotiations regarding the subject application, the Mill Building has been identified as a non designated heritage asset by Council Officers.

The Proposals

2.14 The subject application involves two elements, the first relating to the main Riverdale House; involving the addition of a series of separate roof extensions, resulting in the addition of one storey to the stepped roof profile, save for the central section of the building where the roof extension would be a part 1/part 2 storey. The extensions would accommodate 17 dwellings in a mix of 13 x 1 bed and 4 x 2 bed units. The proposed single storey roof extensions which would be added to the roof of the fourth, fifth and seventh floors would extend to a height of 3.4 meters above the existing roof. The proposed part one/ part two storey extension to the sixth floor would have a maximum height of 5.7 metres above the existing parapet. The proposed extensions which would infill the entire area of the existing roof would also involve the provision of three communal roof terraces at fifth, sixth and seventh floors. These proposed areas would provide communal amenity space to serve the overall development.

2.15 As the existing parapet of Riverdale House has an irregular elevational treatment the setback of the proposed extensions typically vary between 300mm and 1.7 meters from the existing decorative parapet, which is to be retained.

2.16 The second component of the subject application involves the conversion of the Mill House located in front of the Riverdale House,

which currently has an A3 use to provide 8 dwellings in a mix of 1 x 1 bed, 3 x 2 bed and 4 x 3 bed units. So as to enable the proposed conversion, it is noted that both internal and external alteration are proposed, and would include changes to existing internal floor levels and the introduction of the roof dormer windows and the replacement of existing windows. The proposed alterations and additions would be as follows:

- Provision of four dormer windows onto the southern roof slope of the four storey original mill building in addition to the provision of six conservation roof lights, set flush to the northern roof slope of the four storey component of the Mill House;
- The addition of four dormer windows on the northern roof slope of the later two storey side extension;
- Addition of external balconies to the eastern and northern elevations along with the inclusion of two ground floor private terrace areas for use by the proposed 3 bed duplex units;
- Lowering of the internal third floor so as to provided a minimum floor to ceiling height of 2.3 metres for the proposed fourth floor units;
- Partial demolition and replacement of the existing roof of the Mill House so as to enable the proposed works, however in terms of external appearance, the height and profile of the roof would not be changed and would be finished using replacement like for like height quality natural slate to match that of the existing;
- Like for like replacement of the existing windows to provide double glazing to meet residential standards in terms of acoustic and thermal comfort;

Supporting Documents

- 2.17 Planning Statement: This document provides a policy compliance overview in support of the subject application.
- 2.18 Built Heritage Statement (CgMs): This document provides an overview of the historical significance of the existing Mill House and details the proposed changes to the building which has been identified, during the course of pre-application discussion, as being an non designated heritage asset.
- 2.19 Mill House Building Design Philosophy Statement (Tully De'Ath Consultants): This document details the specific structural alterations which are to be undertaken to the Mill House.
- 2.20 Transportation Statement (pba): This document states that the site has a PTAL rating of 6a/ 6b, indicating good access to public transport and seeks to justify the level of vehicle and cycle parking proposed. Contained within the Transport Statement submitted includes the following:

- Delivery and servicing Strategy
 - Framework Construction Logistics Plan
- 2.21 Residential Travel Plan Framework (pba): This document has been prepared to provide information on public transport connections, how staff, visitors and residents would be encouraged to use public transport and therefore reduce reliance on car usage and promote car sharing, walking and cycling. This Travel Plan is inline with that included as part of the previous application for prior approval (DC/14/86564).
- 2.22 Air Quality Assessment (Air Quality Consultants): This document assesses existing baseline air quality conditions and the impact of construction, for example the risk of dust and the significance of effects. Proposed mitigation measures during the construction are detailed, such as utilising suitable site management, waste management, site storage and controlled demolition. The document concludes that operational air quality mitigation measures are not required and the development would have no adverse impact on air quality.
- 2.23 Noise and Vibration Assessment (pba): This document details the main noise sources as being from traffic along Molesworth Street and the Railway line behind the building. This report detail that the proposed building has been designed to protect future occupants from excessive noise levels. It is noted that during the course of the application, additional information was submitted in response to the a concerns raised by Council's Environmental Health Officer. This is detailed in the report below.
- 2.24 Flood Risk Assessment (pba): This document, which was reviewed by the Environmental Agency, states that the site lies within the floodplain of the Ravensbourne River and accordingly is designated as being within Flood Zone 3a. However, the FRA details that as all ground floor units would be elevated over 300mm above the 1 in 100 annual flood probability.
- 2.25 Daylight and Sunlight Assessment (DPR): This report assesses daylight and sunlight levels received by the proposed units within both Riverdale House and the Mill House.
- 2.26 Energy Strategy(Metropolis Green): This document provides detail as to how the proposed development will comply with relevant policy requirement as detailed within the London Plan and Council Core Strategy.
- 2.27 Logistic Strategy: This document details how the proposed works, particularly the roof extension component can be carried out while minimising the level of disturbance to the for the residential units

which are currently being fitted out and will be required to be fitted out before the proposed development can commence.

- 2.28 Phase 1 Ground Condition Assessment (Contamination) (pba): The Phase 1 Risk Assessment identified that the potential for contaminants is low and small in scale however recommends that *“Before development, a full asbestos and hazardous materials survey.... should be carried out”*.

3.0 Consultation

- 3.1 This section outlines the consultation carried out by the applicant prior to submission and 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.

- 3.2 Site notices were displayed, letters were sent to residents and business in the surrounding area and the relevant ward Councillors were notified. Transport for London, National Rail, Thames Water and the Environment Agency were also consulted in addition to internal planning consultees. The following responses were received:

Transport for London (TfL):

- 3.3 No objection was raised to the proposed development subject to the sufficient provision of Blue Badge parking and cycle spaces. TfL have also sought to have secure the applicants participation in the Lewisham Gateway developers’ forum and an undertaking to inform residents prior to occupation about changes to road infrastructure as a result of the Lewisham Gateway development.

Thames Water:

- 3.4 No objection raised to the proposed development

Network Rail:

- 3.5 No objections were raised to the proposed development.

Environment Agency:

- 3.6 No objection to the scheme subject to the inclusion of conditions and informatives upon any consent should the application be recommended for approval. This is discussed in the relevant section of the report below.

The following internal consultee responses were received:

LBL Highways:

- 3.7 No objection raised to the proposed development. The site is considered to be well located in terms public transport accessibility and has a PTAL rating of 6b. A car-free scheme (except for the

provision of 2 disabled parking spaces) is acceptable in this location, subject to a S106 Agreement preventing future occupiers from acquiring permits for the CPZ adjacent to the site. It is also noted that a S278 agreement has been entered into with TfL to ensure the reinstatement of a section of Molesworth Street footway following the proposed development of the site.

LBL Environmental Health:

- 3.8 This application is supported by an Acoustic Report, Air Quality Assessment and a Phase 1 Ground Condition Assessment (Contamination). Following the submission of additional information in support of the recommendations for the Acoustic Report no objections have been raised to the proposed development, subject to the conditions being imposed.

LBL Ecological Regeneration officer:

- 3.9 Officers confirmed that they were satisfied with the submitted documents, in principle and were supportive of proposals to deliver two separate areas of bio diverse living roof. Conditions have been recommended to be imposed, should the application be considered acceptable regarding types of species to be used and maintenance of the living roofs, once installed.

Pre-Application Consultation

- 3.10 The applicant attended a number of pre-application meetings with Officers and a 'Desk top review' of the proposal was carried by Lewisham's Design Review Panel (DRP). Concerns were raised regarding the level of information which was originally provided in support of the proposed cladding system. In particular concern was raised with use of a white coloured glazed system which would likely contrast sharply with the dark reflections created by the windows and doors set within the rooftop extension. The DRP recommend that the applicant team explore alternative colours/system solutions.
- 3.11 In response to the comments raised from the desktop review by Lewisham's Design Review Panels the development has been amended to propose the use of a combination of grey glazed cladding panels and tinted glazing will ensure the extension has light weight uniform appearance.
- 3.12 Officers consider that the subject application has suitably responded to the concerns raised by the DRP members.
- 3.13 In addition, the applicant consulted the owners of the commercial properties immediately adjoining the site prior to submission.

Written Responses received from Local Residents and Organisations

- 3.14 At the time of writing the committee report one objection was received regarding contractual issues between the objector and the applicant. This did not raise any valid planning considerations and therefore has not been considered any further in the determination of this application.

4.0 Policy Context

Introduction

- 4.1 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)

- 4.2 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

- 4.3 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)’.

- 4.4 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

- 4.5 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)

- 4.6 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 3.18 Education facilities
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 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.18 Construction, excavation and demolition waste
Policy 5.19 Hazardous waste
Policy 5.21 Contaminated land
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.7 Better streets and surface transport
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.12 Road network capacity
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology
Policy 7.14 Improving air quality
Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Accessible London: Achieving an Inclusive Environment (2004)
Sustainable Design and Construction (2006)
Shaping Neighbourhoods: Character and Context (June 2014)
Sustainable Design and Construction SPG (April 2014)
Housing (November 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 2 Regeneration and Growth Areas
Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 3 Strategic Industrial Locations and Local Employment Locations
Core Strategy Policy 7 Climate change and adapting to the effects
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 9 Improving local air quality
Core Strategy Policy 10 Managing and reducing the risk of flooding
Core Strategy Policy 11 River and waterways network
Core Strategy Policy 12 Open space and environmental assets
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment
Core Strategy Policy 18 The location and design of tall buildings
Core Strategy Policy 21 Planning obligations

Development Management Local Plan

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

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

- DM Policy 1 Presumption in favour of sustainable development
- DM Policy 4 Conversions of office space and other B Use Class space into flats
- DM Policy 7 Affordable rented housing
- DM Policy 10 Local Employment Locations (LEL)
- DM Policy 22 Sustainable design and construction
- DM Policy 23 Air quality
- DM Policy 24 Biodiversity, living roofs and artificial playing pitches
- DM Policy 25 Landscaping and trees
- DM Policy 26 Noise and vibration
- DM Policy 27 Lighting
- DM Policy 28 Contaminated land
- DM Policy 29 Car parking
- DM Policy 30 Urban design and local character
- DM Policy 31 Alterations/extensions to existing buildings
- DM Policy 32 Housing design, layout and space standards
- DM Policy 35 Public realm
- DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest
- DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets

Lewisham Town Centre Local Plan

4.11 The Council adopted the Lewisham Town Centre Local Plan (LTCLP) on the 26th February 2014. The LTCLP, together with the Core Strategy, the Site Allocations Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan.

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

- Policy LTCP0 Presumption in favour of sustainable development
- Policy LTCP1 Plan boundaries
- Policy LTC2 Town centre boundary
- Policy LTC12 Conversion of existing buildings

Policy LTC14 Town centre vitality and viability
Policy LTC18 Public realm
Policy LTC19 Tall buildings
Policy LTC21 Sustainable transport
Policy LTC23 Heritage assets
Policy LTC24 Carbon dioxide emission reduction
Policy LTC25 Adapting to climate change

Residential Standards Supplementary Planning Document (August 2006)

- 4.13 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 (February 2015)

- 4.14 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.

5.0 Planning Considerations

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

- a) Principle of Development
- b) Design and Heritage
- c) Quality of Accommodation
- d) Highways and Traffic Issues
- e) Noise
- f) Sustainability and Energy
- g) Ecology and Landscaping
- h) Planning Obligations

Principle of Development

- 5.2 As detailed previously in this report, Riverdale House received prior approval under Class J (currently Class O) which permits development consisting of a change of use of a building and any land within its curtilage from B1(a) (offices) to C3 (dwellinghouses) if the property meets the relevant criteria and conditions. The criteria

includes a requirement that development is not permitted if the use of the building falling within Class C3 (dwellinghouses) was begun after 30th May 2016. The Mill House, which has an approved A3 use was not included as part of the Prior Approval application, and its conversion to residential use forms part of the application currently before Council.

- 5.3 Part of the current application proposes the extension of Riverdale House which, because of the criteria within Class O, will not have permitted development rights until such time as that residential use has begun. Officers note that fitout works are currently ongoing, however residential use has not yet begun. Therefore, the current use of Riverdale House remains office (Class B1(a)). Accordingly, a residential extension to a B1(a) office in a Local Employment Location would not be acceptable in principle, as set out in DM Policy 10. The present application therefore must be considered in the context of the recent prior approval application, rather than in isolation.
- 5.4 The existing property does not have the benefit of permitted development rights. It is considered however that in order to provide a pragmatic approach in dealing with the subject application the proposed development could be linked to the prior approval application (DC/14/86564) through planning obligations which would not permit the occupation of the units for residential purposes (those units being the subject matter of this application) until the residential use under DC/14/86564 commences and is established.

Land Use

- 5.5 The subject site is located within the Lewisham Town Centre Regeneration and Growth Area as defined by Core Strategy Spatial Policy 2. This seeks to, amongst other things, accommodate additional retail and leisure space, contain a Local Employment Location at Molesworth Street [being the subject site] and provide new homes.
- 5.6 This scheme does not accord with policies which seek to protect the site as a local employment location. However, given that Riverdale House benefits from prior approval for residential use, if that use is begun by 30th May 2016, there is no objection in principle to that use being extended in this context, subject to the scheme being well designed, delivering a good standard of accommodation and meeting the Council's policy requirements generally.
- 5.7 The permitted use of the Mill House is currently Class A3. Policy LTC 12 in the Lewisham Town Centre (LTC) Local Plan encourages the conversion of existing buildings provided that a high quality living environment is provided, there is no conflict with existing land uses, the proposal complies with Policy LTC 11 (Employment uses), it meets a demonstrated housing need and provision can be made for

refuse and cycle storage. Subject to those matters being adequately addressed, there is no objection in principle to the loss of the A3 use at the Mill building subject to that loss being adequately mitigated. Policy LTC 10 encourages a mix of land uses in Lewisham Town Centre and where these are not provided, evidence of why this is not deliverable will be needed. In this case, given the location of the Mill building and the fact that its use was linked to the Riverdale House office use rather than as a stand alone commercial tenancy, it is considered that there is a justifiable exception to be made to this requirement for a mix of uses on site. The acceptability of the introduction of the residential use and the associated loss of the existing A3 use would be subject to the payment of a contribution for the offset of the loss of employment within the Mill House.

- 5.8 The applicant has agreed to the payment of a financial contribution of £20,000 toward Employment and Training to mitigate for the loss of the existing A3 Mill House building and the associated Jobs. Officers are satisfied that this would be accurate.

Design and Heritage

- 5.9 The NPPF states that good design is indivisible from good planning and that design is a key aspect of sustainable development. Policy 15 'High quality design for Lewisham' of the Core Strategy states that the Council will apply policy guidance to ensure highest quality design and the protection or enhancement of the natural environment. The policy requires development to be sustainable, accessible to all, to optimise the potential of sites and be sensitive to the local context and character. DM Policy 30 'Urban design and local character' states that the Council will require all development proposals to attain a high standard of design. With regards to detailed design, the Policy requires an adequate site-specific response to the following detailed matters;

- the creation of a positive relationship to the existing townscape, natural landscape, open spaces and topography to preserve and / or create an urban form which contributes to local distinctiveness such as plot widths, building features and uses, roofscape, open space and views, panoramas and vistas including those identified in the London Plan, taking all available opportunities for enhancement height, scale and mass which should relate to the urban typology of the area as identified in Table 2.1 Urban typologies in Lewisham;
- layout and access arrangements. Large areas of parking and servicing must be avoided;
- how the scheme relates to the scale and alignment of the existing street including its building frontages;

- the quality and durability of building materials and their sensitive use in relation to the context of the development. Materials used should be high quality and either match or complement existing development, and the reasons for the choice of materials should be clearly justified in relation to the existing built context;
- details of the degree of ornamentation, use of materials, brick walls and fences, or other boundary treatment which should reflect the context by using high quality matching or complementary materials;
- how the development at ground floor level will provide activity and visual interest for the public including the pedestrian environment, and provide passive surveillance with the incorporation of doors and windows to provide physical and visual links between buildings and the public domain;

5.10 The immediate context of the site, within the Lewisham Town Centre area is one of change with a mixture of design quality and building typologies. In particular it is noted that the redevelopment of the Lewisham Gateway, to the north along Molesworth Street, is currently ongoing and when completed will significantly alter the immediate setting of the subject site and wider town centre streetscape.

5.11 The existing buildings on site, although varying in terms of scale and design, are considered to be of high quality and make a significant and positive contribution to the overall streetscape. The current scheme has been subject to lengthy negotiations with Council officers and the applicant has revised the scheme extensively in order to overcome previous concerns regarding scale, massing and detailing of the proposed development.

5.12 It is further noted that through pre-application discussions the Mill House has been identified as a non- designated heritage asset and an assessment of the proposed alterations and additions, including heritage considerations, are outlined in the report below.

5.13 As the proposed development relates to two separate elements being the conversion of the Mill House and the part one/ part two storey extension to the roof of Riverdale House the specific details of each component are outlined separately below :

Riverdale House

5.14 The proposed part one/ part two roof extension demonstrates a considered design philosophy, relating to the construction of one additional single storey element at each level, with the exception of the upper most level which would have a part one/ part two storey addition. The proposed design would retain the existing and distinctive stepped roof profile of the original office building. The

proposed use of a combination of glazed cladding panels (colour: Grey) and tinted glazing will ensure the extension has a light weight uniform appearance, enabling the original roofscape, including the existing parapets and turret features to be retained and remain prominent.

- 5.15 Officers consider that the use of a simple design approach, such as that proposed, is highly dependant upon the quality and detailing of materials to ensure this design approach can be suitably achieved.
- 5.16 Samples have been provided by the applicant which demonstrates that the images provided are a realistic interpretation of the proposed development. It is considered that the details provided demonstrate that despite the simplicity of the building form, the detailing ensures that the extension would sit as a modern addition to an existing distinctive building that would not compete with the host property but rather emphasise the intricate detailing of the existing building through the provision of a simple addition. During the course of the subject application, additional details were provided to Council officers in order to demonstrate how high quality materials and detailing will be delivered. These details confirm that the use of a Alsecco ESG 8 mm (RAL 7012) and lightly tinted window panels that will complement the existing red brick finish of the host property. Conditions have been recommended, should the application be approved that prior to commencement the applicant shall be required to construct a sample cladding section on site, detailing the proposed intersection of the window junction and the cladding panel, for approval by Council Officers.

The Mill House

- 5.17 The subject application also proposes alterations and additions to the Mill House to enable the conversion of the existing Mill House to provide 8 residential units, being a mix of 1 x 1 bed, 3 x 2 bed and 4 x 3 bed units.
- 5.18 The historical significance of the Mill House building within the existing Lewisham Town Centre is recognised by Council officers and was identified as being a non designated heritage asset, inline with DM Policy 37, at the outset of pre-application discussions with Council Officers. It is however neither locally or nationally listed and is not located within a Conservation Area. In addition, Historic England received a request to investigate if the Mill House was worthy of national listing. Following their investigation, the building was found not to be worthy of listing.
- 5.19 Nevertheless, officers acknowledge that the proposed external alterations to the existing Mill House, in particular the proposed changes to the roof through the introduction of roof dormers, roof lights and external balconies would change the appearance of the existing non designated heritage asset. It is considered however that

the proposed roof dormers are well detailed and are subservient to the existing building. While it is acknowledged that the proposal would introduce distinctive residential elements, such as external balconies, that are not typical of industrial mill type buildings, the proposed scheme locates the majority of balconies onto the less visible southern and western facades, away from the more visible eastern and northern elevations, adjacent to Molesworth Street.

- 5.20 Internally, it is noted that the building has undergone considerable alterations to enable its use as an A3 unit. According the majority of the historic building fabric related to its previous mill use has been lost. The proposed internal changes are therefore considered to be acceptable.
- 5.21 Officers consider that the proposal provides sensitive alterations to enable the existing building to be converted to residential use, without involving substantial alterations and enabling the provision of a suitable level of residential amenity for future occupants. As such its interest as a non-designated heritage asset is considered to be retained.

Deliverability

- 5.22 The overall development, especially in regard to the proposed roof extension to Riverdale House, involves the use of high quality materials and will be expensive to deliver. Deliverability is a consideration within the NPPF and the viability and deliverability of development should be considered in plan making. The NPPF goes on to say that to ensure viability, the cost of requirements should, when taking into account the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable. In this case, to overcome concerns about the scale, massing and design of the scheme and the relationship with the immediate context which are fundamental to the acceptability of the redevelopment of this site, the scheme was designed and details provided to demonstrate the inherent quality of the architecture and design approach. Construction costs have been considered as part of the Viability Assessment as these elements are vital to demonstrate the acceptability of this development in principle. Based upon the accepted Viability Assessment, reviewed on behalf of Council by Lambert Smith Hampton, the scheme as developed and proposed is considered to be viable and deliverable. Given how integral the design quality of the scheme is to the acceptability of the scale and mass, any future attempt to alter or reduce the quality of the design or materials could not be accepted as a minor material amendment but will instead require the principles of proposal, including its scale and massing to be reconsidered.

Quality of Accommodation

A) Size:

- 5.23 Core Strategy Policy 1 'Housing provision, mix and affordability' states that the Council will seek the maximum provision of affordable housing with a strategic target for 50% affordable housing from all sources. In order to ensure that proposed housing development responds to local need, the provision of family housing (3+ bedrooms) will be expected as part of any new development with 10 or more dwellings. In the case of affordable housing, the Council will seek a mix of 42% as family dwellings.
- 5.24 The proposed development comprises 25 residential units and the table below provides a breakdown of the proposed accommodation:

Table 1.1: Residential Mix*

	1 B 2P	2 B 3P	2B 4P	3B 4P	Total
Riverdale House (roof extension)	13 (2)	2	2	0	17(2)
Mill House conversion	1	2	1	4	8

**Wheelchair accessible units shown in ()*

- 5.25 As set out in the table above, 16% of the proposed 25 units would be 3 bedroom family dwellings, which would be contained within the Mill House building. It is considered that the inclusion of family accommodation is welcomed and the provision of two of the 3 bedroom units with direct access onto private garden space is considered to be successful.

B) Affordable Housing:

- 5.26 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. To ensure mixed tenure and promote mixed and balanced communities, the affordable housing component to be provided should achieve at least 70% social rented and 30% intermediate housing.
- 5.27 The proposed scheme would provide 100% market housing, with no affordable housing provision, which would not be policy compliant.

The applicant, from the outset has advised the scheme would be unable to support a policy compliant quantum of affordable housing, attributed in part to the cost of renovating the existing Mill House along with the use of high quality materials for the proposed roof extensions to Riverdale House.

- 5.28 This is reflected in the viability assessment, which confirmed they are seeking a developer profit of below 17% on Gross Development Value for residential use.
- 5.29 A developer profit level below 17% (on GDV) for residential development is the generally accepted level of return at the current time. This 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.
- 5.30 The Viability Statement has been prepared for Council by Lambert Smith Hampton, 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 level of return is in line with small to medium sized developments, and is therefore acceptable.
- 5.31 The final Mayoral CIL and LB Lewisham CIL charges form part of Lambert Smith Hampton 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 £124,880 (£70 per sq.m).
- 5.32 The viability assessment support the assertion of the developer that the scheme would be unviable with a policy compliant provision of 50% affordable units which would be unachievable based on projected development costs.
- 5.33 Lambert Smith Hampton, for the Council, have advised that a payment in lieu of £490,352 toward affordable housing provision in the Borough should be sought from the applicant. This would allow the scheme to continue to prove to be viable and would uphold a reasonable developer profit. This would also enable the payment of an additional £48,648 in additional financial contributions, to further mitigate the impact of the proposed development. The developer has agreed to provide the payment.
- 5.34 Officers consider it appropriate that should no building works commence beyond 18 months of the application being determined, the profit level of the scheme should be re-examined by way of a review mechanism, which would be secured by the Section 106 Agreement. This has been discussed with the applicant, who has agreed to the review procedure.

5.35 In summary, based upon the findings of Lambert Smith Hampton, officers raise no objections to the proposed scheme providing no affordable housing, subject to the payment of a financial contribution.

C) Standard of Residential Accommodation

5.36 London Plan Policy 3.5 sets out the minimum floor space standards for new houses relative to the number of occupants. It outlines that the design of all new dwellings should include adequately sized rooms, convenient and efficient room layouts and meet the changing needs of Londoners' over their lifetimes.

5.37 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.

5.38 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 planning condition.

5.39 DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision. Informed by the NPPF, the Mayors Housing SPG provides guidance on how to implement the housing policies in the London Plan. In particular, it provides detail on how to carry forward the Mayor's view that "providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods".

5.40 In addition to this, DM Policy 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and include space suitable for children's play.

5.41 The table below illustrates that all the proposed units which form part of the roof extension to Riverdale House and the conversion of the Mill House are policy compliant with regards to the minimum floor

space standards as set out in Table 3.3 of the London Plan. It is also a requirement of DM Policy 32 that the proposed floor areas have a minimum floor to ceiling height of 2.5m.

- 5.42 On 21 August 2015 the Mayor of London published Minor Alterations to the London Plan 2015 which states that *'considering the nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling'* it is proposed to change London Plan requirements to reflect the proposed national standards. It is noted however that 2.5 would be a recommend floor to ceiling height, in order to address the unique heat island effect of London and to ensure that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.

Table 1.2: Residential Internal Floor Areas

Unit type	No. of units	Policy requirement (GIA sq m) (Table 3.3, Policy 3.5 London Plan 2015, SELHP Standards)	Proposed GIA (sq m)
1B2P	12	50	Min: 50
1B2P (Wheelchair Housing)	2	65	Min: 70.5
2B3P	2	61	Min: 61
2B3P (2 storey)	2	74	Min: 78
2B4P	3	70	Min: 82
3B4P	2	74	Min: 74
3B4P (2 storey)	2	87	Min: 89

- 5.43 While the new build component, above Riverdale House, would meet the minimum floor to ceiling height requirements, a floor to ceiling height of 2.3 metres for the new units within the Mill House is proposed which would comply with the National Technical Standards. London Plan Housing SPG does however provide addition guidance relating to the application of floor to ceiling heights where new

dwellings are created in existing buildings, and states that lower ceiling heights may be permitted by the local borough.

- 5.44 In the case of the subject application it is noted that the existing floor to ceiling heights are, with the exception of the second floor, below the recommended 2.5 metre standard. Officers consider that, when dealing with the conversion of an existing buildings, a pragmatic approach should be taken to the application numerical standards including minimum internal floor to ceiling heights. As previously detailed in this report, officers have identified the Mill House as a non designated heritage asset and resisted initial proposals by the applicant for the partial demolition of the existing building, which would have enabled compliance with the numerical standards of the relevant policies. It is considered that extensive alterations to the existing building, would negatively impact the heritage asset. Further to this, it is noted that the change to the internal floor levels would likely conflict with the existing windows, and may result in the repositioned floors plates traversing window openings. This would not be considered to be a successful design response.
- 5.45 Nevertheless officer acknowledge that ceiling heights are an important element in the design of a dwelling and can impact upon the internal amenity of a property in terms of light, ventilation, thermal comfort and flexibility of use. In this regard, all units would comply with the minimum internal floor space standards, with six of the proposed eight units providing areas in excess of London Plan standards and would also be dual aspect.
- 5.46 In terms of private open space, Standard 4.10.1 of the Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5 sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. Three proposed units would not be provided with any private open space, these being proposed Unit 7 of the Mill House and two proposed units located on the proposed sixth floor of Riverdale House.
- 5.47 When dealing with conversions and alterations to existing buildings the Council adopts a pragmatic approach to the provision of amenity space. Where external space can be provided it will be secured but in some instances the provision of balconies are not always appropriate, due to design or privacy considerations.
- 5.48 The majority of the units proposed as part of the roof extension to Riverdale House would be provided with an area of private open space located behind the existing parapet of the building at each level. Two units located upon the 6th floor however, would not be provided with any private open space. It is noted however that the provision of external open space for the two subject units on the sixth floor would require the alteration to the existing parapet of the roof which officers consider to be a distinctive feature of the existing building that has been sought to be retained.

- 5.49 Furthermore Unit 7, which is to be created in the Mill House, would also not be afforded an area of private amenity. Due to the proposed unit configuration, should an area of private open space be provided for this unit it would most likely be located along the primary Molesworth Street elevation and would require significant alterations to the original façade of the Mill House to enable access. This would not be a successful design response. Furthermore, any such balcony would likely prove unsuitable in regards to amenity, considering the proximity to the heavily trafficked Molesworth Street.
- 5.50 It should be noted however that the three units which would not be afforded any directly accessible private open spaces, would be provided with internal floor areas in excess of London Plan internal floor space standards.
- 5.51 Three separate areas of communal open space with a total area of 425.7 sq.m would also be provided at roof level in Riverdale House at the fifth, sixth and seventh floors respectively, to which future residents would be able access. Officers therefore consider that as all units would have access to these communal spaces the proposed provision of amenity space is, on balance, considered to be acceptable. Officers are therefore satisfied that the proposed residential units would provide an adequate amount of amenity space, both private and communal.
- 5.52 In addition to this, through negotiations with the applicant, officers have secured a commitment to provide a £25,000 contribution towards the upkeep of the adjacent Sculpture Park, which will also be available for use as an addition area of amenity by the future residents.
- 5.53 In terms of visual privacy of the proposed units, officers acknowledge that there will be a certain level of overlooking between a portion of the approved units to be created as a result of the prior approval application (DC/13/85132), particularly at first and second floor levels, and the proposed units within the Mill House. In this regard, the Mill House is located 18 metres from Riverdale House which is considered to be an acceptable separation distance to preserve privacy. In addition to this it is noted that the current approved use of the Mill House is A3- Café/ Restaurant and it is considered the potential level of disturbance and impact on residential amenity that could be created, should the applicant seek to re-establish the previous use would impact residential amenity to a greater extent, than that likely to be created as a result of this application.
- 5.54 In relation to solar access, the subject application is supported by a Daylight and Sunlight report prepared by Delva Patman Redler Chartered Surveyors. The report assess the level of solar access received by the proposed units created through the conversion of the Mill Building. The report, which takes account of the proposed roof extensions to Riverdale House, concludes that all units and

associated private open spaces, will obtain adequate levels of daylight and sunlight, in line with the relevant standards. It is further noted that all but three of the proposed units would be dual aspect, and all single aspect units would have either south east or south west orientation. This is considered to be acceptable.

- 5.55 It is therefore considered that the proposed units would be provided with a suitable level of outlook and amenity. Officers therefore consider that, on balance, the proposed development would be provided with an acceptable standard of accommodation.

Child playspace

- 5.56 The proposed development would result in a child yield of 2 based on the Council's Planning Obligations SPD calculator model, which can be broken down into one 0-5 year olds and one 5-12 year old. This methodology of calculating child yield is based on the latest available information from the GLA. London Plan policy 3.6 Children and young people's play and informal recreation facilities states that developments including housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. The Mayor's Supplementary Planning Guidance 'shaping neighbourhoods: play and informal recreation (2012)' requires a minimum area of 10sq.m of play space for each child, which is also used as a local benchmark. It goes on to state that the 10sq.m per child benchmark should be set in the context of the overall open space requirements, and where open space provision is genuinely playable, the open space may count towards the play space provision.
- 5.57 As previously stated, the current application involves the provision of three separate areas of communal open space with a total area of 425.7 sq.m, and would provide informal playspace for future residents. Further to this, the applicant has indicated on the proposed Site Plan (2121_GA-SP) an area of playspace would be located the within the existing landscaped setting of the property. Accordingly officers are satisfied that there would be sufficient provision of playspace could be made for the future residents of the development.
- 5.58 A condition has been recommend to secure the design and fit out of the playspace area prior to commencement of the development. It is further noted that the existing landscaping and pond area would further provide informal play areas for future residents of the development. The proposed play area, in addition to the existing provision is considered to provide a suitable quantum and quality of space that would be appropriate to meet the needs of this development.

Heritage

- 5.59 Paragraph 135 of the NPPF states that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.” DM Policy 37 states that the Council will protect the local distinctiveness of the borough by sustaining and enhancing the significance of non designated heritage assets.
- 5.60 As previously stated the Mill House has been identified as a non-designated heritage asset, in accordance with DM Policy 37, and is a relatively rare building of early date (1828) in Lewisham. It is the only known surviving mill building in Lewisham, however the existing property has undergone significant internal alterations. The building is considered to be a good example of early nineteenth century industrial architecture, in addition to having significant streetscape value as a traditional building in a picturesque setting in central Lewisham. However, the building is not either locally or nationally listed.
- 5.61 The Council’s conservation officer raised no objection to the proposed conversion to residential use; rather concerns have been raised regarding the proposed alterations to original portion of the mill building based upon the introduction of residential elements to a historic industrial building.
- 5.62 Particular concerns relate to the lowering of the existing third floor and associated loss of internal feature including the existing cast iron columns. Further concerns relate to the introduction of roof dormer windows and external balconies and the conversion of two of the ground floor historic windows on the south elevation into doorways.
- 5.63 Officers have also raised concern regarding the lack of detail provided regarding the proposed replacement of the existing windows.
- 5.64 In dealing with the proposed alterations to the Mill House, a balanced approach is required when assessing the acceptability of the level and type of alterations to the existing non designated heritage asset and the requirement to ensure all proposed residential units would be provided with a suitable standard of the residential accommodation and amenity.
- 5.65 The proposed roof dormer elements would be clearly visible from Molesworth Street however considering that they would be timber framed, uniform in size and appearance and would relate well to the existing building officers are satisfied that the proposed changes to the roof would not harm the character or setting of the building.

Further to this, it is considered that the proposed alterations to internal floor heights enables the provision of suitable internal headroom for the proposed upper floor residential units.

- 5.66 Similarly, the proposed introduction of external open spaces are considered vital to ensuring that the proposed units would be afforded with a suitable level of residential amenity. The proposed external balconies would be located upon the less visible southern and eastern facades, which is considered to be an acceptable compromise.
- 5.67 Conservation officers have raised concern regarding the level of detail that has been provided regarding the replacement of existing windows in the Mill House. A condition has been recommend to be imposed, should the application be approved which would require the applicant to provide the detailed specifications of the proposed replacement windows prior to the commencement of works of the Mill House.
- 5.68 Officers are therefore satisfied that the works to the Mill are acceptable, being sensitive to the building and therefore sustaining its significance as a non designated heritage asset whilst providing the necessary standard of accommodation.

Highways and Traffic Issues

- 5.69 The London Plan (2015) states that in locations with high public transport accessibility, car-free developments should be promoted.
- 5.70 No additional off-street parking would be provided within the site, however there are a limited number of existing parking spaces which would be available for the residents. A car free scheme in this case is acceptable considering the PTAL for this area is 6, attributed to the excellent provision of bus routes and Lewisham Station are located within a short walking distance.
- 5.71 It is noted as part of the Prior Approval application, all future applicants are restricted from applying for parking permits. Officer consider it necessary to similarly restrict permits of the future applicants as a result of this application.
- 5.72 Secure and dry parking for 46 bicycles are shown within the existing basement and to the rear of the Mill House. This meets the necessary standard and should be secured by condition.
- 5.73 TfL have reviewed the subject application and have advised that the application is in accordance with the Further Alterations to the London Plan (2015), the development would be required to provide 36 spaces for the dwellings. There is a requirement for the provision of 3 parking spaces for Blue Badge holders living in or visiting the

flats in the proposed extension and at Mill House, which could be secured via a Section 106.

- 5.74 A commitment has also been sought, to be secured within the accompanying Section 106 Agreement, to inform residents of changes to the surrounding road network.
- 5.75 Overall, TfL and Highways officers raise no objections to the proposal and officers are satisfied that subject to the necessary obligations and conditions the scheme could be acceptable in this regard.

Refuse

- 5.76 A refuse store would be located within the existing basement of Riverdale House and to the rear of the Mill House and a private contractor would be engaged to service the development. The proposed refuse details and siting are considered acceptable and a condition to secure details of the waste management as outlined within the accompanying refuse strategy is proposed to be included on any consent should the application be approved.

Construction

- 5.77 The Council's Highways Officer has reviewed the Framework Construction Management Plan submitted in support of the application, which is inline with that approved as part of the prior approval application, currently being implemented.
- 5.78 As previously stated, due the current designation of site as an Employment Location, the residential use of Riverdale House will be required to have begun while the current application, should it be approved, is being implemented. The applicant has submitted a Logistic Strategy, which details how the proposed development can be constructed so as to limit the potential negative impact upon the future residents from the proposed works.
- 5.79 In particular all proposed loading and access will be carried out from the southern portion of the site which would be separated from the remainder of the site, allowing the remainder of the units to be accessed via the primary Molesworth Street entrance. In addition to this the applicant has outlined a clear process for the handling and resolution of complaints between the contractors and future residents, along with a commitment to carry out all works in keeping with the National Considerate Constructors Scheme.
- 5.80 Officers are satisfied that this will manage the construction process appropriately. A condition is recommended requiring this to be implemented.

Sustainability and Energy

- a) Renewable Energy

- 5.81 Relevant policies within the London Plan Core Strategy would need to be addressed in any submission.
- 5.82 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).
- 5.83 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.
- 5.84 The applicant has submitted a Sustainability Statement in support of the application, which satisfactorily addresses the sustainability issues.
- 5.85 Solar panels have been identified as the most suitable renewable technology, and would be installed to the flat roof at the seventh floor.
- 5.86 The scheme would achieve a 35.1% CO2 reduction, therefore it is considered the development would accord with sustainability policies.

b) Living Roofs

- 5.87 London Plan Policy 5.11 confirms that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, Core Strategy Policy 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which compromise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.
- 5.88 Green living roofs are proposed to the flat roof areas at both sixth and seventh floor levels, which the applicant has confirmed would be a quality extensive roof system that would be plug planted and over-seeded. A condition has been recommended to be imposed to ensure the living roof would be constructed in full prior to occupation.

c) Landscaping

- 5.89 The Design and Access Statement which supports the subject application details the proposed landscaping which would be introduced as part of the proposed development. The existing landscaped area and pond establish the setting of both Riverdale

House and the Mill House and are considered to be integral to the relationship of the existing site with Molesworth Street. The subject application seeks to maintain the existing landscaped area.

- 5.90 As part of the subject application three communal open space areas with a total area of 425.7 sqm would be provided at the fifth (196.4sqm), sixth (109.8sqm) and seventh floor (119.5sqm) respectively and would include areas of planting. These areas would provide valuable residential amenity for future residents. This is considered to be an acceptable design response, and a condition has been recommend, should the application be approved, to the secure the details the design of these areas.
- 5.91 The submitted site plan details that there will open, level pedestrian access into the subject site. The application also proposes the construction of a accessible ramp to the main entrance of the subject site.
- 5.92 The ground floor units within the Mill House would be afforded small private gardens, comprised of lawned areas and proposed additional hard surfaces would match the existing paving materials.

Floodrisk and Environmental Considerations

a) Flooding:

- 5.93 The site is located within an area of high flood risk (Flood Zone 3a) and is accompanied by a Flood Risk Assessment which has been reviewed by the Environment Agency. No objection have been raised to the proposed development provided a condition relating to the finished floor level of the ground floor residential units to be created within the Mill House being imposed.

b) Land Contamination:

- 5.94 The Phase 1 Ground Condition Assessment (Contamination) submitted in support of subject application has been reviewed by Council's Principal Environmental Protection Officer. No objection has been raised to the proposed development subject to the inclusion of a condition requiring the contaminative assessment to be undertaken.

c) Noise and Air Quality:

- 5.95 The site is located within an Air Quality Management Area and the subject application is accompanied by an Air Quality assessment. In addition due to the relative location of the subject site in relation to the adjacent railway line and heavily trafficked Molesworth Street, a Noise Impact Assessment was also submitted in support of the application. The accompanying assessments have been reviewed by Council's Environmental Health Officer and, following the submission

additional information, no objections have been raised to the proposed development, subject to conditions.

- 5.96 In terms of noise during construction, a condition is proposed requiring suitable working hours to be adopted.

Planning Obligations

- 5.97 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

- 5.98 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.

- 5.99 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development. These are as follows:

- £490,352 off-site payment towards affordable housing;
- Restriction of the Residents' Parking Permits for CPZ to ensure no resident be entitled to a resident or visitors car-parking permit (with exception of disabled residents);
- Provision of two years membership to a Car Club scheme.
- Payment of £20,000 toward Employment and Training to mitigate for the loss of the existing A3 Mill House building.
- Town Centre Management Scheme contribution (£3,648)
- Public realm contribution for improvements to neighbouring sculpture park- £25,000
- Implementation linked to the prior approval and the site benefiting from Class J permitted residential development.

- Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
- Travel Plan monitoring.
- Undertaking to take part in the Lewisham’s Developers’ Forum
- Informing future residents of the works to be carried out to Molesworth Street associated with the ongoing related to the Gateway Development.

5.100 Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010), all of which are required to mitigate the impact of the development and are accepted by officers.

6.0 Local Finance Considerations

6.1 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).

6.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.

6.3 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.

7.0 Community Infrastructure Levy

7.1 The proposed development is CIL liable.

8.0 Equalities Considerations

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

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

- 8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. 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.
- 8.3 In this particular case, it is not considered that the nature of the proposed development would result in a harmful impact upon 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 design of the proposed development in regard to the height, massing and design of the proposed extension to Riverdale House and the proposed alterations to the Mill House are considered acceptable and worthy of support.
- 9.3 Officers consider that with appropriate planning conditions and obligations in place, the proposal represents a high quality development that would be befitting of this prominent location.
- 9.4 As discussed in this report the proposals are considered to make a positive contribution to the Borough and the high quality design of the proposal and wider public realm improvements are considered to make a significant improvement to this part of Lewisham Town Centre.
- 9.5 It is recognised that its success will be dependent on how the proposal is executed. It is felt that as far as reasonably possible, within the parameters of the planning framework, an appropriate package of measures has been secured to ensure that the benefits of the scheme are delivered and a high quality development executed.
- 9.6 Officers consider that, with the recommended mitigation, planning conditions and obligations in place the proposal represents a high quality development that would bring a range of positive benefits to the Borough. As such the development should be approved.

10.0 RECOMMENDATIONS

10.1 RECOMMENDATION (A)

To agree the proposals and authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters including other such amendments as considered appropriate to ensure the acceptable implementation of the development. The Heads of Term are to be as follows:

- £490,352 off-site payment towards affordable housing;

- Restriction of the Residents' Parking Permits for CPZ to ensure no resident be entitled to a resident or visitors car-parking permit (with exception of disabled residents);
- Provision of two years membership to a Car Club scheme.
- Payment of £20,000 toward Employment and Training to mitigate for the loss of the existing A3 Mill House building.
- Town Centre Management Scheme contribution (£3,648)
- Public realm contribution for improvements to neighbouring sculpture park- £25,000
- Implementation linked to the prior approval and the site benefiting from Class J permitted residential development.
- Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
- Travel Plan monitoring.
- Undertaking to take part in the Lewisham's Developers' Forum
- Informing future residents of the works to be carried out to Molesworth Street associated with the ongoing related to the Gateway Development.

10.2 **RECOMMENDATION (B)**

Upon the completion of a satisfactory Section 106, in relation to the matters set out above, authorise the Head of Planning to 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:

EX-P-B01;EX-P-L00; EX-P-L01; EX-P-L02; EX-P-L03; EX-P-L04; EX-P-L05; EX-P-L06; EX-E-01; EX-E-02; EX-E-03; EX-S-01;EX-S-02; EX-S-03; EX-P-D-L05; EX-P-D-L06; EX-P-D-R01; EX-E-M-01; EX-S-M-01; EX-P-M-L00; EX-P-M-L01; EX-P-M-L02; EX-P-M-L03; EX-P-M-L04; EX-P-M-D-L00; EX-P-M-D-L01; EX-P-M-D-L02;EX-P-M-D-L03; EX-P-M-D-L04; SC-EW; GA-P-B01; GA-P-B01 W/C; GA-P-L04_01; GA-P-L04_01 LTH; GA-P-L05; GA-P-L05_01; GA-P-L05 LTH; GA-P-L06; GA-P-L06_01; GA-P-L06_01 LTH;GA-P-L06 WC; GA-P-L07; GA-P-L07_01; GA-P-L07_01 LTH;GA-P-R01; D-TY-FT1; D-TY-RT1;D-TY-RT2, D-J-101; D-J-102; D-J-103; D-J-104; D-J-105; D-J 106; EX-P-D-B01; EX-P-D-00; EX-P-D-01; EX-P-D-02; EX-P-D-03; EX-P-D-04; EX-P-D-L05; EX-P-D-L06; EX-P-D-R01; Site Location

Plan; Planning Statement Version 2 (March 2015, CMA Planning); Design and Access Statement including Lifetime Homes Standards (February 2015, Alan Camp Architects); Noise Impact Assessment (November 2014, KR Associates); Viability Statement (February 2015, Strut and Parker); Ground Borne Vibration Assessment (January 2015, Peter Brett Associates); Flood Risk Assessment (January 2015, Peter Brett Associates); Phase 1 Ground Condition Assessment (Contamination) (January 2015, Peter Brett Associates); Sustainability Statement (January 2015, Metropolis Green); Built Heritage Statement (January 2015, CgMs); Energy Strategy (January 2015, Metropolis Green); Air Quality Assessment (December 2014, Air Quality Consultants); Mill House Building Design Philosophy Statement (January 2015, Tully De'Ath Consultants); Transport Statement (January 2015, Peter Brett Associates); Residential Travel Plan Framework (January 2015, Peter Brett Associates); Daylight and Sunlight Assessment (January 2015, DPR)

D-J-110; D-J-111; D-J-112; D-J-113; D-J-114; D-J-115; D-J-116; D-J-117; D-J-118; D-TY-WT1 rev A; D-TY-WT1-Plan; D-TY-WT2 rev A; GA-P-M-L04 rev A; GA-P-M-L02 rev A; Addendum to Design and Access Statement – Appearance; Proposed living roof specification and management strategy (dated June 2015) Email correspondence from applicant received 23 July 2015

D-J-101 rev B; D-J-116 rev A; D-J-119 rev A; GA-E-01 rev A; GA-E-02 rev A; GA-E-03 rev A received 26 August 2015; GA-SP rev B (Site Plan) received 25 September 2015; GA-SP (Construction site layout plan); Riverdale House- Phase Two Logistic Strategy rev 2 received 28 September 2015; D-J-120; D-J-121; GA-P-M-L00-01-LTH rev A; GA-P-M-L01-01-LTH rev A; GA-P-M-L02-01-LTH rev A; GA-P-M-L03-01-LTH rev A; GA-P-M-L04-01-LTH rev A; GA-S-M-01 rev A; GA-S-M-02 rev A; GA-S-M-03 rev A; GA-S-M-04 rev A; GA-E-M-01 rev A; GA-E-M-02 rev A; GA-E-M-03 rev A; GA-E-M-04 rev A received 08 October 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. (a) No development shall commence on the Mill House building and/or the immediate surrounding areas 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 Mill House 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 as detailed in the Phase 1 Ground Condition Assessment (January 2015, Peter Brett Associates) is identified and remedied in view of the historical uses of the site, details which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

4. No development shall commence on the Riverdale House until details of all the external materials and finishes listed below (including samples where specified) shall be submitted to and approved and in writing by the local planning authority.

(a) A sample panel of the intersection of the aluminium frame window and glazed cladding panels, as detailed drawing no. 2121_D-J-116 Rev A, dated 25.8.2015 received 26 August 2015 shall be built on site, showing the proposed cladding, tinted glazing and sill detail hereby approved.

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

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

5. (a) The development shall be constructed in those materials as submitted namely: Alsecco ESG 8 mm ähnlich RAL 7012 basaltgrau, tinted glazing, aluminium windows, doors and balcony railings and in full accordance with Drawing Nos

(b) The scheme shall be carried out in full accordance with those details, as approved.

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

6. No development shall commence on the Mill House until details of all the external materials and finishes listed below (including samples where specified) shall be submitted to and approved and in writing by the local planning authority.

a. Detailed sections and elevations which illustrate the proposed screening of the intersection of the repositioned third floor with the existing windows, as detailed in drawing nos: 212-GA-S-M-01; D-J-105 which serves Flat 07 and 08 shall be submitted to and approved in writing by the local planning authority;

b. A detailed schedule and specification of all replacement windows (including window reveal depths), conservation style roof lights, external doors and roof covering to be used on the Mill House 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: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

7. No Occupation of the Development will be permitted until a Waste Management Plan has been submitted and approved in writing by the local planning authority. The measures shall be in general accordance with the PBA Transport Statement dated January 2015. The approved waste management plan shall thereafter be retained and maintained 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).

8. The development hereby approved shall be carried out strictly in accordance with the recommendations contained in the Air Quality Assessment (Prepared by Air Quality Consultants, dated December 2015) submitted in support of the application.

Reason: In order that the local planning authority may be satisfied that the development is not going to result in significant health impacts to existing and future residents from a deterioration in local air quality and to comply with Development Management Local Plan (November 2014) Policy 23 Air quality.

9. (a) A minimum of 46 additional secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.

(b) No development shall commence above ground floor level 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).

10. (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. GA-P-L07; GA-P-R01 received 31 March 2015 and Design and Access Statement (February 2015, Alan Camp Architects) received 19 March 2015 and Proposed living roof specification and management strategy (dated June 2015) received 23 July 2015 and hereby approved and maintained thereafter.

(b)The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

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

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (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. (a)No part of the development hereby approved shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

(b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.

(c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

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

12. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater pipes, shall be fixed on the external faces/front elevation of the buildings.

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and

DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

13. The three (3) disabled car parking spaces as shown on drawing no. GA-P-B01_W/C (dated 02.02.15) received 31 March 2015 hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter

Reason: To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the building(s) 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).

14. In accordance with the submitted Riverdale House – Phase Two Logistic Strategy dated July 2015 received 23 July 2015, no deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 9 am and 4 pm on Mondays to Fridays and 9 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

No work shall take place on the site other than between the hours of 8 am and 17:30 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

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

15. The development hereby approved shall not be carried other than in strict accordance with the Energy Strategy prepared by Metropolis Green (dated January 2015) including the 35.1% Carbon Dioxide Emissions Savings relative to 2013 Part L Building Regulations.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions and 5.3 Sustainable design and construction in the London Plan (2011).

16. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Peter Brett Associates (Project Ref: 28979) dated January 2015 and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than 10.4 m above Ordnance Datum (AOD).

Reason: To reduce the risk of flooding to the proposed development and future occupants.

17. (a) Notwithstanding the details already submitted, a scheme of soft landscaping for the communal areas as detailed on Drawing Nos GA-P-L05; GA-P-L06; GA-P-L07 (dated 02 January 2015) received on 31 March 2015 (including 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).

18. (a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmax (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.

(b) Development shall not commence until details of a sound insulation scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.

(c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

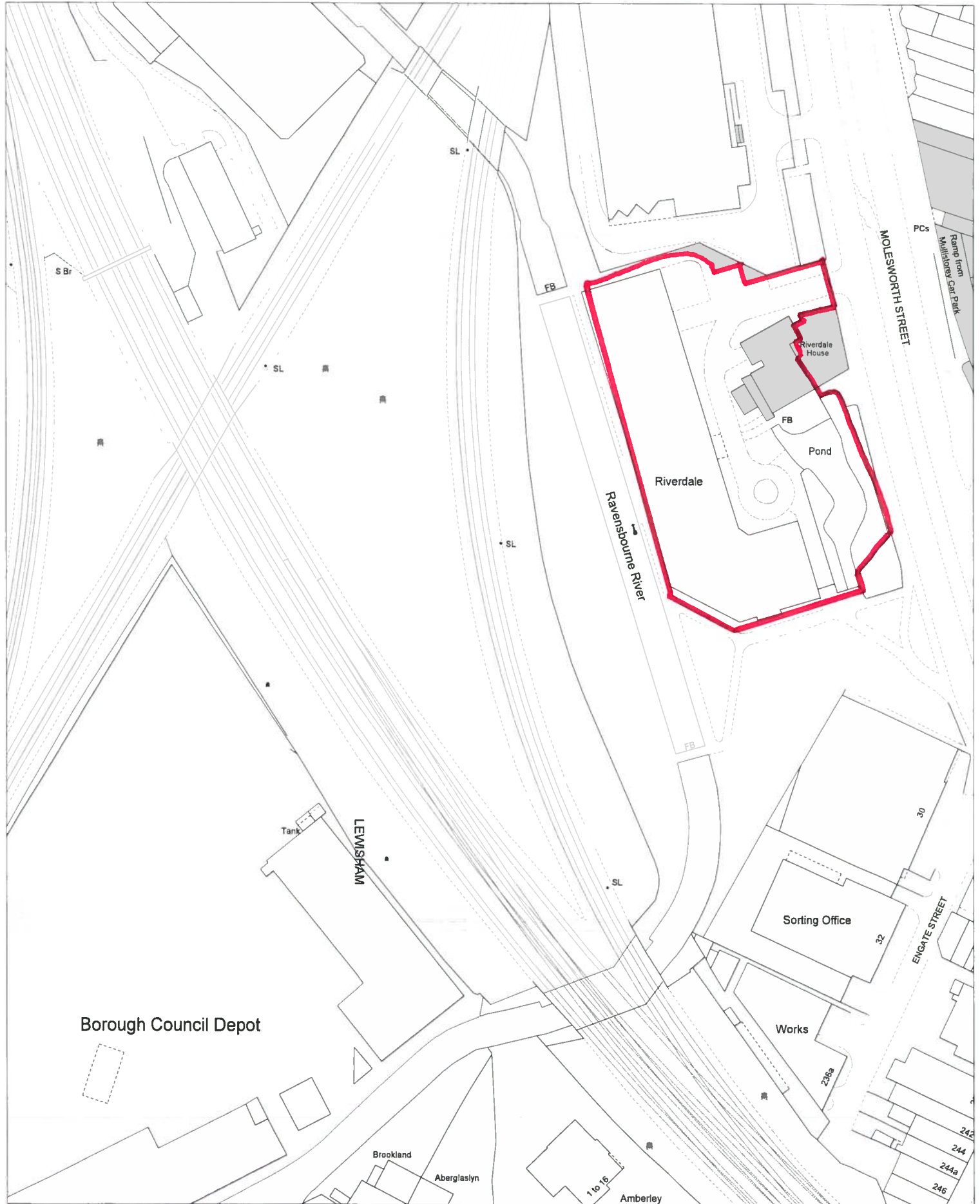
Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

19. No development shall commence until a detailed specification of the Child playspace area as detailed on drawing no 2121-GA-SP rev B dated 19.09.15 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.

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Riverdale House, SE13



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Financial Viability Review

Riverdale House/Mill House
68 Molesworth Street
London
SE13 7EY

Report Prepared for:

London Borough of Lewisham

November 2015



Lambert Smith Hampton Financial Viability Review

Prepared on behalf of the London Borough of Lewisham for the proposed redevelopment of:

Riverdale House/Mill House
68 Molesworth Street
London
SE13 7EY

Written by and on behalf of Lambert Smith Hampton:

Notice

This report has been produced by Lambert Smith Hampton (“LSH”) for The London Borough of Lewisham (“LBL”) for the specific purpose of assessing the viability and reasonableness of assumptions used regarding a scheme submitted to LBL. This report must not be used by any other entity/person other than LBL without LSH’s express permission. LSH accepts no liability for any costs, or liabilities or losses as a result of the use of, or reliance upon, the contents of this report by any other entity/persons other than LBL. The advice provided herein must only be regarded as an indication of potential value, on the basis that all assumptions are satisfied. The advice does not and cannot be considered to represent a formal “Red Book” Valuation in accordance with the Royal Institution of Chartered Surveyors Valuation – Professional Standards 2014, and should not be regarded as such.

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Construction Cost Review
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1 Introduction & Background

Purpose of Report

- 1.1 Lambert Smith Hampton (“LSH”) are instructed by the London Borough of Lewisham (“LBL”) to review a site specific Financial Viability Assessment (“FVA”) for the proposed roof extension to Riverdale House and the conversion of the Mill House to provide 25 residential units comprising a mix of 1,2 and 3 bedroom flats and duplex apartments.
- 1.2 We have been provided with information regarding a draft pre-application and we understand that a full planning application has now been submitted.
- 1.3 We are aware that Riverdale House currently benefits from prior approval for the change of use from office (Class B1) to residential (Class C3) and work is currently underway to provide a total of 137 units.
- 1.4 Financial viability is an important material consideration in the consideration of planning applications. The cumulative impact of planning policy obligations should not be such to make proposals incapable of being delivered.

“To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”¹

- 1.5 The purpose of this report is to undertake a due diligence review for the proposed development in line with the RICS Financial Viability in Planning Guidance Note (FVIP 94/2012) in order to ascertain;
 - i. Whether it would be viable for a policy compliant scheme to be delivered;
 - ii. If a policy compliant scheme is not viable, advice on the maximum achievable quantum of on site affordable housing which it would be viable to provide;

¹ Paragraph 173, National Planning Policy Framework, DCLG. (2012).

- iii. In the event that a payment in lieu is the only practical or viable option, to assess the maximum achievable payment that can be made.

Planning Policy Context

- 1.6 Core Strategy Policy 1 outlines the Council's approach to the provision of affordable housing, and the policy can be considered in line with the recently published Planning Practice Guidance, which states;

"...viability can be important where planning obligations or other costs are being introduced. In these cases decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth."²

- 1.7 LBL's Core Strategy Policy 1 states that;

"...The Council will seek the maximum provision of affordable housing with a strategic target of for 50% affordable from all sources. Contributions to affordable will be sought on sites capable of providing 10 or more dwellings. The starting point for negotiations will be a contribution of 50% affordable housing on qualifying sites across the borough."³

- 1.8 The proposed scheme results in the construction of 25 residential dwellings and on the basis of the Council's Core Strategy Policy June 2011, this is understood to generate a requirement of approximately 12 on site affordable housing units. The current proposals make provision for 3 intermediate units or 2 social rented units on-site, meaning there is a shortfall in affordable housing provision.

Confidentiality

- 1.9 Due to the commercially sensitive nature of some of the information contained herein, this report is provided on a strictly private and confidential basis as publication of the document may serve to prejudice the Applicant in any commercial negotiations. The report must not be

² Paragraph 001, Viability – A General Overview, Planning Practice Guidance, DCLG. (2014).

³ Page 82, Lewisham local development framework, Core Strategy. (Adopted June 2011).

recited or referred to in any document, or copied or made available (in whole or in part) to any other person without express prior written consent.

- 1.10 The advice provided herein must only be regarded as an indication of potential value, on the basis that all assumptions are satisfied. The advice does not and cannot be considered to represent a formal valuation in accordance with the Royal Institution of Chartered Surveyors (RICS) Valuation-Professional Standards 2014 (“the Red Book”) and should not be regarded as such.

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2 Methodology

Financial Viability in Planning

- 2.1 The RICS published a first edition guidance note FVIP in August 2012 which identifies best practice for the assessment of area wide and site specific viability as part of the planning process. DCLG have prepared further viability guidance for the National Planning Policy Framework (“NPPF”), which follows this approach.

“Financial viability has become an increasingly important material consideration in the planning system. While the fundamental purpose of good planning extends well beyond financial viability, the capacity to deliver essential development and associated infrastructure is inextricably linked to the delivery of land and viable development.”⁴

- 2.2 The NPPF emphasises both the delivery of planning obligations and scheme deliverability via the provision of competitive returns to both willing landowners and developers to enable sustainable development to come forward.

Financial Viability Assessments

- 2.3 A FVA allows for a robust testing of the ability of a development project to meet its costs, including the cost of planning obligations, while ensuring an appropriate Site Value (“SV”) for the landowner and a market risk-adjusted return to the developer in delivering that project. FVAs should be sufficiently detailed with evidence supporting the key inputs into the study.
- 2.4 Instances may arise where the project programme of a proposed scheme is such that the costs and values associated with that scheme may span the usually anticipated development cycle, and so may warrant the inclusion of projected cost and value assumptions, with an associated assessment of an appropriate land-owner/developer return on this basis.
- 2.5 When assessing a suitable benchmark SV there are two usual approaches to the valuation of development land;
- Comparison with the sale price of land for comparable development; and

⁴ p.2 RICS Financial Viability in Planning (94/2012).

- Assessment of the value of a proposed scheme as completed and deduction of the costs of development (including developer's profit) to arrive at the underlying Residual Land Value ("RLV").

2.6 In practice both valuation methods may be employed, with the comparable method providing a sense-check against current market conditions and sentiment. The degree to which either, or both, is relevant depends upon the nature of the development being considered and the complexity of the site specific issues at hand.

2.7 Established approaches to the valuation of property and development assets, specifically in a financial viability context, are grounded in numerous pieces of RICS guidance. LSH have had regard to the concepts and standards outlined in these documents in formulating our opinion of site specific financial viability.

- RICS Valuation – Professional Standards (2014)
- RICS Guidance Note – Financial Viability in Planning (2012)
- RICS Information Paper – Comparable Evidence in Property Valuation (2012)
- RICS Guidance Note – Valuation of Land for Affordable Housing (2010)
- RICS Valuation Information Paper 12 - Valuation of Development Land (2008)

2.8 For the purposes of this assessment LSH have tested the scheme viability using Argus Developer which is widely regarded as the industry standard software for property development feasibility studies and facilitates any level of development analysis.

Viability Testing

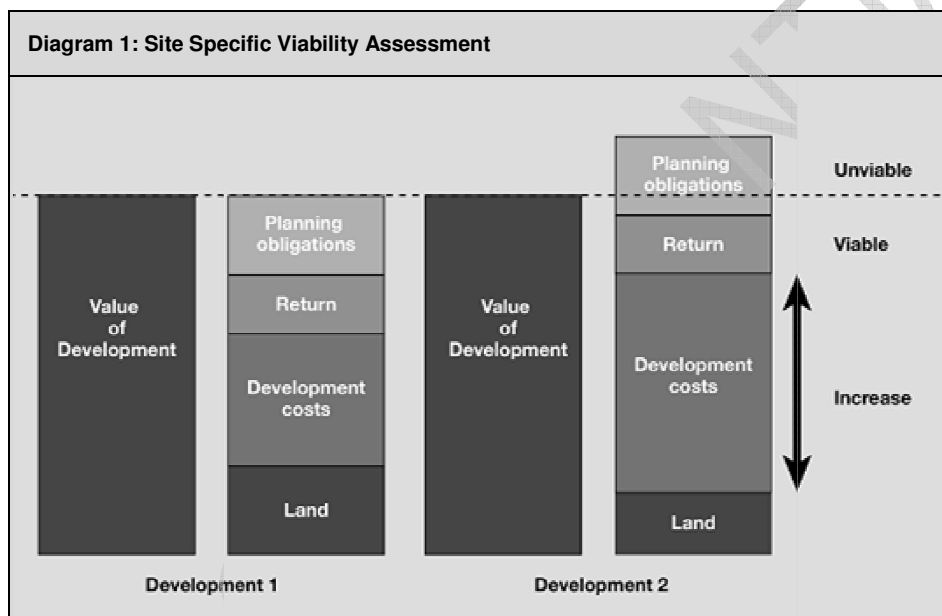
2.9 There are two approaches that can be used to assess the site specific viability of a development proposal;

- Site Value approach (including an allowance for developer's return as a cost of development);
- Developer's Return approach (where site value is a cost of development).

2.10 In adopting the SV approach the RLV of the proposed scheme, assuming a market level of developer return as a cost of development, is compared to an appropriate SV. The Developer's Return approach adopts a fixed land value and compares a Residual Profit to an

appropriate hurdle profit rate. LSH have adopted the Site Value approach for the purposes of this assessment, in the line with the methodology adopted by the Applicant.

2.11 If the proposed scheme RLV is greater than that of the SV, the scheme is considered viable at that level of planning obligations, generating a financial surplus. If the RLV of the proposal is less than the SV the scheme is not viable. The development economics of the scenarios in the below diagram illustrates how the extent of planning obligations or other requirements can render a scheme unviable when compared to an appropriate SV benchmark.



Source: RICS Financial Viability in Planning GN 94/2012

2.12 In looking at diagram 1 above, the development economics of “Development 1” are such that policy can be met in delivering all planning obligations while meeting a Site Value for the land, all other development costs and a market risk adjusted return for the development. With “Development 2” the cumulative impact of policy requirements, development costs and a market risk adjusted return are such that a viability assessment is required to establish what could viably deliver the development while meeting the viability definition.

3 Proposed Scheme

Site Description

- 3.1 The broadly rectangular site occupies a prominent position fronting Molesworth Street within close proximity to Lewisham Shopping Centre and the Ravensbourne River. The subject site ("the Site") currently comprises two vacant office buildings in the form of Riverdale House extending to approximately 16,673ft² GIA and the Mill House extending to approximately 8,498ft² GIA. We understand that the Mill House is considered to be an undesignated heritage asset.
- 3.2 Riverdale House comprises an office building arranged over 5 floors and was constructed in the 1980's. The property is currently vacant and benefits from prior approval for the change of use from office (Use Class B1) to residential (Use Class C3) to provide a total of 137 units. Construction work is underway to convert the building.
- 3.3 The Mill House comprises a brick built building arranged over ground, first, second and third floors and was constructed in the 1800's. The building is mainly used as office accommodation together with kitchen and WC facilities and it's current existing lawful use is A3.
- 3.4 Transport links are excellent with Lewisham DLR and Lewisham mainline rail station a little under a 10 minute walk away (offering access to Stratford, Bank, London Cannon Street and London Bridge). The site has a PTAL rating of 6b.
- 3.5 The immediate area is characterised by a wide range of different commercial land uses to include office and retail accommodation. To the north of the Site there are various new build residential schemes along and around Loampit Vale, recently completed or under construction. Lewisham Shopping Centre is located directly opposite the Site.
- 3.6 The Site is understood to benefit from a level topography and is broadly rectangular in shape. It measures approximately 0.22 acres (0.54 hectares) and vehicular access is currently offered from Molesworth Street, a publicly adopted highway.
- 3.7 This assessment assumes that the freehold interest in the Site is held, and it is free from any onerous easements or restrictions.

Development Proposal

3.8 The Applicant proposes the following development to take place;

“Development of the roof space of Riverdale House and the conversion of the Mill House to provide a total of 25 residential apartments.”

3.9 In terms of design the residential units proposed at Riverdale House will be arranged as penthouse apartments over part fourth, fifth, sixth and seventh floors with each benefitting from outside space and associated views.

3.10 The proposed redevelopment the Mill House includes the conversion of the existing building to comprise a mix 1, 2 and 3 bedroom flats and duplex apartments arranged over ground, first, second, third and fourth floors. The units will benefit from differing levels outdoor amenity space.

Accommodation

3.11 We have been provided with a schedule of areas by Alan Camp Architects and summarise these in tables 1 and 2 overleaf:

Table 1: Riverdale Accommodation Schedule			
Apartment	No. Bedrooms	Floor	Size (ft² NSA)
1	2	Fourth	926
2	2	Fourth	883
3	1	Fifth	538
4	1	Fifth	538
5	1	Fifth	538
6	1	Fifth	543
7	1	Sixth	621
8	1	Sixth	582
9	1	Sixth	538
10	1	Sixth	759
11	2	Sixth	658
12	1	Sixth	545
13	1	Sixth	559
14	1	Sixth	801
15	1	Seventh	556
16	1	Seventh	577

17	2	Seventh	731
		Total	10,892

Table 2: Mill House Accommodation Schedule					
Apartment	No. Bedrooms	Floor	Type	Size (ft² NSA)	Outside Space
1	3	Ground	Lateral	797	Patio
2	3	Ground/First	Duplex	958	Garden
3	3	Ground/First	Duplex	958	Garden/Terrace
4	3	First	Lateral	947	Terrace
5	1	Second	Lateral	538	Terrace
6	2	Second	Lateral	1,076	Terrace
7	2	Third/Fourth	Duplex	850	N/A
8	2	Third/Fourth	Duplex	840	Terrace
Total				6,964	

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4 Market Information Summary

Gross Development Value

- 4.1 A scheme Gross Development Value (“GDV”) has been assessed through reference to private residential sales values, capitalised ground rent income and estimated capital receipts for affordable housing units.

Private Residential Values

- 4.2 The private residential units have been individually priced, primarily with reference to the new build apartments currently on the market from across the Lewisham Gateway development.
- 4.3 LSH are aware of a number of new build schemes within the area reflecting the following prices and unit sizes;

	Net Sales Area Range	Unit Price Range	£/ft² Range
1 Bedrooms	492 ft ² - 532 ft ²	£303,000 – £328,000	£570/ft ² - £661/ft ²
2 Bedrooms	618 ft ² - 694 ft ²	£355,000 – £405,000	£517/ft ² - £601/ft ²

- 4.4 A number of second hand units are currently on the market within the SE13 postcode and have also been considered with regards to the Mill House. A single 1 bedroom asking price is quoted, 6 x 2 bedroom prices, and a single 3 bedroom duplex unit. The asking prices reflect the following;

	Net Sales Area Range	Unit Price Range	£/ft² Range
1 Bedrooms	488 ft ²	£320,000	£655/ft ²
2 Bedrooms	645 ft ² - 1144 ft ²	£325,000 – £399,000	£284/ft ² - £616/ft ²
3 Bedrooms	877 ft ²	£399,950	£456/ft ²

- 4.5 LSH have been provided with a sales schedule by Galliard Homes for existing apartments within Riverdale House which indicated that as at January 2015 last year approximately 75% of the apartments being sold off plan. It would appear that all units have now sold and LSH have therefore reflected an off plan sales rate of 100%.

Car Parking

- 4.6 LSH have assumed that any unallocated car parking will be offered with the new units.

Ground Rents

- 4.7 A ground rent income equivalent to for the 1 bedroom flats, for the 2 bedroom flats and for the 3 bedroom flats has been assumed, capitalised at a net all risks yield of with subsequent purchaser's costs deducted. The income is assumed as receivable at the end of the sales period following disposal of all the residential units.
- 4.8 For the purposes of this review LSH have adopted the same ground rent assumptions.

Affordable Housing Revenue

- 4.9 We understand that the Council's position on tenure split is 70% affordable rent (at 60% of open market rent) and 30% intermediate and would request that the Applicant reflects this within their FVA so that these assumptions can be accurately valued and modelled.
- 4.10 LBL have confirmed that a rate of £125/ft² for the affordable rented units and £264/ft² for the intermediate units are acceptable. LSH have therefore reflected these values within our assessment.

Construction Costs & Project Programme

- 4.11 LSH have been provided an elemental cost plan in relation to the proposed development of Riverdale House and conversion of The Mill House and have assessed the base build cost including demolition, external works and contingency at £3.920 and £1.505m respectively.

- 4.12 We have referred the scheme to our in-house Cost and Project Management team who have commented upon the assumptions and scheme within a separate report.
- 4.13 LSH have been advised by LBL that the proposed development will be of standard construction and not pre-fabricated.
- 4.14 A project programme reflecting an 8 month lead-in period and month 12 construction period has been assumed, with no justification set out for these assumptions. LSH have adopted a 3 lead-in period.
- 4.15 For the purposes of our report LSH have adopted the build base rate contained within the RLB cost schedule and present our conclusions against a sensitivity analysis reflecting increased and reduced construction costs.

Planning Obligations

- 4.16 Further to discussions with LBL we are aware also that the following planning obligations will apply;
- Employment and training £20,000
 - Town Centre Management £3,648
 - Public Realm £25,000
- 4.17 LSH have therefore reflected the above obligations within our appraisal.

Other Assumptions

4.18 Various other market based assumptions inform the financial model that in turn informs the RLV of the proposed scheme, and a summary of the main appraisal inputs is set out in the following table;

Input	LSH Assumption
Residential Agent Fees	1.5% of GDV
Marketing Fees	1.75% of GDV
Professional Fees	12%
Finance Rate	7% blended rate
Profit	20% on Cost
Legal Fees	£500/unit

5 Site Value

Definition

- 5.1 The definition of SV, sometimes referred to as the Benchmark Land Value (“BLV”), is stated in the RICS FVIP guidance note, where;

“Site value should equate to the market value subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan”.⁵

- 5.2 To more fully understand the above definition it is necessary to define Market Value (“MV”), which can be found in the RICS “Red Book” as;

“The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion”.⁶

Valuation Parameters

- 5.3 To determine the SV for a development asset there are a number of considerations and different bases of value that form the parameters within which a reasoned assessment of MV can be made;

- Existing Use Value (“EUV”) / Current Use Value (“CUV”);
- Alternative Use Value (“AUV”);
- Purchase Price.

- 5.4 EUV and CUV have come to be used interchangeably, although subtle differences exist between the two bases of value. The over-riding assumption with both is that the asset is valued in its current or existing planning use-class, and possible more valuable alternative uses are not reflected.

- 5.5 The RICS Red Book comments on the relationship between AUV and MV, stating;

⁵ Page 17, RICS Financial Viability in Planning (94/2012)

⁶ Page 53, RICS Valuation – Professional Standards (2014)

“Where it is clear that a purchaser in the market would acquire the property for an alternative use of the land because that use can be readily identified as generating a higher value than the current use and is both commercially and legally feasible, the value for this alternative use would be the market value...”⁷

- 5.6 In establishing the MV of an asset it is therefore necessary to understand the EUV/CUV of the asset in conjunction with possible alternative uses, which will be adjusted for risk. Where development potential can be realised, i.e. is considered both commercially and legally feasible, the MV will include an element of hope value over and above the EUV/CUV.
- 5.7 The site purchase price should, when the conditions of the sale can be considered to accord with the definition of MV, and the level of consideration can be supported with other comparable market transactions, reflect a deliverable scheme from a planning perspective whilst maintaining a reasonable anticipation of return for a developer.

Adopted Site Value

- 5.8 LSH have adopted a SV equating to £0.580 within our FVA.

Existing Use Value

- 5.9 To substantiate the EUV the property has been assessed on an investment basis with reference to 5 comparable lease transactions that in turn inform an estimate of an achievable Market Rent (“MR”).
- 5.10 A rent of has been applied to the existing Mill House Net Internal Area (“NIA”) of 6,308ft², which has then in turn been capitalised at into perpetuity with purchaser’s costs deducted. No evidence has been supplied in support of the adopted yield assumption.
- 5.11 It has been established that the existing lawful use of the Mill House is A3 and the Applicant has stated that this does not reduce their opinion of value and believe that this results an increase of the SVB. This is on the basis that an A3 use class (whereupon changes to A1 or A2 would be permitted) would command a premium over B1 use.

⁷ Page 141, RICS Valuation - Professional Standards (2014)

5.12 LSH have been provided with additional comparable transactions as follows;

- **191-193 Lewisham High St, SE13;** A 1,512 ft² A2 retail unit was let in December 2014 at a passing rent of per annum equating to. This comparable is situated within a superior location and benefits from a high level of footfall;
- **75 Springbank, SE13;** A 1,200 ft² retail unit was let in December 2014 at a passing rent of per annum equating to. This comparable is situated within a superior location and forms part of parade of retail units approximately 0.2 miles south of Hither Green mainline station.

5.13 LSH would consider the Mill House to be located within tertiary location given the lack of frontage, footfall and occupiers within the immediate area. We are of the opinion that there would be very limited demand from retail occupiers for the property as a whole given the position adjacent to a dual carriage way.

5.14 LSH have not been provided with a valuation for the Mill House on the basis of the existing lawful use with appropriate voids or rent free incentives and would request that this is provided and more fully commented upon.

5.15 A refurbishment cost of £10/ft² has been assumed, with no void period or letting incentives accounted for.

5.16 The Applicant has applied a value to the roof space at Riverdale House based on the installation of a telecommunication mast. Further to discussions with LBL we are advised that Council records do not reveal any consent for the installation of telecommunication devices and no devices are currently present on the roof of Riverdale House.

5.17 Furthermore, written consent from Council for the installation of a mast would be required under Part 16 Condition A(i) subparagraph (2) of The Town and Country Planning (General Permitted Development) (England) Order 2015. While a definitive assessment of a potential proposal against the GDPO cannot be carried out without details of a proposed scheme, it is clear that an application for Prior Approval under Condition A.3 would be required to be submitted to Council. As part of the Prior Approval process the Council are required to assess the position and design of a telecommunication device.

5.18 In accordance with the above we have not reflected any value attributed to the telecommunication mast within our appraisal.

Alternative Use Value

5.19 An AUV of the Site has been assessed with reference to comparable transactions that reflect residential redevelopment opportunities. A total of 8 comparable transactions have been supplied in support of the Applicant's SV. The comparables are located across SE4, SE13, SE1, SE14, SE8, and SE23.

5.20 The Mill House is currently a vacant building allocated for A3 use and the Applicant has approached assessing a possible AUV by comparing other comparable residential land transactions reflecting differing land uses including a care home, former pub, MOT centre and a mews workshop which benefits from prior approval and existing income. These indicate a range of asking prices between and summarised as follows:

- **2 Church Rise, SE23;** A Victorian Villa which has been converted to 12 bed care home extending to approximately 4,100 sq ft with proposals for 5 x 2 bedroom flats, 1 x 3 bedroom flat and 2 x 1 bedroom flats.
- **209-210 Grange Road, SE1;** A former pub extending to approximately 3,812 sq ft with B1 (office) on the ground and first and C3 (residential) on the second and third floor. The property previously benefitted from planning permission for the conversion of the first floor office to a one bedroom apartment however was not implemented.
- **1 Creekside, SE8;** An M.O.T centre extending to approximately 8,000 sq ft available with vacant possession and situated within a predominately residential location.
- **Hatcham Mews, Hatcham Park Road, SE14;** A mews workshop subject to 3 leases outside the 1954 L&T Act and benefits from prior approval.
- **62 Campshill Road, SE13;** A former pub comprising a mix of retail over ground and basement and residential accommodation on the upper floors. The property extends to approximately 4,700 sq ft.
- **10-14 Mercy Terrace, SE13;** A vacant industrial unit extending to approximately 13,700 sq ft. The property is situated within a predominately residential location and was sold for redevelopment potential.

- **1-5 Ashy Road, SE4;** A vacant office building arranged over ground and first floor extending to approximately 5,600 sq ft was purchased in 2013 for redevelopment purposes.
- **289 Lewisham Way, SE4;** A former church building arranged over 4 floors extending to approximately 8,210 sq ft on a site of 0.28 acres. The property was purchased in 2013 for redevelopment purposes.

5.21 The sale of Hatcham Mews, SE14 has been highlighted as the lead comparable and comprises two let workshops extending to approximately 13,199 sq ft and benefits from prior approval for the conversion to 3 x 3 bedroom houses, 1 x 4 bedroom houses, 2 x 2 bedroom flats on a site of approximately 0.42 acres. The property is situated within a far superior residential location within the Hatcham Park Conservation Area.

6 Results & Viability Conclusions

Outputs & Results

6.1 The proposed 100% market unit scheme has been modelled by LSH due to the uncertainties surrounding the valuation assumptions underpinning the affordable units. Revisions have been made to the Applicant's assumptions where evidence has not been supplied in support of major appraisal assumptions;

- Sales rate altered to reflect increased off plan sales;
- all-in finance rate adopted;
- Project programme reduced;
- Residential agency and legal fees reduced.

Scheme Viability

6.2 In summary, LSH have reviewed the proposed scheme inputs and benchmark Site Value provided by the Applicant, checking the assumptions and evidence base that underpins the FVA.

6.3 Based on the planning obligations contained within this report we are of the opinion that the proposed development could support approximately 16% affordable housing in the form of 3 affordable rented units and 1 intermediate unit. The surplus generated equates to approximately £490,352 and LSH have assessed the value of the affordable accommodation in accordance with values acceptable to the LBL stated previously.

Appendix 1

Construction Cost Review

DRAFT CONFIDENTIAL

Appendix 2

Development Appraisal

DRAFT CONFIDENTIAL

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Committee	PLANNING COMMITTEE A	
Report Title	167-169 Lewisham Road, SE13 6JL	
Ward	Blackheath	
Contributors	Michael Forrester	
Class	PART 1	19 th November 2015

Reg. Nos. DC/15/91914

Application dated 22.04.2015

Applicant Cerda Planning on behalf of Clancroft Properties Ltd

Proposal Demolition of existing petrol filling station, canopies and all site buildings at 167-169 Lewisham Road SE13 and construction of a six storey building comprising ground floor commercial units (Use Class A1-A3) with 28 residential units above, associated refuse and cycle spaces and landscaping.

Applicant's Plan Nos. 12-241-101 rev C, 12-241-102 rev C, 12-241-103 rev C, 12-241-104 rev C, 12-241-105 rev C, 12-241-106 rev C, 12-241-107 rev C, 12-241-108 rev C, 12-241-109 rev C, 12-241-110 rev C, 12-241-111 rev C, 12-241-112 rev C, 12-241-113 rev C, 12-241-114 rev C, 12-241-115 rev C, 12-241-116 rev C, Existing Site Survey, Design and Access Statement, Appendix 1 drawings, Appendix 2 cgi photomontages, Planning Statement, Daylight and Sunlight Statement, Schedule of Accommodation, Construction Logistics Plan ref HH4120685/KL/009, Air Quality Assessment Project No. 441472-02, Drainage Strategy and Flood Risk Statement ref 8671/FRA, Ecological Constraints Survey, Planning Noise Assessment 296239-01 (00), Site Waste Management Plan, Transport Statement, Travel Plan

Background Papers

- (1) Case File LE/133/167/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation Core Strategy – Growth and Regeneration Area, Lewisham Town Centre

Adopted DMLP - Existing Use Within Lewisham Town Centre boundary (Major Centre)

1.0 Property/Site Description

- 1.1 The application site is located on the eastern edge of Lewisham Road on the junction with Granville Park and currently comprises a 'Texaco' petrol filling station with two storey building and canopy over the forecourt. The site is hard surfaced and measures approximately 0.07 hectares.
- 1.2 To the north of the site is the Anchor Public House, a Victorian three storey gable fronted building which has a pedestrian right of way through the application site to its rear garden along the northern boundary. Beyond the pub are three storey dwellings facing Lewisham

Road, some divided into flats. To the east is the Community Education Lewisham Learning and Skills centre, which is a contemporary three storey building facing Granville Park. To the west of the site are Victorian three storey terraces with commercial ground floor units. To the south beyond Granville Park is the railway viaduct that extends from Lewisham Station towards Blackheath. The Premier Inn hotel under construction sits immediately south of the viaduct.

- 1.3 The site is included within the Lewisham Town Centre boundary and is defined as an 'edge of centre area'. The site is not located in a conservation area and is not a listed building and is neither flanked by any listed or locally listed buildings. The nearest conservation area is St Stephens which is set approximately 20m to the south and Blackheath which is set approximately 107m to the west.
- 1.4 Lewisham Town Centre is identified as a Regeneration and Growth area in the Core Strategy and an Opportunity Area and Intensification Area within the London Plan.

2.0 Planning History

- 2.1 DC/14/87509 - Change of use of the existing petrol filling station together with demolition of existing buildings at 167-169 Lewisham Road SE13 and the construction of a part 4 storey stepped building rising to 9 storeys comprising basement level plant room, ground floor cafe and 45 dwellings on the upper floors comprising 2 x studio flats, 20 x 1 bedroom and 23 x 2 bedroom together with 3 parking spaces, 23 bicycle stands, refuse stores and vehicular access from Granville Park and associated landscaping – application withdrawn.
- 2.2 DC/12/81408 – Demolition of the existing petrol station and convenience store and development of a new budget hotel with 5 storeys of hotel rooms (totally 115 rooms), above ground floor café and associated facilities – application withdrawn.
- 2.3 DC/10/81408 – The change of use, alteration and conversion of the first floor at 167-179 Lewisham Road from office use to a 1 three bedroom self-contained flat with alterations to the elevations – approved but not implemented, permission now expired.

3.0 Current Planning Applications

The Proposals

- 3.1 Permission is sought for the demolition of the existing site buildings including removal of the petrol filling tanks and construction of a part 5, part 6 storey building with ground floor café and 28 residential units above (8 x 1 bed, 16 x 2 bed and 4 x 3 bed).
- 3.2 The ground floor café would measure 178 sqm and would face onto Lewisham Road with a return frontage onto Granville Park. The frontage of this unit would be fully glazed. The residential entrance into the building is via Granville Park which also serves as the vehicular access into the building where a refuse store, plant space and three accessible parking spaces are located.
- 3.3 The upper levels comprise 6 flats per level with the top floor providing 4 units. Each unit has access to a private balcony or terrace.
- 3.4 The building would measure 17m up to the 5th floor (including the raised parapet/ balcony enclosure), with the recessed top level bring the total height to 19.5m. The width of the building would measure 20.2m and the depth 26.4m. The building is rectangular in shape.

- 3.5 The elevations are to be finished in two brick types (a Shelford Cream Multi – buff and a Rustington Antique – grey both by Traditional Brick and Stone Ltd), divided by large areas of full height glazing and recessed balconies finished in bronze.

Supporting Documents

Air Quality Assessment

- 3.6 An air quality assessment has been conducted on the site with regards to the impact from construction and proposes a series of construction mitigation measures. An assessment has also been undertaken with regard to the long term air quality impact for future residents and states that the development is acceptable.

Construction Logistics Plan

- 3.7 A draft construction logistics plan has been submitted, this states that construction is likely to take one year. The report confirms that materials are to be stored within the site hoardings and indicates that also site security and construction site office would be located within the site boundaries. The plan is considered deficient in detail to approve as a construction management plan as it does not include details of dust management for example.

Daylight, Sunlight and Overshadowing Report

- 3.8 This report provides an assessment of the daylight, sunlight and overshadowing impact from the proposed building on existing properties adjacent to the site using BRE methodology. The report states that the scheme would be of no adverse impact to those properties opposite on Lewisham Road or the education centre on Granville Park and that there would be some impact upon the Anchor PH to the north and No. 2 Lewisham Hill but that the impact would not be adverse to a degree to warrant the refusal of planning permission.

Delivery and Servicing

- 3.9 This provides a site description and further detail on the potential operation of the café unit including refuse collection and delivery scheduling. The report confirms that the delivery and servicing plan would be monitored to ensure that that all aspects of delivery and servicing are properly managed.

Design and Access Statement and CGI views

- 3.10 This document provides a historical analysis of the site, and summary of the site history, including design proposals for a hotel and residential options. An overview of the development s included including full design specification and justification regarding the height and massing. The Design and Access Statement is supported by a range of CGI views of the site from surrounding view points including Lewisham Road/ Hill, Lewisham Gateway and the town centre to the south and Granville Park.

Drainage and Flood Risk

- 3.11 This document provides details of the sites drainage strategy and proposes to incorporate SUDs features. The use of living roofs is also confirmed.

Ecological Constraints Survey

- 3.12 A survey was undertaken of the existing site (the hard standing, service station canopy, shop building and two trees). It concludes that the service station canopy and shop building have no potential for roosting bats. The two trees are proposed to be removed as

part of the proposal, one tree was found to offer no features suitable for bats and the other tree has features capable of hosting bats but that no evidence was found. No nesting birds are found during the survey.

Planning Statement

- 3.13 This document provides a site and development overview and seeks to demonstrate how the proposals accord with local and national planning policy. The document also provides the relevant planning considerations in terms of density, design, residential standards, transport and viability.

Noise and Vibration Assessment

- 3.14 This document provides an assessment of noise levels affecting the site, these are identified road and rail noise primarily. Vibration levels calculated from the site are found to be below the level for specific mitigation.

Sustainability and Energy Statement

- 3.15 This document provides an overview for the Energy Strategy and confirms that the commercial element of the building can meet BREEAM Excellent. Details of the energy hierarchy have been submitted and this confirms that a Be Lean, Be Clean and Be Green approach has been adopted in line with the London Plan. A total carbon saving of 35.12% is confirmed.

Site Waste Management Plan

- 3.16 This report details proposals for site waste during construction including the role of the contractors/ developers.

Transport Statement

- 3.17 This report describes the existing site and scale of the proposed development. Matters relating to access, traffic generation, highway impact and site accessibility are also detailed. The report confirms that the site has a PTAL of 6b and that the development would be of no adverse impact upon the local highway network taking into account the trip generation associated with the existing use as a petrol filling station.

Travel Plan

- 3.18 The report submitted provides details of public transport links, cycle routes and the objectives of the Travel Plan which are to reduce the need to travel by vehicles, promote healthy and sustainable modes of transport, and encourage the use of public transport. The report confirms that Sustainable Travel Information Packs will be issued to new residents.

Utility Strategy Report

- 3.19 This report provides details of services and infrastructure that affect the site. It concludes that the site is affected by UK Power Networks electric cables, Scotia Gas Network gas lines, Thames Water supplies, BT Open Reach/ Virgin Media and other telecoms equipment.

Viability Report

- 3.20 This report sets out the viability of the proposal and its financial capacity to support affordable housing and identifies the process by which this would be considered. The content of this report is confidential.

4.0 Consultation

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

4.2 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors. Transport for London were also consulted.

Written Responses received from Local Residents and Organisations

4.3 Four objections have been received from 18 Oakcroft Road SE13, 14 Eliot Park SE13, 1C Eliot Park SE13, 2B Eliot Park SE13,

- Not in favour of large developments in the area.
- Do not object in principle to new buildings but there are concerns about scale and bulk.
- Position of the building would be detrimental to highway visibility and is hazardous.
- Loss of habitat and wildlife.
- Serious parking congestion already exists on Lewisham Hill and Granville Park.
- Chain operator of the café would be detrimental to other businesses.
- Loss of light
- Development needs to consider the needs of existing residents.
- Development is too high
- Loss of light and outlook.
- Not enough parking

4.4 The Blackheath Society has objected to the proposals on the basis of the sites prominent location and inappropriate scale. Whilst not objecting to the principle of redevelopment, the building needs to be reduced in scale, the materials need revision and should be simpler brick building, there are serious parking concerns and access for commercial deliveries is not demonstrated.

4.5 Three letters in support have been received from the occupiers of 25 Granville Park SE13, 86a Tyrwhitt Road SE4 and 53 Fordel Road SE6 these are summarised below:

- The area needs housing.
- The proposal bodes well by integrating with the regeneration around Lewisham Station.
- Cycle spaces look good
- Looks fantastic and will make a welcome facelift to the approach to this side of Lewisham.

- Good to see the removal of the eyesore petrol station.
- Good to see inclusion of affordable housing.
- The scheme will enhance the area.
- The development is considered for the area.

4.6 Letters are available to Members.

Written Responses received from Statutory Agencies

Transport for London

4.7 TfL welcomes the car free development given the sites good accessibility to public transport. Consideration should be given to the potential for staff from the café to have access to the secure cycle parking depending on usage levels by residents.

4.8 TfL request that the footway and carriageway are not blocked during demolition or construction. Temporary obstructions must be kept to a minimum and not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on this road. In addition, no skips or materials should be kept on the footway or carriageway at any time. TfL expects the footways to be reinstated with appropriate provision of dropped kerbs and tactile following completion of the construction work.

Network Rail

4.9 After reviewing the information provided in relation to the above planning application, Network Rail has no objection or further observations to make.

Strategic Housing

4.10 There is a preference to provide on site affordable units and that these are rented the inclusion of these as larger 2 and 3 bedroom units is welcomed and would help to meet local demand.

Highways and Transportation

4.11 A car free scheme is supported in this location, however, the right to apply for car parking permits needs to be restricted by s106. A construction management plan is required to be secured by condition, given the location within the town centre and location adjacent to Lewisham Gateway.

Environmental Health

4.12 Taking into account the site history and current usage as a petrol filling station, a land contamination condition should be attached to any planning permission.

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. The relevant guidance includes:

Design

Ensuring the vitality of town centres

Land affected by contamination

Renewable and low carbon energy

Travel plans, transport assessment and statements in decision-making

Use of Planning Conditions

Viability

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 1.1 Delivering the strategic vision and objectives for London
Policy 2.3 Growth areas and coordination corridors
Policy 2.13 Opportunity areas and intensification areas
Policy 2.14 Areas for regeneration
Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.3 Increasing housing supply
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 4.7 Retail and town centre development
Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services
Policy 4.12 Improving opportunities for all
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.14 Improving air quality
Policy 8.2 Planning obligations
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)
Sustainable Design and Construction (2006)
Land for Transport Functions (2007)

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

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 2 Regeneration and Growth Areas
Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 5 Other employment locations
Core Strategy Policy 7 Climate change and adapting to the effects
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 9 Improving local air quality
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment
Core Strategy Policy 18 The location and design of tall buildings
Core Strategy Policy 21 Planning obligations

Development Management Local Plan

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

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 7	Affordable rented housing
DM Policy 17	Restaurants and cafés (A3 uses) and drinking establishments (A4 uses)
DM Policy 22	Sustainable design and construction
DM Policy 23	Air quality
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 35	Public realm
DM Policy 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

Lewisham Town Centre Local Plan

5.12 The Council adopted the Lewisham Town Centre Local Plan (LTCLP) on the 26th February 2014. The LTCLP, together with the Core Strategy, the Site Allocations Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan.

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

Policy LTCP0	Presumption in favour of sustainable development
Policy LTC9	Growing the local economy
Policy LTC10	Mixed use
Policy LTC11	Employment uses
Policy LTC16	Retail areas
Policy LTC18	Public realm
Policy LTC19	Tall buildings
Policy LTC21	Sustainable transport
Policy LTC22	Social infrastructure
Policy LTC24	Carbon dioxide emission reduction
Policy LTC25	Adapting to climate change
Policy LTC26	Implementation
Policy LTC27	Monitoring

Residential Standards Supplementary Planning Document (2012)

5.14 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. Much of this document has been superseded by the adopted London Plan Housing SPG.

Planning Obligations Supplementary Planning Document (January 2015)

5.15 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) Density
- c) Design
- d) Housing
- e) Highways and Traffic Issues
- f) Noise
- g) Impact on Adjoining Properties
- h) Sustainability and Energy
- i) Ecology and Landscaping
- j) Planning Obligations

A. Principle of Development

- 6.2 The site is located within the boundaries of Lewisham Town Centre, the adopted Lewisham Town Centre Local Plan provides a framework for development and provides vision to *'make Lewisham the best place in London to live, work and learn'*.
- 6.3 Policy LTCP0 of the adopted Lewisham Town Centre Local Plan (LTCLP) states that *'when considering development proposals in favour of sustainable development in the National Planning Policy Framework. It will work proactively with applicants to find solutions which mean that proposals secure development that improves the economic, social and environmental conditions in the borough'*.
- 6.4 Policy LTC2 of the LTCLP requires all new development to contribute positively to the delivery of the vision for Lewisham Town Centre, development will be required to:
- A) demonstrate how the proposal will support the delivery of the town centre vision and the objectives for both the town centre and the individual Policy Areas.*
- B) demonstrate how the proposal for a site has been informed by the current, emerging and future context of both the town centre and the individual Policy Areas.*
- C) ensure that the proposal is in no way detrimental to the successful current or future implementation of other nearby sites or their ability to meet the LTCLP vision or objectives.*
- 6.5 There are no policies protecting petrol filling stations within the development plan and the application proposes that the existing facility is replaced by a mixed use building comprising a commercial unit at ground floor (retail/ café) with residential accommodation above.
- 6.6 The National Planning Policy Framework (NPPF) states that Planning 'should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'. Policy 3.4 of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity. The site is well served by public transport, being located close to Lewisham Rail and DLR stations and is therefore considered a sustainable location and would utilise previously developed land. Residential use is a priority in London and the borough and it is considered that an additional 28 units would make a valuable contribution towards meeting housing need, which is set by the London Plan as 1,385 unit per year for the borough or 13,847 as a minimum ten year target.
- 6.7 As stated, there are no policies protecting Petrol filling stations (PFS), however, the site is generating a level of employment. In this case the redevelopment of the site would include the loss of the PFS and associated shop, but replacement with a retail unit/ café at ground floor. This would provide alternative on site employment and there is no objection to the provision of a retail unit/ café in this location given the mixture of retail offerings on this part of Lewisham Road which includes a large percentage of A1 uses. It is noted that within the objections received concern is raised at the potential for a chain group to operate this space, however, this is not a planning consideration. With regard to alternative PFS locations in the locality, there are two other facilities within central Lewisham, one at Tesco on Connington Road and another on Loampit Hill.
- 6.8 In all, Officers consider that the principle of providing a mixed use development in Lewisham Town Centre, especially on this important approach towards the station, is acceptable provided that a high standard of design is secured.

Relationship with other Town Centre Sites and Uses

- 6.9 The Council's aspirations for the regeneration of Lewisham Town Centre are supported by Spatial Strategy 2 within the Core Strategy with further detail about town centre areas and sites being explored in the adopted Lewisham Town Centre Local Plan. A key matter is the transformation of the town centre as a whole and the need to understand how different sites relate to each other, ensuring that the redevelopment of one site would not prejudice the redevelopment of neighbouring sites.
- 6.10 The site is set to the north of the railway viaduct and is bound by the application boundary of the Lewisham Gateway site, which is a development of strategic importance in the borough currently under construction.
- 6.11 To the south of the viaduct is the new Premier Inn hotel at Kings Hall Mews which is nearing completion. This scheme includes the paving and lighting up of the railway viaduct which extends towards the application site.
- 6.12 Officers consider that the suit is suitable for mixed use redevelopment and would sufficiently integrate with adjacent town centre uses, making for an appropriate link north of the railway viaduct up to Lewisham Hill.

B. Density

- 7.0 Core Strategy Policy 15 seeks to ensure a high quality of development in Lewisham, including residential schemes and that densities should be those set out in the London Plan. Within the Regeneration and Growth Areas development should achieve 'central' density levels within the Lewisham Town Major Centre. Policy 3.4 of the London Plan 2011 seeks to ensure that development proposals achieve the maximum intensity of use compatible with local context. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a sites setting (assessed in terms of its location, existing building form and massing) and public transport accessibility level (PTAL).
- 7.1 The site is located within Lewisham Town Centre and has a PTAL of 6, indicating excellent accessibility to public transport connections. The scheme proposes 28 dwellings on a 0.07 hectare site which equates to a density of 400 dwellings per hectare, this is within the top end of the 'central' density ranges set out in the London Plan and is considered to be acceptable in this highly accessible location.
- 7.2 Notwithstanding the density of the proposals, the scheme should provide a high quality and well designed standard of residential accommodation and good urban design. The quality of the residential accommodation is considered high quality and is discussed further below.

C. Design

- 7.3 Paragraph 63 of the National Planning Policy Framework states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 64 states that 'permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions'.
- 7.4 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.

- 7.5 London Plan and Core Strategy design policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.
- 7.6 Lewisham Town Centre is an area undergoing significant change. The redevelopment of this prominent site creates the opportunity to significantly improve the quality of the local environment through the provision of high quality new developments that deliver improvements to the public realm.

Height and massing

- 7.7 In terms of the impact upon the urban environment, Core Strategy Policy 15 states that within the Regeneration and Growth Areas, development within Lewisham Town Centre should result in the upgrading of the social and physical environment and, in order to be successful, will need to allow for tall buildings of the highest design quality where they improve and add coherence to the skyline and do not cause harm to the surrounding environment.
- 7.8 This application is a resubmission following the withdraw of planning application DC/14/87509 which sought for the redevelopment of the site to provide a building of between 4 and 9 storeys. This was withdrawn following confirmation from officers that building was of an unacceptable scale and height that poorly integrated into its surroundings.
- 7.9 The revised scheme proposes a building of 6 storeys with the top floor recessed and is of a much simpler form. Whilst taller than immediately adjacent buildings, the scheme is not considered to represent a 'tall building' as defined by Core Strategy Policy 18 which states that 'tall buildings are defined as 'i) buildings that are significantly taller than the predominant height of buildings in the surrounding area ii) buildings which have a notable impact on the skyline of the borough iii) are more than 25m high adjacent to the River Thames or 30m high elsewhere in the borough'.
- 7.10 The applicant has submitted a series of CGI's assessing the proposal in views from the Town Centre, Lewisham Road and Granville Park. The views show that a building of 6 storeys would be of a prominent impact taking into account the massing of the existing building and forecourt canopy, standing at 2 storeys but would not a prominent feature in the skyline nor stand significantly above adjacent buildings. Which at 3 storeys appear taller due to the steeply pitched gabled roofs. The building would mirror the height of the Premier Inn hotel building to the south of the railway and when viewed with this scheme would act as 'book ends' to the viaduct.
- 7.11 The massing of the building is considered to be appropriate, it has been set back from Lewisham Road by 5.3m and 3.89m from Granville Park, so whilst the building would have extensive plot coverage the inset nature of the building from the boundaries would allow for generous pavements which is considered to be an acceptable response to the street and would be set behind the Anchor PH. The proposed building would be inset 5m Road (reducing to 0.4m due to the tapering boundary) from the northern boundary with this building due to the need to accommodate the pedestrian right of way and the covered cycle store. This gap between the proposed building and adjacent Anchor PH is considered acceptable and the massing of the building would not appear overbearing.

Detailed design

- 7.12 In terms of materiality, as described above, the elevations are formed from two primary materials brick and glazing. The ground floor commercial unit is proposed as a fully glazed frontage onto Lewisham Road, which wraps around the corner of the building, whilst a buff and a grey brick clad the upper floors. These are divided by recessed balconies with painted steel balustrades. The elevations are considered to be well

ordered and simple in arrangement, it is through the use of recessed balconies and subtle detailing around the windows that interest is articulated.

- 7.13 Details of the windows have been submitted, these confirm that glazing to the upper floors is to be full height (except for some windows facing north) and that these are recessed by 280mm. The window units are to be slim framed (the drawings state by Vitrocsa) in an bronze anodised aluminium frame with an frameless internal glazed balustrade. The window units are to be framed by an anodised aluminium panel again in bronze with a angled brick wall finished in Sheldford Cream brick slips to match the main elevations. The cill of the windows are to be finished in anodised bronze to match the rest of the window. The level of detail submitted is considered to be high and provide a realistic impression of the final buildings appearance.
- 7.14 Details of recessed balconies has also been submitted, these are to have a oak finished floor and provide level access from each unit. The balustrades are 1.1m high and formed from steel vertical bars 80mm by 8mm spaced at 100mm centres and powder coated in RAL: 1036 'pearl gold'. A continuous handrail is set behind the balustrade edge to ensure a clean and elegant appearance. This is powder coated to match the railings. The RAL colour would match the balconies of the adjacent Premier Inn hotel building on Kings Hall Mews, which are considered to be high quality.
- 7.15 Details of the structural glazing system to the ground floor retail/café space have been submitted, this shows that a series of 10 identically sized glazing panels form the west facing Lewisham Road elevation a single access point. A secondary access to the café unit is provided on Granville Road. The detail shows that each pane of glass measures 3.55m high and are separated by a 12mm silicone joint. A signage zone for the café is allowed for behind the glazing. Officers consider the detailing to be high quality and provide assurances for the final appearance of the building.
- 7.16 Details of the residential entrance on Granville Park have been provided. The canopy is to fall at 5 degrees to allow rain to fall into a recessed drainage channel. The canopy itself is a perforated anodised bronze aluminium canopy with a circular design set in a rectangular frame.
- 7.17 Officers fully support the use of bricks in this location, where Lewisham Road is characterised by Victorian brick buildings, the extensive use of glazing with recessed balconies and limited pallet of brick and metals. The level of detail submitted alongside the application is extensive and provides a clear and realistic impression of the buildings final appearance.
- 7.18 In terms of public realm, the existing site is dominated by hard standing and the petrol filling station and offers little positive contribution to the public realm. It is proposed that the replacement building would be inset from the pavement edges and paved in a grey concrete slab to match those works proposed by the Lewisham Gateway scheme. This is considered to be acceptable in principle, and a condition is recommended to secure these details. Breaking up the area of paving are a number of large circular planers, similar to those to be installed outside of the Premier Inn hotel building. These are 0.7m high grass reinforced concrete planters finished in a 'rusty' colour to match the bronze accents across the building.
- 7.19 Overall, the proposed treatment of the public realm is considered high quality and is supported by officers. The applicant has demonstrated on the plans how their proposed public realm would co-ordinate with adjacent development sites and as such it is considered that the proposal would successfully integrate within the Town Centre.
- 7.20 Based on the proposed materials and design details submitted the scheme has the potential to be elegant and is therefore considered to be acceptable in principle, however,

the success of the design and therefore its acceptability will depend entirely on securing the high quality of the materials and detailing proposed to ensure that the simplicity of the proposal does not lead to a scheme that is bland and fails to respond to the surrounding context. This is why it has been considered necessary by officers to secure the proposed materials for the scheme and why many details have been agreed with Officers prior to planning permission being recommended.

- 7.21 Following requests from the Council's officers at pre-application stage, the applicant has provided 1:20 details of the balcony balustrades/ soffits/ doors/ windows as described above of the proposal and has confirmed the specification for the materials that will be used to ensure that the high quality design of the proposal will be delivered in accordance with the requirements of this sensitive site. It is considered that the details provided demonstrate that despite the simplicity of the building form, the scheme will make a positive contribution to Lewisham Road and Lewisham Town Centre and will conserve and enhance the character and appearance of the area. A condition is recommended to secure the agreed materials and details as they have been submitted.
- 7.22 It is considered that through design discussions with Officers that have taken place during the pre application process a high level of architectural quality has been achieved for the proposal. The detailed plans that have been submitted demonstrate that a quality design is achievable and are therefore considered to be sufficient to justify the scale and height of the proposal. Officers consider that the proposed development has maximised the potential of the site and the scale of building achievable in this location and subject to the quality of the detailing and design being adequately secured through conditions, it is considered that the Development would be a high quality addition to the town centre.

Deliverability of Design Quality

- 7.23 Paragraph 173 of the NPPF states that the viability and deliverability of development should be considered in decision taking. The document goes on to say that to ensure viability, the cost of requirements should, when taking into account the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable.
- 7.24 As discussed, the building is simple in design and the palate of materials is limited. The clean and contemporary aesthetic that this approach results in is considered to have merit but makes the detailing of the building and materials of vital importance to support such a simple approach. The Council has had the viability of the scheme appraised independently who have confirmed that the proposed build costs are reasonable and comparable to other developments, however, one method to improve scheme viability is to reduce the building cost per square metres (by reducing the quality of the materials used). Given this, the applicant has submitted confirmation to deliver the proposed design, given that the quality of the materials is vital to demonstrate the acceptability of this development in principle and to show that the scheme is deliverable in the near future without any major redesign.
- 7.25 It is materially relevant for the Council to consider the likelihood of a proposed development being carried into effect and the planning consequences should a scheme be unviable and therefore not be delivered in accordance with the approved plans.
- 7.26 Officers consider that the acceptability of this scheme in principle is inextricably linked with the design and quality that is inherent within it. The acceptability of the scale, massing, height and appearance of the proposal is inseparable from the design specification proposed materials. Given how vital these elements are to some of the fundamental elements of the scheme, it would not be possible in officers' view to leave the detailing to be secured by condition as this would suggest that the principle of the approach is acceptable irrespective of detailing which would be capable of being resolved

as a separate matter. Should future amendments to the scheme result in it being of a lesser quality than currently proposed, the entire approach to the development, its scale, height and appearance would need to be reconsidered as opposed to just considering alternative detailing. Given that the applicant has provided a high level of detail (although further details are required) as part of the submission and that they have confirmed that they are committed to delivering the scheme as designed, it is felt that the proposal would be acceptable in this regard and the quality of the proposal would be safeguarded.

- 7.27 It is officer's view that any future amendments to the materials and design quality would also necessitate a re-evaluation of the viability of the scheme and its ability to deliver increased affordable housing provision.

D. Housing

a) Size and Tenure of Residential Accommodation

- 8.0 Policy 3.12 of the London Plan (Negotiating Affordable Housing on individual private residential and mixed use schemes) states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential mixed use schemes, having regard to:

- a) current and future requirements of affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11.
- b) affordable housing targets adopted in line with Policy 3.11
- c) the need to encourage rather than restrain residential development
- d) the need to promote mixed and balanced communities
- e) the size and type of affordable housing needed in particular locations
- f) the specific circumstances of individual sites.

The Policy goes on to state that 'negotiations on sites should take account of individual circumstances including development viability.

- 8.1 Core Strategy Policy 1 states that contributions to affordable housing will be sought on sites capable of providing 10 or more dwellings. Core Strategy Policy 1 confirms that the maximum level of affordable housing would be sought by the Council, with a strategic target of 50%, as a starting point for negotiations and subject to an assessment of viability. The policy seeks provision at 70% social rented and 30% intermediate housing (based on total unit numbers) and family housing (three+ bedrooms) in development of more than 10 units. Where existing areas have a high concentration of social rented housing, different proportions of affordable housing could be sought. Different proportions are supported by the Lewisham Housing Market Assessment 2007-8 (HMA), published in December 2009 which states (paragraph 37) that affordable housing provision in Lewisham should comprise 85% social rented housing, and 15% intermediate housing, in order to meet the identified need.

- 8.2 The HMA states (at paragraph 35) that a net 6,777 dwellings should be provided over the current 5-year period to meet current identified need. This is equivalent to the provision of 1,345 dwellings per annum. Table 3A.1 of the London Plan sets out a target of 11,050 additional homes to be built in Lewisham in the 10 years from 2011 - 2021, which is reflected in a monitoring target of 1,105 additional homes per year. As part of the overall need for housing in Lewisham, there is a specific need for affordable housing. The HMA states (paragraph 36) that over 80% of all new housing built would need to be affordable in order to meet identified need. Core Strategy Policy 1 indicates that where a site falls within an area which has existing high concentrations of social rented housing, the Council would be prepared to consider an affordable housing contribution to be provided in a way which assists in securing a more balanced social mix. This may include a higher percentage of intermediate housing or other arrangements as considered appropriate.

- 8.3 The proposed development would provide 28 residential units, including 5 affordable units (all affordable rent). Based on this the development would comprise 18% affordable units or 27% by habitable room.

Table [1]: Residential Tenure and Size Mix

	1 Bed	2 Bed	3 Bed	Total
Private	16 (3)	7		23 (3)
Affordable Rent		1	4	5
Total	16 (3)	8	4	28 (3)

*Wheelchair accessible units shown in ()

- 8.4 The percentage of affordable housing to be provided therefore falls below the maximum figure referred to in Core Strategy Policy 1. The Applicant has submitted a confidential financial appraisal for the scheme that has enabled the Council, advised by specialist consultants, to assess the overall viability of the scheme and its ability, in financial terms, to meet policy in terms of affordable housing provision. Further consideration of financial viability is set out in section 7 of this report. However, in summary, the financial appraisal demonstrates that when taken with other policy requirements and the package of measures proposed to make the commercial units attractive and affordable, the proposed development provides the maximum viable amount of affordable housing at this time.
- 8.5 It is also important to consider CIL and s106 obligations secured. Such mitigation has an impact on the viability of the scheme
- 8.6 It is also relevant to note that the provision of the 5 affordable units does not meet the 70% social rented / 30% intermediate split for housing set out in Core Strategy and the 60/40% split in London Plan Policy 3.11. The development proposes an 100% affordable rent, which is the result of discussions with the Council's Strategic Housing Team who have stated a preference for rented unit as opposed to shared ownership in this location due to the identified needs of residents in this part of the borough.
- 8.7 The viability assessment confirms that all of the affordable rented properties would be capped at 60% of market value.
- 8.8 For the reasons set out previously and in more detail in paragraphs 9.4-9.10, the proposals have been shown to include the maximum amount of affordable housing viable in a particular tenure and it is therefore recommended that this tenure mix is accepted.
- 8.9 The proposed size mix includes 4 family sized units (3 + bed) which equates to 14% overall but 80% within the affordable tenure. Although the overall number of family sized units is relatively low, officers welcome that that these would be in affordable tenure. On balance, the mix is considered to be acceptable overall.

b) Standard of Residential Accommodation

- 8.10 Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing developments to be of the highest quality internally, externally and in relation to their context. This policy sets out the minimum floor space standards for new houses relative to the number of occupants and taking into account commonly required furniture and spaces needed for differing activities and circulation, in line with Lifetime Home Standards. The accompanying London Plan Housing SPG is also a material

consideration, and contains further guidance on internal layout. The standards require the largest 1 bedroom to be a minimum of 50 sqm, the largest 2 bedroom to be 70 sqm and largest 3 bedroom to be 95 sqm. All units would meet these standards, the majority of unit are dual aspect, whilst the 1 bedroom units are single aspect they either face east or west and as such are considered to represent a good standard of accommodation.

- 8.11 Standard 4.10.1 of the 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/ terraces which meet the aforementioned standard.

Table [2]: Dwelling sizes

Unit Size	London Plan requirement	Proposed development
1 bed, 2 person	50 sqm	51 sqm - 54 sqm
2 bed, 4 person	70 sqm	70 sqm – 74 sqm
3 bed, 4 person	74 sqm	78 sqm

E. Highways and Traffic Issues

a) *Access*

- 8.12 The site is within Lewisham Town Centre, close to bus services along Loampit Vale and train and Docklands Light Railway (DLR) services from Lewisham Station. It has a Public Transport Accessibility Level (PTAL) 6b, where ‘1’ is rated as Poor and ‘6’ is rated as Excellent. The Council’s Core Strategy Policy 15 ‘High quality design for London’ and London Plan Policy 2.13 ‘Opportunity Areas and Intensification Areas’ encourage relatively dense development to be located in areas such as Lewisham where the PTAL is Good or Excellent. The site is considered to be highly accessible.
- 8.13 The proposal include a ground floor retail unit/café facing Lewisham Road with a return frontage onto Granville Park. The vehicular access into the building is via Granville Park, where three parking spaces and the refuse/ storage areas are located.
- 8.14 The commercial and residential units would benefit from level access.

b) *Refuse and Servicing*

- 8.15 A refuse store is located along the flank of the building facing Granville Road, this is accessed via the service yard identified on the plans. This is considered to be an acceptable arrangement. Drop off and collection would be via Granville Park which raises no objections.

c) *Cycle and Car Parking*

- 8.16 Cycle storage is located adjacent at ground floor to the north of the building under a secure canopy, this also serves as the maintained right of way to the public house. The level of cycle parking is compliant with the London Plan and is considered to be acceptable. A brown roof extends over this space.

- 8.17 No car parking is proposed aside from three accessible parking spaces within the building accessed via Granville Park. A car-free approach is supported in this location which benefits from a PTAL of 6b, however, it is recommended that the ability to apply for parking permits is restricted to ensure that surrounding roads do not suffer from increased demand for on-street car parking. This would need to be secured as part of a s106 agreement.
- 8.18 Details of the cycle parking have been submitted, these are to be brushed stainless steel hoops and are of a high quality. These would be set behind a screen enclosing the cycle store from the street. The cycle parking would be dry and secure.

F. Impact on Adjoining Properties

- 8.19 Development Management Policy 32 requires the siting and layout of all new-building housing to respond positively to the site specific constraints and opportunities, as well as being attractive, neighbourly, provide a satisfactory level of outlook and natural lighting for both future and existing residents and meet the functional needs of future residents. All new-build housing will be required to be sited to minimise disturbance from incompatible uses and be well located in relation to public transport with a high quality pedestrian environment.

Daylight/ Sunlight/ Overshadowing

- 8.20 An assessment of daylight and sunlight has been carried out for the development in accordance with the Building Research Establishment's good practice guide "Site Layout planning for daylight and sunlight". This allows the Council to consider the impact of the proposal on the extent of daylight/sunlight received in the windows of adjacent properties serving the rooms used most frequently. This is useful in assessing the extent to which the site layout allows for natural lighting, but is only one factor in considering whether the scheme is well designed and should be considered in the context of the overall approach to the design of the scheme.
- 8.21 It is also important to note that the BRE guidance includes a level of flexibility within its application and for instance, developments in urban areas are treated differently to suburban areas because expectations of daylight and sunlight into properties differ in such locations. Consequently, it is often necessary to aim for different 'target values' of daylight and sunlight into rooms according to the location of the development.
- 8.22 The assessment of daylight is based on the calculation of the vertical sky component (VSC) to an affected window in both the existing and proposed condition. The VSC, simply put, is the amount of light received at the centre of a window. There is a further assessment that assesses the distribution of daylight within a room. This is called the average daylight factor (ADF). Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced by the room area, the area of room surfaces, the reflectance of room surfaces and the transmittance of the glazing with the size of the obstruction being a smaller influence. The extent, to which the effect of a proposal on surrounding properties is considered significant, is dependent on the use of the room to which the window relates. The significance of any impact of proposals on non-habitable or less well-used rooms such as bedrooms therefore varies. In this case, the relevant tests are essentially whether less than 0.8 times the existing level of daylight and sunlight is retained within a room and whether more than half of any one garden space is overshadowed. For sunlight the Annual Probable Sunlight Hours (APSH) method is detailed. This calculates the percentage of statistically probable hours of sunlight received by each window in both summer and winter months. March 21st through to September 21st is considered to be the summer period, whilst September 21st to March 21st is considered the winter period. For properties neighbouring a development only those

windows orientated within 90° of due south and which outlook the site of the proposal are relevant for assessment.

- 8.23 The site currently comprises a two storey building set the rear with a large extended canopy over the petrol filling station forecourt. The site is bound by the Anchor Public House to the north and the Community Education Lewisham Learning and Skills building on Granville Park. Beyond the Anchor PH are residential properties on the upper floors.
- 8.24 The existing site buildings/ forecourt canopy are in general much lower than the surrounding buildings. As a result it is considered that surrounding residential buildings enjoy a level of daylight and sunlight across the site in excess found in a typical urban location such as this. For this reason, it is expected that there would be impact upon daylight and sunlight.
- 8.25 The Anchor PH (165 Lewisham Road as referred to in the report) has a blank flank wall which faces onto the site,
- 8.26 The relevant properties tested are residential and educational buildings with windows that face onto the site. These includes No's 308-322 Lewisham Road, 165 Lewisham Road, 2 Lewisham Hill and the Community Education centre on Granville Park.
- 8.27 The report states that the garden to the Anchor PH as existing with the petrol filling station adjacent, on the equinox of the 21st March receives sunlight in the morning hours but is shaded in the afternoon.
- 8.28 The report has calculated the impact upon daylight and details that the BRE Guide states that if VSC is both less than 27% and less than 0.8m its former value, occupants of the existing surrounding buildings will notice the reduction in the amount of skylight.
- 8.29 With the development in place, the report states that the first floor windows of the Anchor would experience a reduction but that the VSC would remain 27% and that the windows of 2 Lewisham Hill (residential property which faces onto the garden of the PH) would have a reduction in VSC to 66% of the baseline value. Sunlight calculations have also been undertaken , this shows that all properties except the first floor windows of the 165 Lewisham Road would receive more than the recommended sunlight hours and that the impact would therefore be negligible. The windows of the Anchor PH would received above the recommended 25% of sunlight hours but only 2% in winter which is below the recommended 5%. In light of the above, taking into account the orientation and use of this building which faces east/ west and the separation distance to the proposed site Officers have concluded that the impact of the proposals on adjoining properties in terms of daylight, sunlight and overshadowing would be acceptable.

Outlook

- 8.30 With regard to outlook, an important consideration is the impact of the development from neighbouring properties and whether the development would have an overbearing impact. Whilst it is evident that the view of the site from surrounding sites would dramatically change, it is not considered that there would be an adverse impact in this respect. Sufficient distances of between 25m-32m from the first floor of No.2 Lewisham Hill which faces onto the site would be retained between the development to prevent any overbearing visual impact or loss of outlook. The first floor of the Anchor PH No. 165 Lewisham Road faces east toward Granville Park, and taking into account this orientation and distance to the proposed building, it is not considered that there would be unacceptable harm in terms of outlook.

Privacy

- 8.31 In terms of privacy it is not considered that the proposals would have an adverse impact upon neighbouring occupiers. There would be views towards the rear of properties on Lewisham Road and the Community Education Lewisham Learning and Skills building on Granville Park although the former retains an acceptable separation distances as detailed above and the later is not a residential building where the back to flank distance would measure between 7m and 9m.
- 8.32 Given the distance that would be retained between the new blocks and residential properties on Lewisham Road any overlooking would be at a sufficient distance to prevent a loss of privacy occurring given the distance of . However, it is accepted that there would be an element of mutual overlooking as is common in high density schemes.

G. Noise

- 8.33 It is recognised that during implementation of the development there would be a significant amount of noise and disturbance from construction related activity including vehicular traffic. Traffic has been discussed in this report and the impact has been deemed to be acceptable.
- 8.34 Construction related noise and activity cannot be avoided when implementing a development of this nature and scale. This is a relatively short term impact that can be managed as much as practically possible through measures such as a Construction Environmental Management Plan (CEMP)/ Construction Method Plan (CMP) and control of construction hours. A draft Construction Logistics Plan has been submitted, however it is not considered to be appropriately detailed for this sensitive site to allow for full approval.
- 8.35 Therefore, subject to control of the CEMP via condition, it is not considered appropriate or reasonable to raise an objection to the proposal on the grounds of harm to neighbouring amenity from construction related activity.

H. Sustainability and Energy

a) Renewable Energy

- 8.36 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.
- 8.37 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
- 8.38 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policy 8 requires all new residential development to meet a minimum of Code for Sustainable Home Level 4.

- 8.39 Code for Sustainable Homes is no longer enforced following a Government review of technical housing standards in 2015, however, the applicant has submitted a pre-assessment which confirms that the development is capable of achieving the 19% carbon reduction that equates to a Level 4 rating. A BREEAM assessment has also been submitted in relation to the non-residential floorspace and this confirms that the scheme can achieve an 'Excellent' rating. This would be policy compliant and is therefore supported.
- 8.40 The London Plan sets a higher carbon saving output of 35% for major development proposals and the applicant has submitted an energy strategy which adopts the Be Lean, Be Clean and Be Green principles from Policy 5.2 set out above.
- 8.41 With regards to renewable energy, the applicants energy statement states that ground source heat pumps, air source heat pumps, wind turbines and biomass heating have been discounted due to the difficulties in integrating this technology within a scheme of this size.
- 8.42 The energy assessment confirms that solar photovoltaic panels (62 sqm array) are to be used at roof level and that a combined heat and power system is proposed. The report acknowledged that a standard CHP system is typically not economically viable on development of this size, but that a micro system has been adopted. These technologies together with energy efficiencies made through building fabric equate to a total carbon reduction of 35.12% which is compliant with the London Plan.
- 8.43 Officers are supportive of the energy strategy proposed, however, details of the micro-CHP system to be installed are required to be sought by condition.

b) Living Roofs, ecology and landscaping

- 8.44 London Plan Policy 5.11 confirms that development proposals should include 'green' roofs. Core Strategy Policy 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity bio-diversity.
- 8.45 In this instance, the scheme proposes a brown roof over the covered cycle store and a 'sedum' roof over the top floor. Although Core Strategy Policy 7 indicates a preference for deeper substrates that bio-diverse roofs, in this instance, the applicant has sought to keep the building height to a minimum, where as a deeper substrate would need a taller parapet and thus raise the height of the building. Furthermore, the top floor is also covered by a 62 sqm array of photo voltaic panels.
- 8.46 Taking into account the existing site condition, and lack of natural habitat (aside from the trees to the rear) it is considered that the existing site makes a negative impact to biodiversity and landscaping. The two roofs proposed in this instance would assist in attenuating and reducing the amount of run-off actually leaving the site. Overall the proposal is considered to be acceptable when judged against sustainability policies and other site considerations.

Ecology

- 8.47 The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, ecological conservation interests and soils; minimising impacts on biodiversity and providing net gains in biodiversity where possible. 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. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. Core Strategy Policy 11 seeks to protect the Borough's rivers and waterway network and Core Strategy Policy 12 seeks to protect open space and environmental assets.

- 8.48 This site is a Brownfield site with limited ecological value, however, the site does back onto the railway viaduct. An extended Phase 1 habitat survey was submitted with the application which did not find any protected species.

Landscaping

- 8.49 Landscaping and public realm works have been detailed above, the majority of the plot is to be covered by the proposed building, however, it is considered that taking into account the green/ brown roofs and various planters proposed within the public realm that the development would make a positive contribution to landscaping. Especially when taking into account the existing use as a petrol filling station.

I. Planning Obligations

- 8.50 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

- 8.51 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.

- 8.52 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development.

- Affordable Housing comprising 1 x 2 bedroom flat and 4 x 3 bedroom flats. All rents to be capped at 60% of market value. Affordable units to be built and transferred to a Registered Provider upon occupation of 50% of the private residential units. Should a Registered Provider not be found then a payment in lieu is to be secured for the affordable units.
- Public Realm contribution of £25,000 to be paid on commencement of development.
- Enter into a s278 agreement to undertake highway improvements to Granville Park which bound the application site.
- Local Labour obligations i.e. use of local labour during construction, working with the Councils Local Labour and Business Coordinators.

- Restriction on the ability to apply for car parking permits, except for blue badge holders.
- Submission of public access plan prior to first occupation.
- To construct (including shopfronts) and make available the commercial floorspace prior to any occupation of the residential units.
- Reimbursement of the Council's legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the agreement.

8.53 Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

9.0 Local Finance Considerations

9.1 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).

9.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.

9.3 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.

Viability

9.4 The Applicant has submitted a confidential financial appraisal for the scheme that has enabled the Council, advised by specialist consultants, to assess the overall viability of the scheme and its ability, in financial terms, to meet policy in terms of affordable housing provision. As discussed above, the offer of 5 affordable units (1 x 2 bedroom and 4 x 3 bedroom) within affordable rent is considered to be acceptable.

9.5 The financial viability assessment has been independently tested in terms of its methodology for assessment. The content has been found to be robust in terms of development opportunity, and viable against a number of land and profit benchmarks. The scheme assumptions and build costs have been tested and consideration has been given to sensitivity tests, s106 and CIL requirements in seeking to ascertain whether the development is viable and what level of affordable housing can be provided.

9.6 With regard to a suitable development return, the Council's consultant has advised that the GLA Toolkit's default allowance of 20% on Cost is a reasonable benchmark on private and commercial elements; with Affordable elements at 6% on cost. Taking into account site works, build costs and finance costs which have been appraised and accepted.

9.7 The financial appraisal demonstrates that, when taken with other policy requirements and the regeneration benefits of the scheme, the proposed development provides the maximum viable amount of affordable housing at this time. This is essentially because of the costs of building which includes the removal of the petrol filling station and associated fuel tanks. There are also a range of transport and public realm improvements that would be undertaken to enhance the public realm around the site, namely the pavement

upgrades and hard landscaping which the applicant has committed to providing. These parts of the scheme require substantial investment but also offer very significant benefits the overall regeneration of Lewisham Town Centre.

- 9.8 An independent Quantity Surveyor has confirmed that the stated build costs are appropriate for the quality of scheme shown in the planning application.
- 9.9 The scheme is considered to be viable in its current form, given the size of the scheme (28 units) which would be delivered in a single construction phase it is not considered appropriate to use a 'review mechanism' within a s106. National Planning Practice Guidance on Viability states that *'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 required phased delivery over the medium and longer term, changes in the value of development and costs of delivery may be considered. Forecasts based on relevant market data, should be agreed between the applicant and local planning authority wherever possible'*.
- 9.10 Taking the above national guidance into account officers recommend that a shorter time for implementation is secured, in this case 1 year from the date of any grant of planning permission. This would ensure that the development is taken forward based on known costs and would delivery the proposed level of affordable housing.

Delivery

- 9.11 The viability appraisal confirms that the proposed development is viable and could be delivered in accordance with the details submitted with this application. It is proposed to deliver this development as one construction phase.
- 9.12 There are no known land ownership issues that would prevent delivery of the development. The development can still be accommodated with the Lewisham Gateway project and other development sites in Lewisham Town Centre in terms of construction logistics. This development would not prejudice the future development.

10.0 Equalities Considerations

- 10.1 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.
- 10.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. 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.
- 10.3 Equality issues have been duly considered as part of the assessment of this application. It is not considered that the application would have any direct or indirect impact on the protected characterises.

11.0 Conclusion

- 11.1 The proposed building is considered to be of high architectural and design quality and as discussed in this report the redevelopment of this site as part of the Lewisham Town Centre is considered to make a significant positive contribution to the regeneration of this part of the Borough. Officers have engaged in extensive discussions with the applicant regarding redevelopment opportunities for the site in order to try and influence the nature and quality of the development proposals that come forward.
- 11.2 Officers consider that, with the recommended mitigation, planning conditions and obligations in place the proposal represents a high quality development that would bring a range of positive benefits to the Borough

12.0 RECOMMENDATION

Authorise officers to negotiate and complete a legal agreement under Section 106 of the Town and Country Planning 1990 Act (and other appropriate powers) to cover the following matters including such amendments as considered appropriate to ensure the acceptable implementation of the development:

S106 items

Affordable Housing comprising 1 x 2 bedroom flat and 4 x 3 bedroom flats. All rents to be capped at 60% of market value. Affordable units to be built and transferred to a Registered Provider upon occupation of 50% of the private residential units. Should a Registered Provider not be found then a payment in lieu is to be secured for the affordable units.

Public Realm contribution of £25,000 to be paid on commencement of development.

Enter into a s278 agreement to undertake highway improvements to Granville Park which bound the application site.

Local Labour obligations i.e. use of local labour during construction, working with the Councils Local Labour and Business Coordinators.

Submission of public access plan prior to first occupation.

To construct (including shopfronts) and make available the commercial floorspace prior to any occupation of the residential units

Restriction on car parking permits within the controlled parking area, with the exception of blue badge holders.

Meeting the Councils 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, authorise the Head of Planning to Grant Permission subject to the following conditions:-

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of one year 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. Accord with Plans

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

12-241-101 rev C, 12-241-102 rev C, 12-241-103 rev C, 12-241-104 rev C, 12-241-105 rev C, 12-241-106 rev C, 12-241-107 rev C, 12-241-108 rev C, 12-241-109 rev C, 12-241-110 rev C, 12-241-111 rev C, 12-241-112 rev C, 12-241-113 rev C, 12-241-114 rev C, 12-241-115 rev C, 12-241-116 rev C, Existing Site Survey, Design and Access Statement, Appendix 1 drawings, Appendix 2 cgi photomontages, Planning Statement, Daylight and Sunlight Statement, Schedule of Accommodation, Construction Logistics Plan ref HH4120685/KL/009, Air Quality Assessment Project No. 441472-02, Drainage Strategy and Flood Risk Statement ref 8671/FRA, Ecological Constraints Survey, Planning Noise Assessment 296239-01 (00), Site Waste Management Plan, Transport Statement, Travel Plan

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

3. Construction Environment Management Plan

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

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity.
 - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

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

4. Site Contamination

- (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-

- (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
 - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
 - (iii) The required remediation scheme implemented in full.
- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

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

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

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

5. Soundproofing for Mixed Use Buildings

- (a) No development 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 55 for walls and/or ceilings where residential parties non domestic use 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 26 Noise and vibration, 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).

6. Fixed Plant Noise Control

- (a) The rating level of the noise emitted from 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 BS4142:1997.
- (b) Development shall not commence until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.
- (c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

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).

7. BREEAM

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

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

8. Details of CHP

- (a) No development shall commence until full details of the abatement technology utilised to minimise emissions to air from the CHP have been submitted to and approved in writing by the local planning authority.
- (b) The CHP and associated abatement shall be installed in accordance with the approved details prior to occupation of the development and shall thereafter be permanently maintained in accordance with the approved specification.

Reason: To improve air quality in the interest of safeguarding the health of the local population and to protect the amenities of adjoining premises in accordance with Policy 7.14 Improving air quality of the London Plan (2011), Policy 7 Climate change and adapting to the effects and Policy 9 Improving local air quality of the Core Strategy (June 2011) and to comply with Development Management Local Plan (November 2014) DM Policy 23 Air quality.

9. Materials

The development shall be carried out in accordance with the materials as detailed on drawing no's 12-241-101 rev C and 12-141-102 rev C hereby approved, unless approved in writing by the local planning authority.

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

10. Bird Bat Boxes

Details of the number and location of the bird/bat 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 (2011), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

11. Living Roofs

- (a) The development shall be constructed in accordance with plan nos 12-241-110 rev C hereby approved and maintained thereafter.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2011), 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).

12. Delivery and Servicing Plan

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

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

13. Travel Plan

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

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

14. Closure of Existing Access

The development hereby approved shall not be occupied until the existing access has been closed, the highway reinstated and the new access has been constructed in accordance with the permitted plans

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

15. Satellite Dishes

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the north/south/east/west elevations or the roof of the building.

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

16. Plumbing and Pipes

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater pipes, other than those shown on the approved drawings, shall be fixed on the external faces of the building(s).

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

17. Delivery Hours (once operational)

No deliveries shall be taken at or despatched from the site other than between the hours of 7 am and 8 pm on Mondays to Fridays, 8 am and 1 pm on Saturdays, or at any 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).

18. Opening Hours

The ground floor premises shall only be open for customer business between the hours of 08:00 and 21:00 on Mondays to Saturdays and between 09:00 and 19:00 on Sundays and Bank Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 32 Housing design, layout and space standards, DM Policy 17 Restaurants and cafes (A3 uses) of the Development Management Local Plan (November 2014)

19. Restrict Use Class

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), the premises shall be used for Retail and café purposes falling within Use Classes A1, A2 or A3 only and for no other purpose

Reason: In order to protect residential amenity and in order to support a mixture of retail uses within Lewisham Town Centre and to accord with Policy LTC16 of the Lewisham Town Centre Local Plan (February 2014).

20. Access for Shop Front

The shop front hereby permitted shall have a level or ramped access (maximum gradient: 1 in 12) and the entrance door shall be a minimum 900mm clear opening width and such features shall be retained permanently.

Reason: In order to comply with Policies 14 Sustainable movement and transport and 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 19 Shopfronts, signs and hoardings of the Development Management Local Plan (November 2014).

INFORMATIVES

Positive and Proactive Statement

The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. As the proposal was in accordance with these discussions and was in accordance with the Development Plan, no contact was made with the applicant prior to determination.

Community Infrastructure Levy

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/my services/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>

Construction

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

Land Contamination

Applicants are advised to read 'Contaminated Land Guide for Developers'(London Borough's Publication 2003), on the Lewisham web page, before complying with the above condition. All of the above must be conducted in accordance with DEFRA and the Environment Agency's (EA) - Model Procedures for the Management of Land Contamination.

Applicants should also be aware of their responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance therefore relating to their activities on site, should be obtained primarily by reference to DEFRA and EA publications.

Drainage

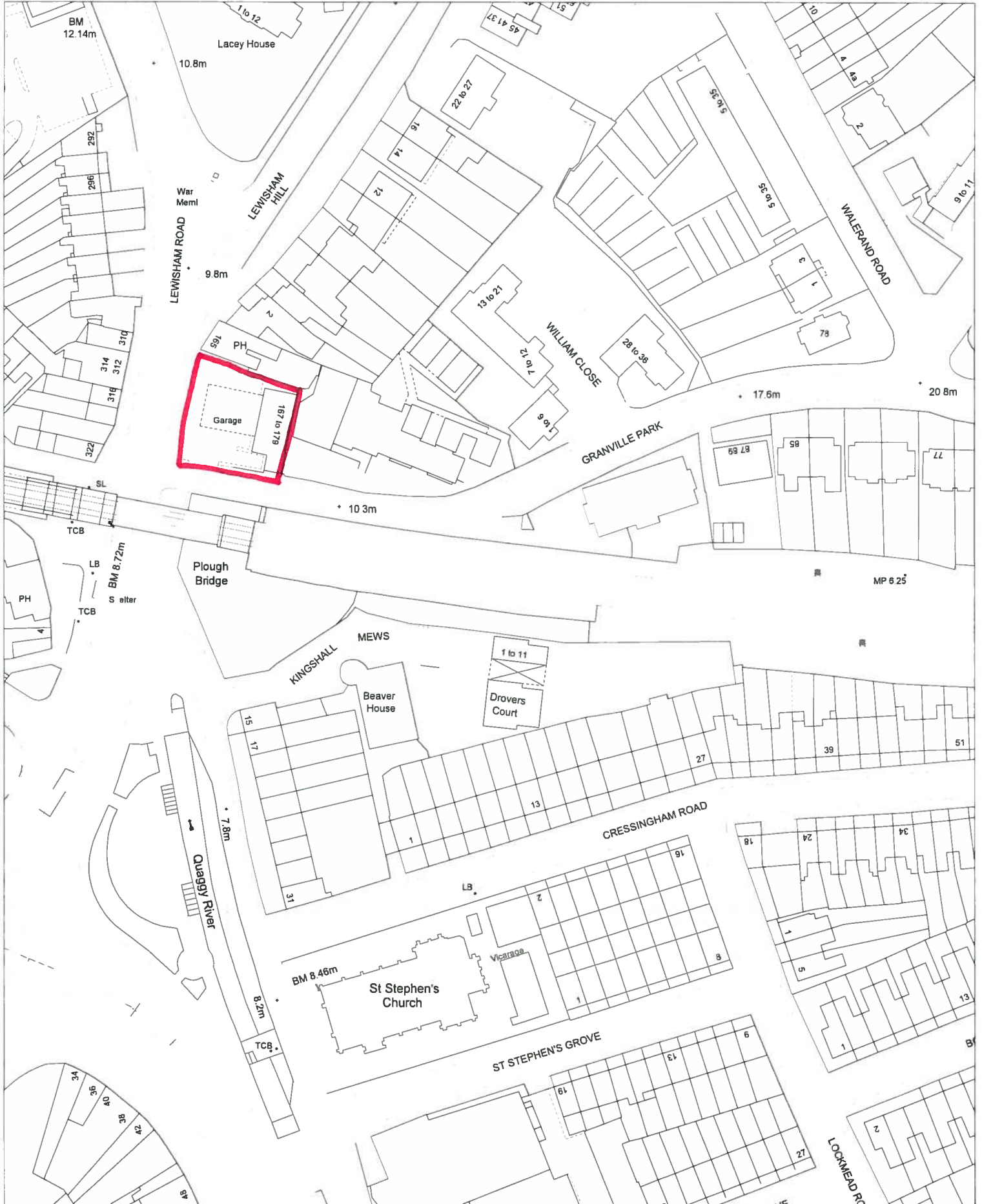
You are advised to contact the Council's Drainage Design team on 020 8314 2036 prior to the commencement of work.

Noise from Fixed Plant

Assessment of the sound insulation scheme should be carried out by a suitably qualified acoustic consultant.

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167-169 Lewisham Rd



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Private and Confidential

167-169 Lewisham Road, Lewisham SE13
London Borough of Lewisham

Viability Report | August 2015

urbandelivery

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1.0 Introduction

Background

- 1.1 Urban Delivery was instructed by the London Borough of Lewisham (the “Council”) to assess the viability of a proposal by Clancroft Properties (the “Applicant”) to redevelop the property known as 167-169 Lewisham Road, Lewisham, London, SE13 (the “Property”).
- 1.2 The Applicant is seeking a planning permission to demolish the existing buildings within the site and develop a mixed-use scheme comprising a ground floor retail unit and the development of 28 dwellings six storeys in height. The planning application states that five units will be provided as affordable homes.
- 1.3 On behalf of the Council, Urban Delivery has carried out its own assessment to consider what would be a reasonable level of affordable housing for the proposed scheme to deliver.
- 1.4 The purpose of this report is to provide guidance on the viability of the development proposed by Clancroft Properties. This report does not constitute a valuation and reference to any values, sales values and costs are provided as broad estimates only in order to assess whether the Applicant has offered a reasonable number of on-site affordable homes and any other planning obligations that may be required to support a development of this nature.

Conflict of Interests

- 1.5 We confirm that in providing this advice to the Council there is no conflict of interest between Urban Delivery and Clancroft Properties. The advice provided in this report does not represent a Valuation in accordance with the RICS Valuation Standards (The Red Book) 2014, published by the Royal Institution of Chartered Surveyors, and should not be regarded as such. The advice provided herein must only be regarded as an indication of potential value, on the basis that all assumptions are satisfied.
- 1.6 In undertaking this review Urban Delivery has collected evidence from a number of third party sources. Urban Delivery cannot be held responsible for the accuracy of this data.
- 1.7 This report must not be used by any other person other than for whom it has been commissioned, without Urban Delivery’s expressed permission. Urban Delivery accepts no liability for any costs, liabilities or losses as a result of the use of, or reliance upon, the contents of this report by any other person other than the commissioner for planning purposes.

Information Provided

- 1.8 In undertaking this viability review Urban Delivery has reviewed copies of the planning application submission documents including proposed floor plans, Planning Statement and Design and Access Statement, which were downloaded from the LB Lewisham planning web site.

2.0 Project Details

Location

- 2.1 The Property is located to the north of Lewisham town centre in south east London within the London Borough of Lewisham. The Property is situated on the corner of Lewisham Road and Granville Park with an elevated railway line running along the southern side of Granville Park. The Property sits just to the north of the A20 which provides a direct route to other arterial routes and on to the motorway network. Lewisham railway and DLR stations are located within 200m to the southwest of the Property, providing regular services into central London.
- 2.2 The Property adjoins a public house to the north and an adult education centre to the east although the predominant land uses in both directions are residential. The surrounding area is undergoing significant change and regeneration with the Lewisham Gateway site immediately to the southwest under construction to provide a mix of new homes, retail, leisure and office accommodation. A new Premier Inn hotel has recently been developed to the south of Granville Park and the elevated railway line.

The Site

- 2.3 The site comprises 0.069 hectares (0.17 acres) of land currently accommodating a Texaco petrol filling station and forecourt shop which is accessed from Lewisham Road. The existing building extends to two storeys in height.
- 2.4 We understand that the Applicant is in negotiation to acquire the Property and that vacant possession of the Property can be achieved without any compensation payments being made by the Applicant for the termination of any existing lease agreements.
- 2.5 We have only inspected the Property from the road and have not undertaken an internal inspection or carried out a measured survey. We are therefore reliant on the accuracy of the information provided by the Applicant and its advisors.

Development Overview

- 2.6 The Applicant proposes the development of 28 new apartments, totalling 1,870 sq m (20,128 sq ft) of net internal floorspace (NIA) with a retail unit extending to 178 sq m (1,916 sq ft) within a single block up to six storeys.
- 2.7 The development will provide the following units:

Private

1 Bedroom Apartment: 8
2 Bedroom Apartment: 15

Social Rented Affordable

2 Bedroom Apartment: 1
3 Bedroom Apartment: 4

- 2.8 The Applicant's Planning Statement states that five dwellings will be available for affordable homes which reflects a proportion of 18% in terms of units and 27% with regard to habitable rooms. All of the affordable homes are proposed to be offered as social rented units. The Council's target is currently 70% as rented units and 30% as intermediate units.

Planning

- 2.9 The Applicant submitted a planning application (Ref: DC/15/91914) in April 2015 for the demolition of the existing petrol filling station and construction of a six storey building comprising ground floor commercial unit (Use Class A1-A3) with 28 residential units above, associated refuse and cycle spaces and landscaping. We understand that the Applicant has had pre-application meetings with the Council to discuss all aspects of the proposed submission.
- 2.10 The Property is not designated for any particular use within the adopted Development Plan and sits within the defined Major Centre of Lewisham and the Sustainable Living Area.

Section 106 and CIL Proposals

- 2.11 A review of the Applicant's development proposals and supporting planning application documents suggest that the CIL liability and S106 contributions could be as set out below:

• Mayoral CIL:	£49,665
• LBL CIL:	£187,770
• Monitoring Costs:	£6,000
TOTAL CIL & S106 COST:	£243,435

3.0 Approach to Viability Appraisal

Limitation of residual development appraisals

3.1 Please note the following;

- Development appraisals are highly sensitive to their inputs (i.e. small changes in inputs can lead to a marked change in outputs).
- Development appraisals are required to assess viability as at today's date, which is reinforced in the RICS *Financial Viability in Planning* guidance note. They are permitted to factor in historic costs and also potential future market and cost inflation. However this all needs to be considered as at today's date.

Approach to Appraisal

3.2 In undertaking a viability assessment for planning purposes Urban Delivery gives full consideration of the RICS Guidance Note 94/2012 (GN94) – Financial Viability in Planning. GN94 provides an objective methodology framework to support Affordable Housing viability assessment. The GN94 highlights that it is grounded in the statutory and regulatory planning regime that currently operates in England. It is consistent with the *Localism Act 2011*, the NPPF and *Community Infrastructure Levy (CIL) Regulations 2010*. GN94 concludes that the fundamental issue in considering viability assessments in a town planning context is whether an otherwise viable development is made unviable by the extent of planning obligations or other requirements.

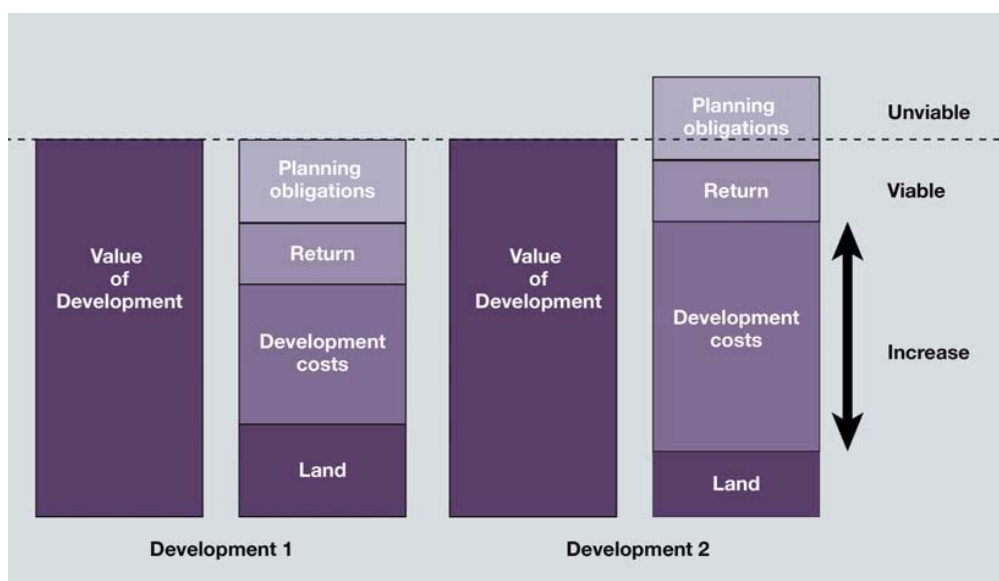
3.3 GN94 defines financial viability for planning purposes as follows:

“An objective financial viability test of the ability of a development project to meet its costs including the cost of planning obligations, while ensuring an appropriate Site Value for the landowner and a market risk adjusted return to the developer in delivering that project”.

3.4 GN94 proposes the use of a residual appraisal methodology for financial viability testing and that such a methodology is normally used, where either the level of return or site value can be an input and the consequential output (either a residual land value or return respectively) can be compared to a benchmark having regard to the market in order to assess the impact of planning obligations or policy implications on viability. GN94 defines site value as follows:

“Site Value should equate to the market value subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan”.

- 3.5 It is accepted however that any assessment of site value will have regard to potential planning obligations, and the purpose of the viability appraisal is to assess the extent of these obligations while also having regard to the prevailing property market.
- 3.6 This principle is demonstrated by the diagram found in GN94. The costs and necessary returns of Development 1 are such that policy can be met in delivering all planning obligations while meeting a site value for the land, all other development costs and a market risk adjusted return. In contrast, Development 2 indicates that an increase in costs results in an inability of that development to absorb the original planning obligations and is therefore unviable. A financial viability assessment would be required to ascertain what could viably be delivered in the way of planning obligations while ensuring that the proposed development was viable and deliverable.



Source: RICS Guidance Note 94/2012.

- 3.7 Urban Delivery adopts the RICS definition of Market Value as the appropriate basis to assess site value.
- 3.8 This is consistent with the NPPF, which acknowledges that 'willing sellers' of land should receive 'competitive returns'. Competitive returns can only be achieved in a market context (i.e. Market Value) not one which is hypothetically based on an arbitrary mark-up applied, as in the case of Existing Use Value (or Current Use Value) plus a premium.
- 3.9 In the absence of any definitive guidance, a variety of practitioners have evolved approaches to assess a reasonable benchmark land value. One approach has been to adopt Current Use Value (CUV) plus a margin or a variant of this, i.e. Existing Use Value (EUV) plus a premium. GN94 states that the problem with this singular approach is that it does not reflect the workings of the market as land may not be released at CUV or CUV plus a margin (EUV plus). It is however, possible that its current use represents the Market Value if the CUV is in excess of the residual value produced by a proposed development.

- 3.10 This viability assessment has been undertaken in the light of the LB Lewisham's Supplementary Planning Document (SPD) on Planning Obligations, adopted on the 25th February 2015. This includes guidance on financial viability assessments (paragraphs 4.31 to 4.38). In respect of land value the SPD notes that the analysis should be based on land values as set by the application of planning policy in determining the permissible scope of development rather than the price actually paid for the land.
- 3.11 The site value adopted in this viability review has been assessed against our view of a risk adjusted Market Value. The risk adjustment allows for the fact that the subject Property does not yet have a planning permission for the proposed use whereas evidence of similar land sales may reflect land sold with the benefit of a planning permission or a sale agreed on a 'subject to planning' basis. As such, the site value will normally be less than current market prices for development land for which planning permission has been secured and planning obligation requirements are known.
- 3.12 In determining the site value Urban Delivery gives regard to EUV and transactional evidence of other residential land sales and all other material considerations that might impact on site value.

Residual Development Appraisal Assumptions

- 3.13 Our residual development appraisal is based on costs and values adopted by the appraiser and can then be applied to a bespoke timeframe with assumptions on cost breakdown throughout the life of the project. This assumption on costs, revenues and the timing of such is then used to calculate finance costs.
- 3.14 In our residual development appraisal we have adopted our own assumptions on the amount and timing of income and expenditure.
- 3.15 We have appraised the development scheme as a single phase.

4.0 Market Analysis

Local Property Market

- 4.1 We have undertaken a review of the local property market to identify evidence of other development land sales, new build residential unit sales and the letting of commercial premises.
- 4.2 In considering evidence of land sales transactions where the land is sold with the benefit of planning permission we have sought to discount the achieved price by 30% to make an allowance for the time, cost and associated planning risk that a purchaser is likely to incur if purchasing a parcel of land unconditionally and without a planning permission for the proposed land use or scale of development they are seeking. This level of discount has been chosen to reflect the cost of making a planning application, an allowance for adverse changes in property market conditions as well as the uncertainty over agreeing S106 contributions and the viable number of affordable homes that may be provided on-site.

Land Sales

88 Rushey Green, Catford, SE6

- 4.3 This site comprises an area of approximately 0.249 ha (0.62 acres) and was sold in April 2013 with the benefit of a planning permission for 29 dwellings, including four houses. We understand that the sale price was £1,350,000.
- 4.4 In applying this comparable to the subject Property we would allow for a discount of circa 30% to reflect the cost and risk of achieving a suitable planning permission. This discounted price would reflect a land value of circa £3,800,000 per hectare (£1,540,000 per acre).
- 4.5 While this would suggest a land value for the subject Property of only circa £260,000 based on site area, a value based on the permitted number of dwellings would indicate a land value in the region of £910,000 (assuming a discounted value of £32,500 per dwelling). On the basis that this comparable is a larger site and developed to a lower density, this could impact on the value per hectare (acre). As such, we are more inclined to apply greater weight to the analysis based on total dwellings.

136A Tanners Hill, Lewisham, SE8

- 4.6 This land comprises an area of approximately 0.09 ha (0.22 acres) and was sold in June 2014 with the benefit of a planning permission for four houses and four apartments, reflecting a relatively low density of approximately 36 dwellings per acre. We understand that there is no requirement for affordable homes within this development. We understand that the site achieved a sale price of £1,600,000.
- 4.7 In applying this comparable to the subject Property we would allow for a discount of circa 30% to reflect the cost and risk of achieving a suitable planning permission but taking into

consideration there would be no requirement for affordable housing. This discounted price would reflect a land value of circa £12,590,000 per ha (£5,100,000 per acre).

- 4.8 Applying the analysis above, this would suggest a land value for the subject Property of circa £870,000 based on site area. On the basis that the subject Property is proposed to accommodate a greater number of dwellings there is scope to suggest that the site could achieve a greater value per hectare than this comparable indicates.
- 4.9 The subject Property, while a similar sized plot of land, proposes 28 dwellings and equates to approximately 165 dwellings per acre compared with this comparable of only 36 dwellings per acre.

120-122 Tanners Hill, Lewisham, SE8

- 4.10 This land comprises an area of approximately 0.44 ha (1.09 acres) and was sold in September 2014 with the benefit of a planning permission for 58 residential units. We understand that the sale price was just under £8,000,000.
- 4.11 In comparing this site to the subject Property, which proposes around half the number of dwellings and comprises only around 15% of the site area of this comparable, it would be usual to allow an adjustment to reflect the difference in site area and proposed density. This can allow for site costs, infrastructure costs and the opportunity for greater efficiency to develop a greater number of units on a smaller site. The density of 165 dwellings per acre for the subject Property is greater than this comparable reflects of only 53 dwellings per acre.
- 4.12 In applying this comparable to the subject Property we would allow for a discount of circa 30% to reflect the cost and risk of achieving a suitable planning permission. This discounted price would reflect a land value of circa £12,590,000 per ha (£5,100,000 per acre).
- 4.13 Applying the analysis above, this would suggest a land value for the subject Property of circa £870,000 based on site area. On the basis that the subject Property has potential to achieve a greater density there is scope to suggest that the site could achieve a greater value per hectare than this comparable indicates. Although other issues such as contamination and situation adjacent to the elevated railway line will have a negative impact on land value.

Arklow Road Trading Estate, Deptford, SE14

- 4.14 This existing commercial site was sold in July 2014 on an unconditional basis. We understand that the sale price was £9,000,000. The site extends to approximately 0.88 hectares (2.17 acres) which reflects a value of approximately £10,230,000 per ha (£4,150,000 per acre).
- 4.15 The site proposes a scheme of approximately 330 new homes, reflecting a density close to 395 homes per hectare (160 homes per acre).

- 4.16 Applying this analysis would suggest a land value for the subject Property of circa £710,000 based on site area. We would note however that at the time of acquisition the development of this site was at an earlier stage than the subject Property and there may have been greater uncertainty as to ground conditions and development potential, thereby reflecting a more cautious purchase price.

Residential Sales

- 4.17 We have undertaken an independent investigation into private residential sale values in the vicinity of the proposed development, as set out in the tables below.

Renaissance, Loampit Vale

- 4.18 Barratt Homes is progressing with its development of this scheme, located approximately 0.5km southwest of the subject Property.
- 4.19 The development comprises eight buildings ranging from five to twenty-four storeys, incorporating balconies and terraces, comprising 788 residential units (including up to 186 affordable), a leisure centre, 1,856 sq m of commercial floorspace (Use Classes A1, A2, and B1, including 626 sq m for creative industries), an energy centre, replacement London City Mission facilities, public and private amenity space, together with associated landscaping, bin stores, 866 cycle, 26 motorcycle and 181 car parking spaces on ground and first floor levels, associated highway works, plant and servicing.
- 4.20 We have reviewed some of the more recent sales of new homes within the Roma Corte phase. These are set out in the table below:

Barratt Developments - Renaissance, Loampit Vale							
Phase	Unit	No Beds	Area sq m	Area sq ft	Price	£psf	Sold Date
Roma Corte	Plot 207	1	49.4	532	£303,000	£ 570	Q2 2015
Roma Corte	Plot 212	1	45.2	487	£297,000	£ 610	Q2 2015
Roma Corte	Plot 213	1	49.4	532	£306,000	£ 575	Q2 2015
Roma Corte	Plot 218	1	45.2	487	£300,000	£ 617	Q2 2015
Roma Corte	Plot 366	1	45.7	492	£325,000	£ 661	Q2 2015
Roma Corte	Plot 210	2	64.2	691	£399,000	£ 577	Q2 2015
Roma Corte	Plot 211	2	64.0	689	£394,000	£ 572	Q2 2015
Roma Corte	Plot 216	2	64.2	691	£403,000	£ 583	Q2 2015
Roma Corte	Plot 217	2	64.0	689	£398,000	£ 578	Q2 2015
Roma Corte	Plot 369	2	56.3	606	£423,000	£ 698	Q2 2015
Average Price			54.8	589	£354,800	£ 602	

- 4.21 As can be seen, average sales values over the second quarter of 2015 are in the region of £6,480 per sq m (£602 per sq ft) for one and two bedroom apartments.
- 4.22 In addition to those units that have recently been sold/reserved we have considered the pricing of units currently being marketed within the Renaissance scheme. These are set out below:

Barratt Developments - Renaissance, Loampit Vale							
Phase	Unit	No Beds	Area sq m	Area sq ft	Price	£psf	Sold Date
Roma Corte	Plot 278	1	45.2	487	£353,000	£ 726	OTM
Roma Corte	Plot 290	1	45.2	487	£359,000	£ 738	OTM
Roma Corte	Plot 273	2	53.8	579	£455,000	£ 786	OTM
Roma Corte	Plot 285	2	53.8	579	£465,000	£ 803	OTM
Roma Corte	Plot 288	2	64.0	689	£475,000	£ 690	OTM
Roma Corte	Plot 289	2	64.2	691	£475,000	£ 687	OTM
Average Asking Price			54.4	585	£430,333	£ 735	

- 4.23 The current release of units are situated on the upper floors of the tower, starting from level 14. We also note that the average unit sizes of these units is substantially smaller than the one and two bedroom units proposed in the subject scheme. Given the potential premium for units on higher floors and the smaller floor areas in general we are of the view that the average price of £7,910 per sq m (£735 per sq ft) is greater than could be achieved within the proposed development on Lewisham Road.
- 4.24 The Renaissance development in general is regarded as a superior scheme and is in a more desirable location on Loampit Vale, closer to the railway station, than the subject Property. As such, it is expected that values within this scheme would be higher than on Lewisham Road.

Portrait Tower

- 4.25 Portrait Tower is part of the Lewisham Gateway development situated to the west of the subject Property. The scheme comprises a development of 125 one, two and three bedroom apartments.
- 4.26 The development is currently selling units off-plan. Information on initial sales is limited although a review of property marketing web sites suggests that a good proportion of units have been bought by investors now looking to 'flip' units for a profit. The table below indicates the pricing for units:

Portrait Tower 1, Lewisham Gateway, SE13						
Unit	Floor	No Beds	Area sq m	Area sq ft	Price	£psf
031	3rd	1	50.0	538	£333,000	£ 619
041	4th	1	50.0	538	£299,000	£ 556
012	1st	2	64.5	694	£359,000	£ 517
032	3rd	2	61.0	657	£395,000	£ 601
052	5th	2	61.0	657	£405,000	£ 616
065	6th	2	61.2	659	£377,000	£ 572
085	8th	2	61.2	659	£410,000	£ 622
Average Asking Price			58.4	629	£368,286	£ 586

- 4.27 As can be seen, average asking prices are in the region of £6,310 per sq m (£586 per sq ft) for one and two bedroom apartments. In comparing this comparable sales/pricing evidence with the subject Property we have sought to use only those apartments up to the 8th floor. Apartments on the higher floors attract a premium pricing that cannot be achieved on the Lewisham Road scheme.

Tower Loft Apartments, Lewisham High Street

- 4.28 This development is situated towards the east of Lewisham town centre and will comprise a converted department store with a range of one and two bedroom apartments with gym and studio space. The development is anticipated to be completed in 2016.
- 4.29 The apartments are currently being marketed off-plan with the first release having sold well. The table below identifies a number of the one bedroom units that have now been reserved.

Tower Loft Apartments, Lewisham High Street, SE13						
Unit	Floor	No Beds	Area sq m	Area sq ft	Price	€psf
Flat	3rd	1	46.5	501	£345,500	€ 690
Flat	3rd	1	55.0	592	£399,500	€ 675
Flat	3rd	1	44.5	479	£338,500	€ 707
Flat	3rd	1	49.0	527	£355,500	€ 675
Flat	3rd	1	52.0	560	£365,000	€ 652
Flat	3rd	1	51.5	554	£365,000	€ 659
Flat	3rd	2	66.5	716	£435,500	€ 608
Average Asking Price			52.1	561	£372,071	€ 663

- 4.30 The majority of units reserved so far are one bedroom homes of varying floor areas.

Prime Place, Norman Road, Greenwich, SE10

- 4.31 With a lack of suitable sales evidence for three bedroom apartments in Lewisham town centre we have considered evidence from further afield. Prime Place Greenwich is a development situated on Norman Road, located on the eastern side of Deptford Creek, approximately 1.4km to the north of the site on Lewisham Road. Although this development is located in a more valuable location we are aware of a number of three bedroom units that have recently been sold and provide an indication of the pricing that could be achieved in Lewisham.
- 4.32 The table below identifies a range of three bedroom units sold in the past 12 months:

East Tower, Block C, Prime Place, Norman Road, Greenwich, SE10							
Unit/Type	Floor	No Beds	Area sq m	Area sq ft	Price	€psf	Sold Date
C201	2nd	3	102.6	1104	€ 580,000	€ 525	2H 2014
C202	2nd	3	86.1	927	€ 530,000	€ 572	2H 2014
C301	3rd	3	107.8	1160	€ 570,000	€ 491	2H 2014
C302	3rd	3	86.1	927	€ 540,000	€ 583	2H 2014
C401	4th	3	86.0	926	€ 565,000	€ 610	2H 2014
C403	4th	3	86.1	927	€ 530,000	€ 572	2H 2014
C405	4th	3	91.2	982	€ 590,000	€ 601	2H 2014
C502	5th	3	86.1	927	€ 565,000	€ 610	2H 2014
C504	5th	3	91.2	982	€ 590,000	€ 601	2H 2014
Average			91.5	985	€ 562,222	€ 571	

- 4.33 We note that with the Applicant proposing that the three bed units on Lewisham Road will be in the order of 78 sq m (840 sq ft), the units at Prime Place are actually larger. Allowing for this difference in size, location and house price inflation since these sales were

achieved, we are of the opinion that the average value achieved of £6,146 per sq m (£571 per sq ft) provides a reasonable comparable for the three bedroom units within the Applicant's proposed development, should they be offered as private market homes rather than affordable rented units.

Summary

- 4.34 As can be identified from the comparable evidence tables above, the range of average sales values vary from £5,650 and £8,640 per sq m (£525 and £803 per sq ft).
- 4.35 The units at the Renaissance and Portrait Tower developments, situated only a short distance from the subject Property, are selling well and offer some good indicators of the level of pricing that should be achievable at the subject Property. The site on Lewisham Road itself is in close proximity to an elevated railway line which could impact on sales values for the units on the lower floors although we do not believe this will have a material impact on the overall demand for units.
- 4.36 We have considered unit prices applicable to the proposed units based on the asking prices and achieved sales values reported on other schemes in the locality.
- 4.37 Based on the average sales values achieved on other schemes in the area and in consideration of average unit prices referred to above, we are of the opinion that an average sales value of £6,135 to £7,210 per sq m (£570 to £670 per sq ft) is reasonable at the current time in consideration of the mix of one, two and three bedroom units.

Residential Rental Values

- 4.38 We have reviewed the local property market and identified that rental values for one to three bedroom apartments are in the region of:
- 1 bed @ £265 per week (@ 60% = £160 per week)
 - 2 bed @ £345 per week (@ 60% = £210 per week)
 - 3 bed @ £380 per week (@ 60% = £230 per week)

- 4.39 We have adopted these average values in order to assess the potential value of the affordable homes that a Registered Provider may attribute to the affordable rented units.

Commercial Values

- 4.40 While there have been a number of retail lettings in Lewisham town centre over the past 12 months, many of these are connected with retail units in more central locations and would therefore be expected to achieve a higher rental value. In order to form a view on the rental values and investment yields that could be applied to the proposed retail unit, we have sought to identify units of similar sizes and in non-prime locations.
- 4.41 We understand that a retail unit at 37-39 Lewisham Way has recently been let. The unit comprises 186 sq m (2,004 sq ft) of ground floor retail space and was leased in March 2015 at a rent in the order of £42,000 pa. This reflects a rent of £225 per sq m (£20.95 per

sq ft).

- 4.42 191-193 Lewisham High Street, comprises a more centrally located retail unit of 140 sq m (1,512 sq ft) of ground floor and basement accommodation and was recently leased on a 10 year term at a rent of £37,000 pa to a financial service provider. This reflects a rent of around £263 per sq m (£24.50 per sq ft). As referred to above, a retail unit in a core central location would be expected to achieve a higher rent than the proposed unit on Lewisham Road.
- 4.43 With regard to investment yields, there is limited sales evidence available at the current time although we are aware that a retail unit at 1 and 1a Brownhill Road in Catford, approximately 2km to the south of the subject Property, was recently marketed at a price reflecting a net initial yield of circa 7.5%. We understand that this unit has now sold.
- 4.44 The retail unit at 68 Lewisham High Street was sold at auction in March 2015 reflecting a yield of around 5.56%. This unit was let to a good covenant with over seven years remaining on the lease. The unit is also more centrally located with greater opportunity for rental growth and re-letting should the unit become vacant.

5.0 Viability Assessment

Benchmark Land Value

- 5.1 In order to ascertain a reasonable land cost Urban Delivery has investigated an estimate of Market Value.

Market Value

- 5.2 In order to adopt a preferred Market Value approach to assessing the Land Value Benchmark we have reviewed the local property market for evidence of land sales or the sale of premises that are suitable for residential development.
- 5.3 A review of the evidence referred to in Section 4 of this report highlights the range of values achievable for residential land within this area. The evidence from two sites on Tanners Hill, at 88 Rushey Green in Catford and also at Arklow Road in Deptford, would suggest a similar sized site could achieve a price in the range of £710,000 to £910,000 depending on development density and planning obligations.
- 5.4 Considering the evidence referred to above and applying this to the subject Property it is our opinion that a Land Value Benchmark of between £700,000 and £730,000 should be adopted within our assessment with potential for a higher price to be agreed should the site be sold on the open market. We would anticipate that a higher value could be attributed to the site should a planning permission be granted for residential development. For the purpose of our appraisal we have adopted a Benchmark Land Value of £715,000.

Appraisal Inputs

Residential Revenue

- 5.5 Based on the evidence of recent residential sales in the local vicinity we have adopted an average sales value for the private units of between £6,350 and £7,360 per sq m (£590 and £684 per sq ft). This equates to a blended rate of approximately £6,640 per sq m (£617 per sq ft)
- 5.6 While the average sales values on other schemes in the locality range between £5,650 and £8,640 per sq m (£525 and £803 per sq ft), the higher values tend to be achieved on the smaller one bedroom units. We would also note that the average unit sizes of the proposed development are larger than the average one and two bedroom units on other schemes in Lewisham and this will therefore skew the average value per sq m.
- 5.7 In view of this we have also had regard to ceiling unit prices for the range of other new-build one, two and three bedroom units currently on the market in Lewisham town centre.

Ground Rents

- 5.8 Ground rents on similar apartments are typically in the order of £350 per unit. Applying an investment yield of 6.00% generates a capital receipt of circa £134,000 for the 23 private units. We have included this within our appraisal.

Affordable Homes

- 5.9 We have appraised the value of the proposed affordable homes on the basis that the average rented unit will be capped at 60% of market rent.
- 5.10 Having applied these capped rents for one, two and three bedroom units we have derived that the average value of an affordable rented unit is in the region of £1,400 per sq m (£130 per sq ft), resulting in a capital sum of around £537,500 for the five units proposed.

Retail Unit Value

- 5.11 Based on our review of the local property market we are of the opinion that an annual rent of £215 (£20 per sq ft) could be achieved for the proposed retail unit. On the basis that the Applicant has not yet identified an occupier to lease the retail unit and its location away from the prime retail pitch, we have applied an investment yield of 7.00% to this element of the proposed development.

Cost Advice

- 5.12 In order to assess construction costs we have taken advice from Trident Building Consultancy. Trident's advice is based on cost benchmarks for other similar residential developments.
- 5.13 This cost benchmark evidence includes costs for items such as site clearance, substructure, superstructure, internal finishes, fittings and furnishings, M&E installations, external works and other items. An overall cost of circa £5,785,000 has been adopted, inclusive of preliminaries and contractors overheads and profits.

Decontamination

- 5.14 In addition to construction costs, Trident is of the opinion that an allowance of £185,000 for remediation works should be included to decontaminate the site.

S106 and CIL Contributions

- 5.15 We have applied the final MCIL and S106 financial contributions to our appraisal as set out in paragraph 2.11. These total £187,770 for LB Lewisham CIL plus £49,665 for Mayoral CIL. £6,000 is included under the S106 agreement to cover monitoring costs.

Professional Fees

- 5.16 For a new development scheme of the scale proposed with relatively few dwellings in comparison with other regeneration schemes, we believe that professional fees in the order of 12% of build costs would be reasonable.

Residential Sales and Marketing Fees

- 5.17 We have included sales and marketing fees at a rate of 3.5% of residential sales values. This allows for residential agency fees in the region of 1.5% with a further allowance of 2% for marketing costs.

Finance Costs

- 5.18 We have adopted a finance rate of 6.75%. In addition, we have applied a rate of 1% of costs to cover the loan arrangement fee. It is common practice for banks to charge an arrangement fee for investment and development finance and this can typically range from 1% to 2%.

Developer Profit

- 5.19 In the light of recent guidance and to fairly reflect the risk of the proposed development, a return of 20% of Gross Development Value (GDV) has been adopted.
- 5.20 With regard to a suitable development return we consider the GLA Toolkit's default allowance of 20% of Gross Residential Development Value a reasonable benchmark. However we are aware that other viability toolkits permit a range of profit levels to suit the phasing and perceived risk of the project.
- 5.21 We have also had regard to recent appeal cases where the Planning Inspectorate has passed judgement on the acceptability of certain profit levels within viability assessments. One particularly prominent case being The University of Reading vs Wokingham BC in which the Inspector accepted a developer return of 20% profit on GDV.

6.0 Viability Outputs

Viability Findings

- 6.1 Based on the proposed GDV, the development costs and the Benchmark Land Value, we are of the opinion that the proposal is able to support the provision of five affordable rented homes, as offered by the Applicant.
- 6.2 Our findings suggest that the offer submitted by the Applicant does reflect the maximum number of affordable rented homes that can be provided at the current time.
- 6.3 As part of the sensitivity testing we have run our appraisals to include an additional affordable unit and this results in either a reduction in the developer's profit or a residual land value that is below the Benchmark Land Value, confirming that the inclusion of additional affordable homes would technically be financially unviable.

Sensitivity Testing

- 6.4 We have run a series of sensitivity tests in order to understand the impact of changes to the assumptions on the viability of the scheme.
- 6.5 The sensitivity results are based on a change to the average sales value and the build costs by a factor of 5% and 10%. Any movement resulting in a higher sales value or lower build cost will increase the residual land value and in theory enable the delivery of a greater number of affordable homes.
- 6.6 Based on current values and costs however, as referred to in paragraph 6.3 above, we have examined the effect of including an additional affordable unit within the scheme to increase the proportions to 21.4% of on-site affordable housing.
- 6.7 The provision of an additional two bed unit for affordable rented purposes would reduce the land value to circa £650,000. This would reflect a deficit of approximately £65,000 and would make the scheme technically financially unviable.
- 6.8 Repeating this exercise again but substituting the additional two bed unit for a smaller one bed unit has the effect of reducing the land value to approximately £670,000, a deficit of circa £45,000 on the Benchmark Land Value.

Review Mechanism

- 6.9 Given the scope for sales values to continue to improve over the proposed duration of this development we would recommend that the Council seeks a review mechanism within a Planning Agreement to ensure that where viability permits any future uplift in value can be captured and, additional affordable housing can be provided.

Payment in Lieu of On-site Affordable Housing

- 6.10 On the basis that the Council could accept a payment in lieu of on-site affordable housing we have estimated that the uplift in GDV (as a result of achieving a full market value for the units that would otherwise have been subsidised as affordable homes) could support a capital sum to LB Lewisham in the order of £1,600,000.

7.0 Conclusion

- 7.1 Having undertaken a viability assessment for the proposed redevelopment of the site at 167-169 Lewisham Road we are of the opinion that the offer for five affordable rented units (18% affordable housing) is reasonable.
- 7.2 Our appraisal indicates that this level of affordable housing is financially viable, providing the developer with its required level of return of 20% of GDV while allowing a reasonable sum to acquire the land on an unconditional basis.
- 7.3 In light of this review it is unlikely that the proposed scheme is able to support any additional affordable housing based on the costs and sales values arrived at as at the date of this report.
- 7.4 However given the results of the sensitivity testing and the anticipation that sales values will increase over the next 12 months, the Council should incorporate a clause in the Section 106 Agreement which enables a review of this scheme at pre-determined scenarios to ensure that the Applicant provides a fair contribution towards affordable housing in the Borough.
- 7.5 Alternatively, should the Council be minded to accept a payment in lieu of on-site affordable housing, we would recommend that a sum in the order of £1,600,000 should be sought from the Applicant.

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