

PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 18 FEBRUARY 2016 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, 9 February 2016**

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

**Telephone No: 020 8314 6078
Email: Renee.Hayles@lewisham.gov.uk**



RECORDING AND USE OF SOCIAL MEDIA

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

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

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

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

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

Order Of Business			
Item No	Title of Report	Ward	Page No.
1.	Declarations of Interests		1 - 4
2.	Minutes		5 - 6
3.	Dacre Arms Pub -11 Kingswood Place, SE13	Blackheath	7 - 20
4.	178 Waller Road, SE14	Telegraph Hill	21 - 30
5.	14A Lewisham Hill, SE13	Blackheath	31 - 48
6.	12 Hengrave Road, SE23	Forest Hill	49 - 62
7.	Catford Bridge Tavern, Station Approach, Rushey Green, SE6	Rushey Green	63 - 96

This page is intentionally left blank

	PLANNING COMMITTEE (A)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 18 February 2016

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

(1) Personal interests

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

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

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

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

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

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

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

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

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

(6) Sensitive information

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

(7) Exempt categories

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

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

This page is intentionally left blank

Committee	PLANNING COMMITTEE (A)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 18 February 2016

MINUTES

To approve the minutes of the meeting of Planning Committee (A) held on the 7th January, 2016.

This page is intentionally left blank

Committee	PLANNING COMMITTEE A	
Report Title	Dacre Arms, 11 Kingswood Place, London, SE13 5BU	
Ward	Blackheath	
Contributors	Andrew Harris	
Class	PART 1	18 February 2016

<u>Reg. Nos.</u>	DC/15/92746
<u>Application dated</u>	23/06/15
<u>Applicant</u>	Mr T Garforth on behalf of Mrs L Pierson
<u>Proposal</u>	Retrospective planning application for the retention of an outbuilding forming a servery for food and drink to the rear at Dacre Arms, 11 Kingswood Place, SE13, together with the provision of a seating area to the front using dwarf bricks, walls and metal railings.
<u>Applicant's Plan Nos.</u>	TGA.0128 01 Rev A received 17 July 2015; Heritage Statement (September 2015, TG Architecture) received 1 September 2015; Design and Access Statement (January 2016, TG Architecture) received 19 January 2016.
<u>Background Papers</u>	(1) Case File LE/743/A/TP (2) Core Strategy (2011) (3) Development Management Local Plan (2014) (4) The London Plan (2015)
<u>Designation</u>	PTAL 3 Blackheath Conservation Area On the boundary of the Lee Area of Archaeological Priority. Locally Listed Building Unclassified Road
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The Dacre Arms Public House is a small pub situated on a quiet residential street. It is constructed of red brick with decoratively coursed cream faience block work to the ground floor. The pub follows the building line of the terrace and although of a different style it represents an attractive addition to the street. It has retained its scale and relationship to the neighbouring properties.
- 1.2 The Dacre Arms Public House is a locally listed building and lies within the Blackheath Conservation Area.

2.0 Planning History

- 2.1 **EC/15/00089:** The unauthorised installation of railings to the front and erection of an extension to the rear of the Public House. Received 30/03/2015. This case led to the lodgement of this planning application.

3.0 Current Planning Applications

The Proposal

- 3.1 Retrospective planning permission is sought for a small rear outbuilding of some 21sqm internal floorspace which is intended to function as a servery for food and drink passed to the clientele of the public house sitting in the rear garden. The second aspect of the proposal seeks retrospective planning permission for the retention of a seating area bounded by a dwarf wall and railings to a total height of 1.36m directly in front of the building, abutting the back edge of the footway.

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. A public notice was displayed and an advertisement placed in the local newspaper offering a 21 day period for comments to be made.
- 4.3 During the assessment of the application, it became apparent that it was intended that the servery would be used for serving drinks as well as food. In order to ensure the public were correctly informed of the proposal and that the application reflects what the applicant seeks, the public were reconsulted.

Written Responses received from Local Residents and Organisations – Initial Consultation

- 4.4 The first consultation received 8 responses, (1 letter of support and 7 letters of objection), along with a petition of 33 signatures attached to one of the objection letters opposing the regularisation of the proposed works.

Letter of Support – 23 Lee Court, Lee High Road

- 4.6 The first comment welcomed the development and described the garden area as 'very nice' with a good seating area.

Objection 1 – 64 Belmont Park

- 4.7 This objection is based on the increased noise impact, whether the bar had a license and that waste produced would not be effectively disposed of. It was also raised that the design was out of keeping with the conservation area and there was a lack of consultation on the application.

Objection 2 – 80 Belmont Park

- 4.8 This objection raised concern over noise impact and the increase in this following the table being put in the amenity space at the front of the public house. The other concern was that drinkers would now be in sight of the nursery. Similarly with the above comment, the submission raised concern over licensing.

Objection 3 – 4 Kingswood Place

- 4.9 As with the previous comments, this submission raised concern over the noise impact of the development, and the traffic flow around the public house which causes disruption to the surrounding family housing.

Objection 4 – 10 Kingswood Place

- 4.10 Objection 4 included a petition on the basis of excess noise, parking, design and the use of the amenity space at the front of the building. This consisted of 33 signatures.

Objection 5 – 1 Kingswood Place

- 4.11 Concern has been raised that there would be an increase in antisocial and drunken behaviour from the development. Comments included concern over noise impact and parking. It has also been raised that Kingswood Hall which is located opposite, holds many regular events for the young such as cubs, scouts, children's parties, private teaching classes and the Montessorri School.

Objection 6 – 60 Belmont Park

- 4.12 Objection raised on the grounds of the noise impact, antisocial behaviour and parking congestion.

Objection 7

- 4.13 Objection raised on the basis of excess noise, parking, design and the use of the amenity space at the front of the building.

Written Responses received from Local Residents and Organisations – Second Consultation

The second consultation received nine responses (one comment and eight objections). Of these, only two objections were from people who had not objected to the original application (41 Belmont Park & 82 Belmont Park).

Objection 1 – 64 Belmont Park

- 4.14 The same issues were raised as in the original objection, with the addition of traffic increases and consequential impacts on parking.

Objection 2 – 80 Belmont Park

- 4.15 No new issues were raised, apart from the objection being maintained, given that it has been clarified that the servery is proposed to be used as a bar.

Objection 3 – 4 Kingswood Place

- 4.16 Objection maintained but no new issues raised.

Objection 4 – 10 Kingswood Place

- 4.17 Continued objection on the basis of effect on the character of the area, loss of privacy and amenity, design and visual impact. Objection was also raised regarding food safety, as the pub does not have access to a kitchen and therefore food would need to be prepared off-site. It is noted that food hygiene is not a planning issue and that this would need to be considered separately, if this application were to be approved.

Objection 5 – 1 Kingswood Place

- 4.18 No new issues raised, but objection maintained now that clarification has been given that the outdoor servery would provide drinks.

Objection 6 - 60 Belmont Park

- 4.19 No new issues raised.

Objection 7 – 41 Belmont Park

- 4.20 Objection raised on the grounds that not all residents of Belmont Park were consulted and that the use of the outdoor space as an entertainment area is not appropriate. The seating at the front of the pub seems unnecessary.

Objection 8 – 82 Belmont Park

- 4.21 Objection raised on the grounds of noise disturbance.

Comment 1 – 46B Belmont Park

- 4.22 The new servery and front seating area would constitute a change of use and very little information was given to local residents either formally or informally. The new front table would be in sight of the Montessori School. The term “servery” may be a misnomer. Objection was also raised that the development is out of character with the conservation area and additional noise will be created.

With regard to the objections raised to inadequate consultation, it is noted that the Council’s consultation exceeded the minimum statutory requirements and those required by the Council’s adopted Statement of Community Involvement.

Written Responses received from Statutory Agencies

- 4.23 No responses received.

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:-

- the provisions of the development plan, so far as material to the application,
- any local finance considerations, so far as material to the application, and
- any other material considerations.
- A local finance consideration means:
- 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
- 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 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology

Core Strategy

5.6 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the 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 15	High quality design for Lewisham
Core Strategy Policy 16	Conservation areas, heritage assets and the historic environment

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:

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

DM Policy 20	Public houses
DM Policy 26	Noise and vibration
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens
DM Policy 37	Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest

LDF Evidence Base: Pubs in Lewisham (2013)

5.8 This is an evidence based document which supports the LDF Core Strategy and supports the retention of public houses.

Blackheath Conservation Area Appraisal and Supplementary Planning Document (2007)

5.9 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 Blackheath 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:

- Principle of development
- Design and impact on the listed building and conservation area

- Noise and impact on adjoining properties
- Car Parking

Principle of Development

- 6.2 The NPPF (National Planning Policy Framework, 2012) (paragraph 70) identifies public houses as a community facility that contributes to enhancing the sustainability of communities and residential environments. As such, pubs should be safeguarded and retained for the benefit of the community use and planning policies and decisions should guard against their unnecessary loss.
- 6.3 The council prepared a report 'Pubs in Lewisham: an evidence based study' (2013) which draws together information about public houses in Lewisham and the UK and provides the evidence base for this policy. The report shows that there are currently 92 pubs in the borough, down from 115 in 2006. Planning decisions in line with the NPPF should therefore be preventative of this loss and flexible towards development which will prevent further closure of public houses in the borough.
- 6.4 Outlined in the Viability Report is that the retention of public houses can be ensured by:
- *'adding a kitchen and serving food or improving the existing food offer;...*
 - *...hiring rooms out or otherwise providing a venue for local meetings, community groups, businesses, youth groups, children's day nurseries.*
- 6.5 In line with the above policy, the proposals contribute to ensuring the viability of the pub, which has value as a public meeting place and it is recommended that the development is regularised.
- 6.6 The external seating to the front of the site on Kingswood Place in principle is acceptable, subject to design considerations. It is also necessary to consider the potential impacts this area might have on amenity, whilst noting that planning permission is only required for the structures erected, which include the deck, bricks and railings.
- 6.7 It is noted that formerly the area was used as a smoking area, however, the owners prohibited this out of courtesy for the neighbours.
- 6.8 The hours of operation of the pub are 12:00 until 23:00 Monday to Saturday and 12:00 until 22:30 on Sundays. Between these hours customers are able to sit/drink outside which is dictated by the licensing of the Public House. Any change to this would require a separate application.
- 6.9 The applicant has indicated that the proposed hours of operation of the servery would be from approximately 14:00 until 20:00 on Fridays and Saturdays, as well as occasionally on Sunday afternoons, only in the warmer months and weather permitting. The operation of the servery would be for food and drink. Therefore, there would be the potential for this to intensify the use of the beer garden, which could result in an increase in noise that could have an impact on neighbouring amenity. This matter has been assessed in further detail under the heading "noise and impact on adjoining properties".

Design and impact on the locally listed building and conservation area

- 6.11 Planning law requires the Council to pay special attention, when exercising its planning functions, to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 6.12 Paragraph 56 of the NPPF states that the Government attaches great importance to 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.
- 6.13 Paragraph 57 sets out 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.
- 6.14 Paragraph 64 is clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.15 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.
- 6.16 Policy 7.4 of the London Plan (2015) advises that development should have regard to the form, function and structure of an area, place or street. Particularly given the Conservation Area status of this location, the way the design fits with the existing and original buildings is important.
- 6.17 Policy 7.8 of the London Plan (2015) states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 6.18 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.
- 6.19 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.
- 6.20 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.
- 6.21 DM Policy 31 Alterations and extensions to existing buildings 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.

- 6.22 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 concerned with development in Conservation areas reiterates policies contained in the National Framework and the London Plan. Specifically the council is concerned with special characteristics of the area i.e. building spaces, settings, plot coverage, scale, form, and materials.
- 6.23 DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest seeks to retain and enhance locally listed buildings.
- 6.24 Officers consider the scale, massing and layout of the rear outbuilding to be acceptable. The front elevation is acceptable in terms of appearance, but the treatment of the west elevation requires amendment in order to make it acceptable.
- 6.25 It is felt that on balance this is not sufficient to justify a refusal of permission and a condition is recommended to secure appropriate materials for this element.
- 6.26 The boundary treatment to the front of the Dacre Arms Public House is characteristic of the Conservation Area and in keeping with the materials found at the adjacent residential properties. The plinth on the adjacent properties that support the railings is a lot less prominent, however, that said, the bricks used at the site match that of the residential buildings adjacent and a section of the front elevation of Dacre Arms so it cannot be described as incongruous and uncharacteristic of the area.
- 6.27 In respect of design, the development is considered acceptable, subject to amended treatment of the western wall of the outbuilding, proposed to be secured by condition.

Noise and Impact on Adjoining Properties

- 6.28 DM Policy 26 seeks to reduce excessive noise or vibration which can be detrimental to human health and well-being and can impact negatively on natural habitats.
- 6.29 DM Policy 31 seeks to protect amenity where alterations are proposed to an existing building. When seeking permission for extensions/alterations to existing buildings, development proposals must be able to demonstrate that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss of privacy and general noise/disturbance.
- 6.30 With regard to the submissions received from nearby occupiers, in new development for drinking establishments and public houses, noise would be a likely consideration and the appropriate mitigation measures should be adhered to. The Dacre Arms Pub is a historic building and its use is not new to the street. In terms of noise impact of the single table that has been placed in the front external amenity

space, there would be no significant material change in the noise impact to the surrounding neighbours.

- 6.31 The amenity space is not a new addition to the Public House and it has always been made available for the customers of the Dacre Arms. It is noted that the amenity space to the rear of the public house has been decreased as a result of the garden bar and therefore overall there is a decrease in the outdoor amenity space of the pub. Therefore, there is the potential that noise impact would generally be reduced from the former arrangement, however it is acknowledged that there is the potential for increased noise impacts during events that this servery would facilitate. However, it is not considered unreasonable that a public house would hold events in its beer garden, weather permitting, at certain times of the year and there will always be some level of impact on the amenity of occupiers that have a public house nearby.
- 6.32 It is recognised that the sale of drink from the servery has the potential to increase the impact on neighbouring amenity. For this reason, the operational hours of the servery would be restricted via a condition. The hours in which sale of drinks from the servery is permitted is proposed to be restricted to between 12:00 and 21:00 on Fridays and Saturdays and 12:00 and 19:30 on all other days.
- 6.33 There would not be any adverse impacts in terms of daylight/sunlight, overlooking or overshadowing on neighbouring properties.
- 6.34 In response to the objection comments raised in respect of the Kingswood Hall and its operations, which may be particularly vulnerable to drunk and antisocial behaviour, it is important to objectively assess the difference between the pub as existing and as pre-existing. The floorspace of the public house and therefore capacity is not materially different to the pre-existing situation. The erection of the outbuilding has in fact reduced the external amenity space to the rear and the formalisation of part of the front amenity space through the installation of the deck, bricks and railings is not contrary to any aspect of the original permission, nor is it considered that it would have an unreasonably adverse impact on amenity. The current occupiers have prohibited the use of the area for smoking to try to maintain customers in the rear amenity space. Although the beer garden may be used more as a result of the servery, it would be operated in a similar way to existing and is proposed to be conditioned, as previously noted.
- 6.35 Kingswood Hall is significantly stepped back from Kingswood Place and the Dacre Arms Public House so that it is highly unlikely that there would be any incidents involving the two uses and antisocial behaviour. Notably both uses are established, there is no evidence to suggest there would be a substantial increase in the number of customers at the Dacre Arms therefore, there is little evidence to suggest there would be a significant increase in antisocial behaviour to warrant a refusal to this retrospective planning application.

Car Parking

- 6.36 With reference to the neighbour submissions, it was raised that there would be an increase in car parking and traffic due to the development of the outside 'servery'. Materially, the floorspace of the public house is actually reduced and therefore the maximum capacity is reduced. With this in mind, there would be no increase in the impact of car parking resulting from the development or material increase in traffic.

6.37 The outbuilding to the rear has a GIA of 21sqm. The PTAL rating of this site is 4 therefore in line with the London Plan 2015 standards of parking for hotel and leisure uses, provision should be limited to operational need. No parking is proposed with this application which is acceptable.

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

8.2 In this case, the development does not conflict with the relevant policies of the development plan. Therefore officers consider the development to be acceptable.

9.0 RECOMMENDATION

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

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

TGA.0128 01 Rev A received 17 July 2015; Heritage Statement (September 2015, TG Architecture) received 1 September 2015; Design and Access Statement (January 2016, TG Architecture) received 19 January 2016.

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

2. a) Notwithstanding the details hereby approved, within 3 months of the date of this permission, detailed plans at 1:20 shall be submitted to and approved by the local planning authority showing the materials proposed for the western wall of the

outbuilding facing St Margaret's Passage, the roof treatment & covering and fascia board, as well as a detailed plan showing the intersection between the roof and outer walls.

b) The development will be carried out in the approved materials and the works completed within 9 months of the date of this permission.

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.

3. The servery shall only be in operation between the hours of 12:00 and 21:00 on Fridays and Saturdays and between the hours of 12:00 and 19:30 on all other days.

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 17 Restaurants and cafes (A3 uses), and drinking establishments (A4 uses) of the Development Management Local Plan (November 2014).

INFORMATIVES

1. The applicant is advised that the use of uPVC Fascia and wall panelling are not likely to be an acceptable building material to be used upon frontages visible to the public realm within conservation areas.
2. **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.

11 Kingswood Place, SE13



This page is intentionally left blank

Committee	PLANNING COMMITTEE A	
Report Title	178 Waller Road, SE14 5LU	
Ward	Telegraph Hill	
Contributors	Amanda Ghani	
Class	PART 1	18 th February 2016

<u>Reg. Nos.</u>	(A) DC/15/ 94024
<u>Application dated</u>	08/10/15
<u>Applicant</u>	Miss C Colvin
<u>Proposal</u>	Retrospective application for the construction of a timber building in the rear garden of Flat A, 178 Waller Road, SE14.
<u>Applicant's Plan Nos.</u>	01, 02, Rear Garden Plan, Site Location Plan, Heritage Statement, Calculations, Photographs
<u>Background Papers</u>	(1) This is Background Papers List (2) Case File DE/49/178/TP (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	Area of stability and managed change.

1.0 Property/Site Description

- 1.1 The property is the basement flat of a three-storey, mid-terrace, Victorian dwelling that has been converted into three flats. The property is on the west side of the road close to the junction with Kitto Road. There are canted bays on the front elevation of each floor. A set of steps in the small front garden leads down to the basement level giving access to the front door which is set in one side of the canted bay window. Historically, the entrance would have been under the main staircase that gives access to the two upper floors; this has been blocked up to allow for a kitchen area in the basement flat. The rear garden has been divided into two separate areas, for the occupants of the ground floor flat and the basement flat. The rear garden attached to the basement flat is the end part of the garden and includes a narrow strip of land from this area to the property which is only accessible through French doors via the rear bedroom. The timber building has been built in the rear part of the garden.
- 1.2 The property lies within the Telegraph Hill Conservation Area, is subject to an Article 4 Direction, but is not and is not in the vicinity of a Listed Building.

2.0 Planning History

- 2.1 The installation of timber casement replacement windows to the front of 178A Waller Road SE14 and replacement PVCu patio doors at the rear. Application refused on 03/06/13 due to insufficient information being submitted by applicant.

The conversion of 178 Waller Road bedsitting room and 1, two room self-contained flat, 1, three room self-contained flat and 1, four-roomed self-contained maisonette. Granted 12/11/92

Other Relevant History

- 2.2 Similar approved development in the road includes a timber shed at 118 Waller Road granted 10/03/09, a double-garage at 131 Waller Road granted 19/11/09 and demolition of a garage and the building of a garden room and shed at 104 Waller Road granted 21/03/12.

3.0 Current Planning Applications

The Proposal

- 3.1 This is a retrospective application for the construction of a timber building in the rear garden of Flat A, 178 Waller Road, SE14. The cabin measures 3.5m wide, 5m deep and a maximum of 2.75m high. It is positioned 0.6m from the rear western boundary, 0.86m from the southern boundary and 0.7m from the northern boundary.

Supporting Documents

- 3.2 Heritage Statement – The statement gives an overview of the Conservation Area, access and information regarding the cabin's design.

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.

Pre-Application Consultation

- 4.3 Pre-application advice was sought from a planning officer on 25/09/15. The officer advised the applicant that as a flat, the property has no permitted development rights and so an application for retrospective permission should be submitted.

Written Responses received from Local Residents and Organisations

Three objections were received from numbers 77 and 79 Bousfield Road and 180 Waller Road and are summarised as follows:-

- Concern over noise levels from instruments being played in the cabin.
- Possible weakening of tree roots.
- The size and appearance of the cabin.
- Concern over the use of the structure now and in the future.

- Disturbance due to motion activated light on eastern façade.

Copies of letters are available to members.

Written Responses received from Statutory Agencies

4.4 None

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.

5.2 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)

5.3 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

5.4 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)'.

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

Other National Guidance

- 5.6 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)

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

Policy 5.3 Sustainable design and construction
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)

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
Policy 8 Sustainable design and construction and energy efficiency
Policy 15 High quality design for Lewisham
Policy 16 Conservation areas, heritage assets and the historic environment

Development Management Local Plan

- 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 26 Noise and Vibration

DM Policy 30 Urban design and local character

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

Residential Standards Supplementary Planning Document (August 2006/update 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.

The Telegraph Hill Conservation Area Appraisal

- 5.13 The property is within character area 1a, Waller Road and is one of the four prestigious streets with its terraced paired properties making it the most uniform road in the area.

6.0 Planning Considerations

- 6.1 The main issues to be considered in respect of this application are whether the single storey timber building is of a high quality design, the impact on adjoining properties and whether it preserves and /or enhances the visual amenities of the Telegraph Hill Conservation Area and neighbouring properties in the area:

Principle of Development

- 6.2 The proposal is to retain the timber built cabin at the rear of the property. There is no objection in principle to ancillary garden structures, however, they must be of high design quality, of an appropriate scale and have an acceptable impact on residential amenity.

Design and Heritage

- 6.3 Core strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.4 Core Strategy Policy 16 states that the Council will ensure that the value and significance of the borough's heritage assets and their settings, conservation areas, listed buildings, archaeological remains, registered historic parks and gardens and other non designated assets such as locally listed buildings, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice.

- 6.5 There is a statutory duty placed on the Council to only approve development which preserves or enhances the character and appearance of the Borough's Conservation Areas.
- 6.7 The cabin is 5m deep, 3.5m wide, with a double-pitched roof measuring 2.75m in height and 2.55m at the eaves. The roof overhangs the front elevation of the cabin by 0.5m creating a narrow porch area and a wooden step gives access to the front door. The cabin has been constructed with double skinned timber walls. There is a double-glazed window in each of the side elevations and a full height, double-glazed fixed window and a set of double-glazed French doors in the front elevation. A motion sensitive halogen light is fixed to the front external façade close to the boundary with number 176. The cabin has an internal electricity supply but no water supply.
- 6.8 The area between the cabin and the main house is paved and lightly gravelled with a mixture of stones and bark chippings and has room for a table and chairs in front of the cabin. Over 50% of the garden area is still retained. The cabin is considered appropriate in terms of quality of design, size and scale for the rear garden.
- 6.9 Whilst the cabin is partially visible from properties at the rear, it is not visible from the public realm and therefore officers consider there is no unacceptable impact on the character of the wider Telegraph Hill Conservation Area. In terms of the scale, mass and design is not considered to be inappropriate development for the rear garden or the character of the Telegraph Hill Conservation Area.

7.0 Impact on Adjoining Properties

- 7.1 The application site backs on to properties in Bousfield Road. The rear garden of the application site is higher than the rear gardens in Bousfield Road and the application property is sited on a hill running north-south, the garden is slightly higher than that of 176 Waller Road and in turn slightly lower than that of number 180.
- 7.2 Officers visited both 178 Waller Road and the property directly behind it, 79 Bousfield Road which is approximately 1m lower than Waller Road. The occupant at 178A has erected new fence panels at this boundary and a trellis has been attached to the top to hide the cabin from view. The cabin is located close to the shared boundary with number 79 which is not considered unusual in a rear garden context; the top part of the cabin is visible from the rear garden of number 79. The cabin and the fence have created no loss of light to the rear garden and no privacy issues for the applicant or neighbouring properties; none of the windows overlook neighbouring properties. Officers do not consider the dimensions of the cabin to be overly large, the design of the cabin is considered in keeping with its surroundings and complies with DM Policies 31 and 36.
- 7.3 Objections received regarding the use of the cabin, specifically the playing of musical instruments is allowed as this is deemed an acceptable activity as the cabin is being used as ancillary living space to Flat A, 178 Waller Road. Any issues pertaining from excessive noise from such an activity would need to be referred to Environmental Health. An objection has also been made regarding future use of the cabin; therefore officers consider it appropriate to condition any permission, to ensure the cabin is used only for purposes incidental to the enjoyment of Flat A in

perpetuity. The motion sensor light on the front elevation of the cabin is not subject to planning controls; any illumination nuisance caused by the light would need to be referred to Environmental Health.

- 7.4 In order to secure the cabin and its use as ancillary residential accommodation, a condition is recommended to be attached to any planning permission.
- 7.5 A further issue raised in the objections, relates to the impact on an existing tree. The cabin has been secured to the ground with a peg system, ensuring that the tree directly adjacent to the cabin has not had its root system compromised.

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 It is considered that the proposed change of use of 51 Bargery Road would assist in providing equality of opportunity in terms of childcare in the Borough, and there is therefore no adverse impact on equality issues.

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 Officers consider that the proposal is appropriate in terms of its form and design and would not result in material harm to the appearance or character of the building, the surrounding area or the wider Telegraph Hill Conservation Area. Furthermore there would be no adverse impact on neighbouring amenity and the scheme is therefore considered acceptable.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

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

01, 02, Rear Garden Plan, Site Location Plan, Photographs, Heritage Statement, Calculations.

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

- (2) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the garden building hereby approved shall only be used for purposes ancillary to the residential use of the basement flat known as Flat A, 178 Waller Road and shall not be occupied as any form of self contained residential accommodation without prior the benefit of planning permission.

Reason: The application has been assessed only in terms of this restricted use and any other use may have an adverse effect on the character and amenity of the area and amenity for future occupiers contrary to relevant Policies in the London Plan (2015), Core Strategy (2011) and Development Management Local Plan (2014).

INFORMATIVES

- (1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion.

This page is intentionally left blank

Committee	PLANNING COMMITTEE A	
Report Title	14A Lewisham Hill, SE13, 7EJ	
Ward	Blackheath	
Contributors	Andrew Hartcher	
Class	PART 1	18 February 2015

Reg. Nos. DC/15/093788

Application dated 10 September 2015

Applicant Mrs Katie Tarrent

Proposal Retrospective conversion of 14A Lewisham Hill SE13, into 1, one bedroom and 1, three bedroom self-contained flats together with a single storey rear extension at lower ground floor level.

Applicant's Plan Nos. Planning, Design and Access Statement, Site Location Plan, P9/001, 002, 003, 004, 005 and 006 (received 17th September 2015).

Background Papers (1) LE/137/14/TP
(2) Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)

Designation Not a Listed Building
Not in a Conservation Area

1.0 Property/Site Description

- 1.1 The subject application relates to a two storey maisonette flat located within three storey plus lower ground level Victorian property at 14A Lewisham Hill SE13 7EJ.
- 1.2 The subject site is located on the eastern side of Lewisham Hill approximately 30m from the Junction of Lewisham Hill and Lewisham Road.
- 1.3 No. 14A occupies the lower ground floor and the upper ground floor levels of the Victorian property. Two single storey flats (Nos. 14B and No. 14C) are also located above on the first and second floors.
- 1.4 The building forms part of an semi-detached pair with No. 16 Lewisham Hill. At the front, the property has a small garden and light well to the lower floor and a paved area leading to stairs and the common (main) entrance to the property. The rear garden of the property is accessed via a paved path down the side of the building.
- 1.5 The property has a large rear garden around 20m deep which is split between the three flats (Nos. 14A to No. 14C).

- 1.6 The lower ground floor level of the maisonette at No. 14A has a small paved courtyard at the rear which acts as a light well and provides amenity space. There are two underground storage areas for the maisonette located within the rear courtyard walls which are accessed via doors. These storage areas are located under the rear courtyard at ground floor level (see below).
- 1.7 A balcony occupies the full width of No. 14A at the rear at upper ground floor level above. The balcony has stairs over the light well leading to a paved rear courtyard above (i.e. the rear garden) at upper ground floor level.
- 1.8 The property is not a Listed Building and is not located in a Conservation Area.

2.0 Planning History

- 2.1 **EC/15/0043** – As a result of a public complaint regarding unauthorised conversion works, a site visit was carried out at the subject property by Council Enforcement Officer's on 4 September 2015. Officer's found that works had commenced to convert the existing maisonette two separate flats. The Applicant was instructed to cease works immediately and lodge a formal planning application to regularise the works.

3.0 Current Planning Applications

The Proposal

- 3.1 The application seeks approval for the retrospective conversion of 14A Lewisham Hill SE13, into 1, one bedroom and 1, three bedroom self-contained flats together with a single storey rear extension at lower ground floor level.

Proposed external changes

- 3.2 The existing rear paved courtyard at lower ground floor level would be extended by approximately 6m. The two existing underground stores would be removed.
- 3.3 This would make room for a single storey rear extension to be constructed at the rear of the property at lower ground floor level which would be approximately 3.4 deep by 4.8m wide by 3.4m high with a flat roof.
- 3.4 At upper ground floor level a new walkway would be constructed from the existing balcony over the flat roof of the lower ground floor extension with 1.1m high guardrails to enable access for this flat to the rear garden.
- 3.5 A new entrance door which would be installed on the side of the building adjacent to the rear garden access path is to provide access to the lower ground floor flat.
- 3.6 No change are proposed at the front of the property.

Proposed accommodation

Lower ground floor

- 3.7 The lower ground floor flat is proposed as a three bedroom, five person unit, with each bedroom providing between 7.25m² to 16.35m² of floorspace.

- 3.8 The lower ground floor flat would be accessed via a new side entrance door (as above).
- 3.9 The master bedroom would have an ensuite bathroom and an additional bathroom would also be provided in the flat.
- 3.10 A combined living/kitchen and dining area (24.08m²) would be provided at the rear of the flat which would be accommodated by the new single storey rear extension (as outlined above).
- 3.11 Bi-fold doors would provide access from the side of the combined living/kitchen and dining area into the newly extended courtyard (as outlined above).
- 3.12 The lower ground floor flat would have a total internal floor area of 84.65m².

Upper ground floor

- 3.13 The upper ground floor flat is proposed as a one bedroom, two person unit, with the master bedroom providing 18.45m² of floorspace.
- 3.14 The upper ground floor flat would be accessed via the existing main entrance door to the property at the front in the shared entrance hallway.
- 3.15 The master bedroom would have a separate bathroom in the middle of the flat and a combined living/kitchen and dining area (24.45m²) at the rear with two sets of bio-fold doors opening out to the rear balcony.
- 3.16 The upper ground floor flat would have a total internal floor area of 57.15m².
- 3.17 The materials used to construct the proposal would match the existing dwelling.

Supporting Documents

- 3.18 The application is supported 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 Two objections and one comment were received to the proposal.
- 4.4 The occupant of the flat above the subject property at No. 14B Lewisham Hill objected to the proposal and raised the following key concerns:
- the upper ground floor flat is already occupied and has been converted into a two bedroom flat while the proposed plans show a one bedroom flat;

- inconsistencies between the Council's original development notification and the documentation submitted in support of the application;
- that the landowner had not put up a site sign;
- that the occupant and neighbours did not receive a notification letter as these were removed from letterboxes by the Applicant;
- that the proposed rear extension would cause overlooking of the occupants rear garden and take away the use of this garden;
- that the conversion works already undertaken at upper ground level (rearrangement of bedrooms, bathroom, sound proofing of ceilings etc) have not been constructed in accordance with Building Regulations and are resulting in amenity impacts (e.g. fumes/smells, noise, structural imbalances etc);
- that the new side entrance door proposed to the lower ground floor flat would impede side access to the rear garden;
- that the occupant was subject to significant construction related impacts during the unauthorised conversion works; and
- that Council's DM Policy 3 does apply to maisonettes within the meaning of a 'family house' and therefore the further conversion into additional flats should not be considered.

4.5 The occupant of the building adjacent to the subject property at No. 12B Lewisham Hill objected to the proposal and raised the following key concerns:

- that the occupant did not receive a notification letter;
- the conversion is not in keeping with other properties in the area;
- the flat roof extension would be visually intrusive, will have rooflights and impact on the occupants privacy; and
- the extension is not in keeping with existing properties, will serve as an eyesore for adjacent properties located above and is a traditional Victorian property located on the edge of a conservation area.

4.6 The occupant of the building adjacent to the subject property at No. 16A Lewisham Hill comment on the proposal, advising there were no major objections to the plans but two minor concerns relating to:

- the height of the fence between 14 and 16 remaining the same height as the existing fence
- the remodelling of the shared chimney and damage to no.16A as a result of this

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 L014sham 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 3.5 Quality and design of housing developments

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 6.13 Parking
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 (Draft Interim, May 2015)
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:

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 policies 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 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)

5.11 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:

- a) Principle of development;
- b) Design;
- c) Standard of residential accommodation;
- d) Transport and servicing; and
- e) Impact on adjoining properties.

Principle of development

6.2 Policy 3.4 Optimising housing potential of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

6.3 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.

6.4 DM Policy 3 Conversion of a family house to two more dwellings does not apply to the subject application as the wording of this policy means that it only applies to the conversion of single family houses into two or more dwellings and not the conversion of existing flats or maisonettes. This was an issue of concern raised in public submissions.

6.5 The existing building at No. 14A Lewisham Hill is a three storey plus lower ground level Victorian property that has been divided into three flats. The existing maisonette that is the subject of this application is large and has a gross internal floorspace of around 140m².

6.6 The site has a PTAL rating of 6b which is the highest level and represents excellent public transport accessibility levels. Intensification of the existing residential use at this location would therefore be considered acceptable at this site provided that the development is designed to be high quality and sensitive to the character of streetscape, does not result in any significant highways or servicing issues and provides a suitable standard of residential accommodation for future occupiers.

6.7 In addition to this, the evidence for Lewisham shows an overwhelming housing need which is spread across the borough and for a mix of housing tenures as well as housing size. The main need for housing is for family housing, which is

defined in the London Plan as houses having three or more bedrooms. The proposal seeks to provide three bedroom unit and to provide an additional one bedroom unit. The proposal would therefore meet the housing needs for Lewisham by providing a mix of housing sizes, in particular one dwelling suitable of suitable size for family accommodation. As such, the proposal is considered to be consistent with the NPPF, the London Plan and Council's relevant planning policies in this regard.

6.8 Concern was raised in public submissions that the proposed conversion is not in keeping with other properties in the area. However, it is noted that the Council approved a similar proposal for the alteration and conversion of a two storey maisonette into to self-contained flats at No. 8B Lewisham Hill in May 2015 (DC/15/91178). No. 8B Lewisham Hill is located just three houses down from the subject site.

6.9 Given the above, the principle of the further conversion of the existing maisonette into two flats is considered, subject to compliance with Council's other relevant planning policies outlined below.

Design

6.10 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 sustaining and enhancing the significance of heritage assets. Paragraph 32 continues that great weight should be given to the asset's conservation. Paragraph 34 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum use.

6.11 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.

6.12 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.

6.13 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.

- 6.14 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.
- 6.15 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.

Proposed external changes

- 6.16 The extension to the lower ground floor level courtyard is considered to be appropriate to enable the provision of sufficient private amenity space for the larger three bedroom flat. It is also noted that the adjacent property at No. 16 Lewisham Hill already has a similar sized courtyard extension as well as a half-width rear conservatory.
- 6.17 At approximately 3.4 deep by 4.8m wide by 3.4m high, the proposed single storey rear extension at lower ground floor level is considered to be of a modest size that is of an appropriate scale and proportion when compared to the existing property. The proposed rear extension would also have a flat roof to ensure that it remains subservient to the host property.
- 6.18 In addition to the above, the rear extension would not be visible from public view and at lower ground floor level, would not result in any amenity impacts in terms of overlooking or overshadowing to adjoining occupiers. The extension would also be constructed using materials to match the existing dwelling. This would be secured by condition and has been agreed to by the Applicant.
- 6.19 Council officers are satisfied that the extension would be smaller and less bulky than the original building, would respect the form of the original dwelling, would be subservient to the host dwelling; would be constructed using matching materials; and would retain sufficient private amenity space. The proposed rear extension would therefore be compliant with the requirements of DM Policy 31 and the Residential Standards SPD.
- 6.20 It is also considered that the design impact of the new side entrance door and walkway/balcony over the flat roof of the rear extension would be acceptable as these elements would be constructed to match the existing property (i.e. balcony railings, doors and materials) and would be largely obscured from public view.
- 6.21 Given the above, it is concluded that the proposed external changes would not result in any adverse design impact to the subject building or the character of the streetscape.

Standard of residential accommodation

- 6.22 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.

- 6.23 DM Policy 32 states that the standards in the London Plan and the London Plan Housing Supplementary Planning Guidance (SPG) 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 Draft Interim Housing SPG (May 2015), 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. These criteria are also required to be met by DM Policy 33.
- 6.24 The London Plan minimum internal floorspace size required for a one bedroom, two person unit is 50m². The gross internal floorspace of the proposed one bedroom unit would be 57.15m². The London Plan minimum internal floorspace size required for a three bedroom, five person unit is 86m². The gross internal floorspace of the proposed three bedroom unit would be 84.65m² and would not comply with the requirements of the London Plan in this regard. However, at 1.35m² the non-compliance is marginal and is not significant enough to warrant refusal of the proposal. The three bedroom flat would have double bedrooms that exceed the minimum floorspace requirements of the London Plan and a good sized combined living, kitchen and dining area (24.08 m²) which would open out onto a 18.5m² private courtyard. These areas would serve to ensure that a suitable standard of living is provided for the potential future occupiers.
- 6.25 All new rooms created by the extension are considered to have be of an acceptable size and shape, would have reasonable outlook, adequate privacy and would receive adequate sunlight and daylight. In this regard, it is noted that the rear of the property faces south-east which means that sunlight and daylight access to the new extension and principle livings areas (i.e. the living, kitchen and dining area) at lower ground floor level would be sufficient.
- 6.26 In terms of private amenity space, the lower ground floor (three bedroom) flat would have a 18.5m² private courtyard which exceeds the minimum private open space requirements of the London Plan. The upper ground floor flat (one bedroom) flat would have a balcony with extended access to a 2.5m strip of garden at the rear. Private open space provision at this flat would also exceed the minimum private open space requirements of the London Plan.
- 6.27 The floor to ceiling height of the lower ground floor extension would be 2.4m. The floor to ceiling height of the remainder of the lower ground floor flat would be 2.5m. While a 2.5m floor to ceiling height is encouraged for new dwellings in DM Policy 32, the more recently published National technical housing standards (March 2015) require a minimum floor to ceiling height of 2.3m for at least 75% of the gross internal floor area. The proposed lower ground floor flat would therefore comply with the minimum floor to ceiling height requirements of the National Standards. The floor to ceiling height of the upper ground floor

flat would be 3.1m which would exceed the minimum floor to ceiling height requirements of the DM Policy 32 and the National Standards.

- 6.28 Given the above, the Council concludes that the proposal would provide a satisfactory standard of accommodation in accordance with the NPPF, the London Plan, Council's DMLP and the Residential Standards SPD.

Transport and servicing

- 6.29 Traffic generated by the occupation of two new flats at the subject site is expected to be minor and would be easily accommodated by the surrounding road network.
- 6.30 No off-street car parking is proposed for the dwelling however the site has a PTAL rating of 6b which is the highest level and represents excellent public transport accessibility levels. Therefore, the prospective residents of the flats would have good public transport access and the provision of a car parking free development is considered acceptable and appropriate in accordance with Core Strategy Policy 14, DM Policy 29 Car parking and Policy 6.13 Parking of the London Plan.
- 6.31 One cycle parking space would be required for the proposed one bedroom flat at upper ground floor level and two cycle parking spaces would be required for the proposed three bedroom flat at lower ground floor level as stipulated in the London Plan Draft Interim Housing SPG (May 2015). No cycle parking has been proposed as part of the application and as such, the Council has recommended a condition requiring the Applicant to provide details of cycle parking to Council for approval, prior to the commencement of any development on site.
- 6.32 The Residential Development Standards SPD (amended 2012) seeks to ensure that all new developments have adequate facilities for refuse and recycling. The existing bin stores are provided at the front and side of the property adjacent to the rear garden access path. The conversion of the existing maisonette and the net creation of one additional flat at the site would generate increased refuse and recycling demand.
- 6.33 However, no details of the proposed refuse and recycling arrangements for the new flats have been provided. Despite this, the Council is satisfied that there is sufficient room at the front of the property to provide the additional refuse and recycling facilities. As such, the Council has recommended a condition requiring the Applicant to provide final details of the refuse and recycling facilities to Council for approval, prior to the commencement of any development on site.
- 6.34 With the above conditions in place, the Council is satisfied that suitable provision would be made for refuse and recycling and cycle storage at the new flats.

Impact on adjoining properties

- 6.35 Core Strategy Policy 15 states that small household extensions and adaptations to existing housing will need to be designed to protect neighbour amenity.

- 6.36 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.
- 6.37 At lower ground floor level, the proposed single-storey rear extension would not result in any amenity impacts in terms of overlooking or overshadowing to adjoining occupiers. Further, due the height of the existing fence on the north-eastern boundary of the site, the new raised walkway to be constructed over the flat roof of the lower ground floor extension would not result in any significant overlooking of the rear of the adjacent property at No.16 Lewisham Hill. A condition has been recommended requiring the Applicant to ensure that a side boundary fence (the same height as the existing timber fence) is retained in perpetuity on the north-eastern boundary of the site.
- 6.38 Concern was raised by the occupier of the flat above the subject property at No. 14B that the proposal would cause overlooking of the occupants rear garden and take away the use of this garden.
- 6.39 However, (as above) the single storey rear extension would be provided at lower ground floor level and would not cause overlooking or the rear garden of the No. 14B. Further, it is considered that the new raised walkway to be constructed over the flat roof of the lower ground floor extension would not result in any additional overlooking of the rear garden of No. 14B compared with the existing rear balcony at ground floor level. The use of this walkway would also be intermittent. The proposal maintains a 2.5m rear garden strip between No. 14A and the rear garden of No. 14B and as such, the proposal would not impact of the ability of the occupant of No. 14B to use their rear garden. It is also noted that these gardens are separated by a timber picket fence.
- 6.40 Concern was raised by the occupier of No. 12B Lewisham Hill that the flat roof extension would be visually intrusive, will have rooflights and impact on the occupants privacy. Concern was also raised that the extension is not in keeping with existing properties and will serve as an eyesore for adjacent properties located above. It was also noted that the property is located on the edge of a conservation area.
- 6.41 However, as demonstrated in the section 'proposed external changes' of this report, at 3.4 deep by 4.8m wide by 3.4m high, the size of the rear extension would be modest and of an appropriate scale and proportion when compared to the existing property. The rear extension would also with a flat roof to ensure that it remains subservient to the host property, no rooflights, would be 'tucked away' at lower ground floor level and would not be visible from the public realm.
- 6.42 As such, the Council considers that the proposed extension would not be visually intrusive to any of the occupiers of No. 12 Lewisham Hill, would not impact on privacy or the character of any nearby conservation area. Again, it is also noted that the adjacent property at No. 16 Lewisham Hill already has a similar sized courtyard extension as well as a half-width rear conservatory, therefore the proposed rear extension would not be inconsistent with adjacent dwellings.

6.43 Given the above, it is considered that the proposal is unlikely to result in an unreasonable impact on the amenity of neighbouring occupiers, particularly from overlooking, loss of privacy or loss of sunlight and daylight access.

Other matters

6.44 Concern was raised in public submissions that the upper ground floor flat is already occupied and has been converted into a two bedroom flat while the proposed plans show a one bedroom flat. Concern was also raised that the occupant of flat No. 14B above the subject property was subject to significant construction related impacts during the unauthorised conversion works.

6.45 Upon visiting the site, it appeared to Officer's that the upper ground floor flat had been converted into a two bedroom flat and showed evidence of occupation.

6.46 The current application seeks approval for conversion of the upper ground floor of the subject property into a one bedroom flat and the Applicant has confirmed in writing that any existing unauthorised works will be modified in accordance with the approval that is being sought under this application. As such, a condition has been included in the recommended conditions requiring the Applicant to begin these works (e.g. convert the upper ground floor into a one bedroom flat as per the proposed plans) within 3 months of approval. The matter of illegal occupation has been referred to Council's Planning Enforcement Team and investigations are on-going.

6.47 Concern was raised in public submissions about inconsistencies between the Council's original development notification and the documentation submitted in support of the application. Concern was also raised that the landowner had not put up a site sign and that some neighbours did not receive notification letters.

6.48 Council's original development notification stated that the lower ground floor was to be converted into a two bedroom as opposed to a three bedroom flat. As such, the Council corrected this error, issued an amended development notification and revised notification letters to all neighbours inviting public submissions for a period of 21 days. Council Officer's also attended the site and put up a new site sign with the amended description and took photos of this.

6.49 Given the above, it is concluded that the minimum statutory requirements required by the Council's adopted Statement of Community Involvement have been exceeded. In particular, it is noted that notification letters have been sent out to potentially affected neighbours on two separate occasions. The Council cannot speculate on whether or not these were removed from letterboxes.

6.50 Concern was raised by the occupier of the flat above the subject property at No. 14B that the conversion works already undertaken at upper ground floor level had not been constructed in accordance with Building Regulations and are resulting in adverse amenity impacts (e.g. fumes/smells, noise, structural imbalances etc).

6.51 However, the Council notes that these issues are not a planning matters to be dealt with under the *Town and Country Planning Act 1990* and that if the works already undertaken have been constructed to meet Building Regulation

standards, there should be no resulting amenity or structural issues at the flat located above. Officer's have therefore referred the matter to Council's Building Regulation Team and it is understood that investigations into the matter are on-going.

- 6.52 Concern was raised by the occupier of flat No. 14B that the new side entrance door proposed to the lower ground floor flat would impede side access to the rear garden of the property. However, the new side entrance door has a recessed opening and opens inwards. As such, it is not considered that this door would impede rear garden access.

Community infrastructure levy

- 6.53 The proposed development is likely to be CIL liable and the relevant form has been completed.

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 are satisfied that the principle of converting the existing maisonette into two separate flats is acceptable, the proposed external changes would not result in any adverse design impact to the subject building or the character of the streetscape, and that the new flats would provide a satisfactory standard of accommodation for future occupiers.
- 8.3 Finally, Council officer's are also satisfied that the proposal would not adversely impact on the amenity of adjoining occupiers.
- 8.4 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 months 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:

Planning, Design and Access Statement, Site Location Plan, P9/001, 002, 003, 004, 005 and 006 (received 17th September 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 new external finishes, including works of making good, shall be carried out other than in materials to match the existing.

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

4. (a) Full details of proposals for the storage of refuse and recycling facilities for each residential unit shall be submitted to the local planning authority for approval not later than the expiration of one month beginning with the date on which the permission is granted.
- (b) No development shall commence on site until details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved, have been approved in writing by the local planning authority.
- (c) The facilities as approved under part (b) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

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

5. (a) A minimum of three (3) secure and dry cycle parking spaces shall be provided within the development on the plans hereby approved.
- (b) Full details of the cycle parking facilities shall be submitted to the local planning authority for approval not later than the expiration of one month beginning with the date on which the permission is granted.
- (d) No development shall commence on site until the full details of the cycle parking facilities have been approved in writing by the local planning authority.
- (e) 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).

6. 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 and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

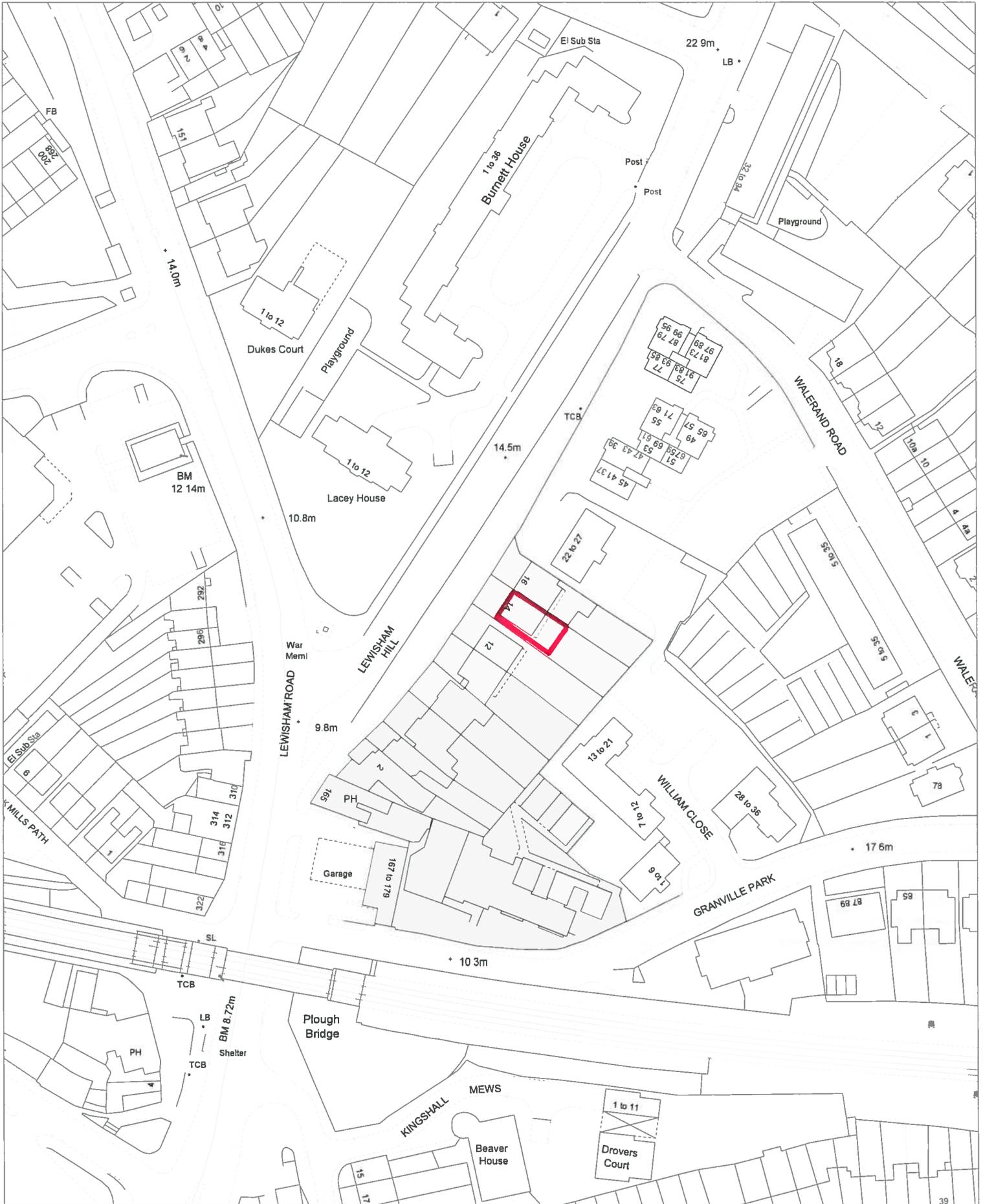
7. The Applicant shall ensure that a boundary fence of the same height as the existing timber fence is retained in perpetuity on the side (north-eastern) boundary of the site that is shared with the property at No. 16 Lewisham Hill, SE13.

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 and DM Policy 32 Housing design, layout and space standards 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 discussions took place which resulted in further information being submitted.

14A Lewisham Hill, SE13



This page is intentionally left blank

Committee	PLANNING COMMITTEE A	
Report Title	12 HENGRAVE ROAD, LONDON, SE23 3NW	
Ward	FOREST HILL	
Contributors	JAMES BURTON	
Class	PART 1	18 February 2016

Reg. Nos. DC/15/094897

Application dated 18/12/2015

Applicant Mrs L Ceccolini

Proposal Demolition of existing rear conservatory and balcony, proposed two storey rear extension, addition of pitched roof dormers to the side (east) and rear existing roof pitches, replacement of timber sash windows, installation of rooflights and modifications to existing fenestration on side and rear elevations at 12 Hengrave Road, SE23.

Applicant's Plan Nos. 095/02/01 Rev P01, 095/02/02 Rev P03, 095/02/22 Rev P02, 095/02/10 Rev P03, 095/02/20 Rev P02, 095/02/24 Rev P02, 095/02/26 Rev P02, 095/02/28 Rev P02, 095/02/11 Rev P04, 095/02/12 Rev P04, 095/02/13 Rev P04, 095/02/14 Rev P04, 095/02/21 Rev P04, 095/02/23 Rev P04, 095/02/25.1 Rev P04, 095/02/27 Rev P04, 095/02/29 Rev P03, Design & Access Statement (December 2015, Red Squirrel Architects Ltd), Lindum Sedum Plus Mat Technical Specifications.

Background Papers

- (1) Case File LE/52/12/TP
- (2) Core Strategy (2011)
- (3) Development Management Local Plan (2014)
- (4) The London Plan (2015, as amended)

Designation Not in a Conservation Area
Not a Listed Building
Unclassified

Screening N/A

1.0 Property/Site Description

1.1 The application site is located on the southern side of Hengrave Road and comprises a four storey detached house adjoining the eastern boundary and a

dilapidated single storey garage building adjoining the western boundary. The property is afforded a generous rear garden to the rear (south) of the property.

- 1.2 The dwelling features a hipped and gabled roof, with paired chimney stacks on both its flanks. The dwelling is laid out with a part lower ground floor which provides access to the rear garden, ground floor which includes the primary access to the property and a conservatory to the rear, a first floor, as well as a second floor located within the roof. Save for the conservatory and external staircase to the rear, the property is substantially intact in its original form.
- 1.3 Due to the gradient of the application site, the property is sited substantially below the adjoining property to the West (number 10) and above the properties to the East (number 14) and South (on Bowmans Lea). Given the curvature of Hengrave Road, both the front (Northern) and Eastern side elevations are prominent when viewed from the public realm.
- 1.4 The site is not located within a Conservation Area, nor is it subject to an Article 4(2) Direction. The immediately surrounding area is residential in character and comprised of a mix of detached, semi-detached and terraced properties.

2.0 Planning History

- 2.1 DC/16/095250: Demolition of existing garage outbuilding and construction of new single storey outbuilding to side of No.12 Hengrave Road.
- 2.2 Pending consideration, received by Council on the 22nd of January 2016

3.0 Current Planning Application

The Proposal

- 3.1 This application as originally submitted was for the demolition of the existing rear conservatory and balcony, erection of a proposed two storey rear extension, addition of pitched roof dormers to the side (east) and rear existing roof pitches, replacement of timber sash windows and modifications to existing fenestration on side and rear elevations.
- 3.2 It was considered by officers that the development would benefit from minor amendments such as the design of window treatments, including the installation of obscure glazing to second floor windows on the western side and retention of circular windows on the eastern side.
- 3.3 The current proposal, including the revisions, is described in detail below.
- 3.4 At the rear of the property, the existing conservatory would be demolished, and be replaced by an extension at both lower ground and ground floor level. The extension would be formed of two parts, the smaller part which would be set in 0.6m from the Western flank of the existing building, and would have a depth of 5m and height of 5.8mm. The larger part of the extension, which would span 6.7m in width, would have a total height of 6.4m. The extension would generally be in keeping with line of the existing Eastern flank, save for a part cantilevered balcony and associated canopy. Both parts of the proposed two storey extension would have flat, stepped living roofs. The proposed extension would include additional

living spaces on the lower ground floor, as well a gallery, library and balcony at the (raised) ground floor level.

- 3.5 Works to the rear elevation also include the installation of a new timber framed window at first floor level, in keeping with the design of the existing windows at this level.
- 3.6 To the roof, two gabled roof dormers would be created, one to the rear of the property, and the other at the East of the property between the two existing chimney stacks. The proposed dormers would have slate tile gable roofs, render finish cheeks and feature timber framed windows.
- 3.7 Modifications to windows on the Eastern elevation include a small low level window providing light to the Sauna on the lower ground floor, and a new timber framed window for the dining room at ground floor level. The existing circular windows on this elevation are to remain. Alterations to the Western elevation are limited to replacement of timber sash windows on the second floor, which would include obscure glazing to the lower panels.
- 3.8 As part of the proposal works to the roof would include two additional roof lights in the rear elevation. It is noted that these roof lights have already been installed.

4.0 Consultation

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

Written Responses received from Local Residents and Organisations

The following representations were received from local residents;

4.3.1 9 Bowman's Lea

Grounds for objection:

- That the proposed extension will adversely impact on the privacy of the properties to the rear from overlooking.
- That the proposed extension is overly bulky.

4.3.2 10 Hengrave Road

Grounds for objection:

- That the proposed extension would result in a loss of outlook, and create a sense of enclosure from the rear of the property at 10 Hengrave Road.
- That the proposed extension would harmfully effect the availability of natural light to the rear of the property at 10 Hengrave Road.
- That the extension would reduce the privacy of the rear of the property at 10 Hengrave Road.

4.3.3 10 Bowmans Lea

Grounds for objection:

- That the proposed rear dormer and two storey extension will adversely impact on the privacy of the 10 Bowmans Lea.
- That the proposed extension is overly bulky.

4.3.4 8 Bowmans Lea

Ground for objection:

- That the design of the proposed extension is out of character with the host property and its surrounds.
- That the proposed extension is larger than the existing conservatory extension.
- That the proposed extension will adversely impact on the privacy of the rear of 8 Bowmans Lea.
- That the proposed extension, by virtue of its materiality may result in increased potential for reflected sunlight to the property at 8 Bowmans Lea.

4.3.5 14 Hengrave Road

Comment:

- While not specifically objection to the proposed development residents have raised concerns that should the existing garage be removed and not replaced by an alternative structure which provides a screen, that the proposed extension may harmfully impact on the privacy of 14 Hengrave Road from overlooking.
- Similarly, it was noted difficulty in assessing the degree of impact from the proposed plans, but are concerned about possible overlooking from windows in the Eastern side elevation (including within the proposed dormer extension).

Note: Although the Council is in receipt of an application for works to the garage building on the site, these works are not part of this application and are not considered by this report.

5.0 **Policy Context**

Introduction

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

A local finance consideration means:

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

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

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

National Planning Policy Framework

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

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

Other National Guidance

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)

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

Policy 7.4 Local character

Policy 7.5 Public Realm

Policy 7.6 Architecture

Core Strategy

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

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

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

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

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

- 5.8 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 relevant planning considerations are the impact on the design and appearance of the existing building and whether the amenity of neighbouring properties is affected.

Design & Appearance

- 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 8 states that the Council supports and encourages the retrofitting of energy saving and other sustainable design measures in existing housing and other development.
- 6.4 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.

- 6.5 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations and extensions to existing buildings. 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.
- 6.6 DM Policy 31 states that the Council will expect alterations and extensions to be of a high, site specific, and sensitive design quality and respect and/or complement the form, setting, period, architectural characteristics and detailing of the original building. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.7 Chapter 6 of the Residential Standards Supplementary Planning Document (August 2006) sets out Council's expectations for the design of householder extensions. Rear extensions should reflect and enhance the appearance of the house and be smaller and lower than the original building. Roof extensions should be sensitively designed to retain the architectural integrity of the building and be subordinate to the principal elevations. While the use of traditional building materials is encouraged, modern materials are supported in appropriate circumstances.
- 6.8 The proposed modifications to windows (including roof lights) are not considered to have any impact on the appearance of the building when viewed from the street. The applicant has taken on board the advice of the Council in retaining circular windows to the Eastern side elevation, and altering the design of windows on the rear and both side elevations to be more sympathetic to the host dwelling. It is also acknowledged that as the site is not located within a conservation area or subject to an Article 4(2) direction the proposed modifications to windows could be undertaken as permitted development.
- 6.9 As the existing conservatory at the rear of the property is considered to be a modern addition of little architectural value officers have no objection to its demolition and removal.
- 6.10 The conservatory would be replaced at the rear of the property by a two storey modern extension. The proposed extension would have render finished walls and feature exposed steel as part of the design of the balcony and awning. It would also feature elements of structural glazing as well as sliding timber screens on the rear elevation. The stepped roofs of the extension would have a living roof which incorporates various species of Sedum. The proposed extension is considered by officers to be of high quality architectural design.
- 6.11 The proposed extension, while significant in terms of its scale and proportions, is considered to remain subordinate the original dwelling. The modern architectural detailing of the extension contrasts to the Victorian character of the existing dwelling. The interface between the old and new is appropriately softened by the use of a structurally glazed linkage. Overall the proposed rear extension is considered to be appropriate in scale, massing and design.
- 6.12 Of the two proposed dormer extensions, only the one on the eastern side will be visible from the public realm. Given its proportions, setback and siting between two existing chimney stacks, it is considered its impact on the street scene would be minimal. The proposed dormers would have slate tile gabled ended roofs with

feature timber framed windows. Although these dormer extensions were originally designed to have render finished cheeks, the applicant has at the request of officers, agreed to a planning condition which will require that the cheeks be instead clad with traditional lead flashing. Through the implementation of this condition the dormers would respect the architectural integrity of the roof, materiality of the host building and represent high quality design as required by policy.

- 6.13 Overall, the proposed works to the dwelling reflect the character of the dwelling and introduce a complimentary modern aspect thereby resulting in a sympathetic and high quality modification to the dwelling.

Impact on Adjoining Properties

- 6.14 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.
- 6.15 DM Policy 30 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.
- 6.16 Paragraph 2.13 of the Residential Standards Supplementary Planning Document advises there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. The SPG also states that the minimum distance between habitable rooms on the main rear elevation and the rear boundary, or flank wall of adjoining development, should normally be 9 metres or more.
- 6.17 The proposed development is not considered by officers to have any harmful impact on the privacy of neighbouring properties.
- 6.18 Regarding the rear, the extension, and its outer balcony is at its closest point sited 18.5 meters from the boundary of properties on Bowmans Lea. Additionally the extension would be greater than 35 meters from rear facing windows on adjacent properties. The rear facing dormer window is set within the existing roof, and therefore at an even greater distance from the properties than those described above. These dimensions exceed the expectations of the Residential Standards SPG, and even given due consideration of the sites topography the development is not considered to have harmful privacy impacts to the rear.
- 6.19 To the east of the application site, the modifications to windows do not introduce any harmful sightlines into the adjoining property. Given the curvature of Hengrave Road, the addition of a dormer in the eastern roof slope would have views primarily of the public realm. To the west, no new sightlines would be created into adjoining properties. The applicant has, at the request of officers, agreed that the replacement windows on the western side be fitted with obscure glazing to the lower panels of the windows. This would create a material increase in the privacy of the adjoining properties to the west, and still allow sufficient light for habitable rooms within the roof. Should this application be approved, it is recommended that a condition require this obscure glazing to be installed as per the submission drawings, and remain in perpetuity.

- 6.20 In order to protect neighbouring amenity, officers recommend a condition be placed on any planning permission that stipulates that flat green roof areas shall not be used as amenity living spaces and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- 6.21 Given the location of the proposed extension within the site, impacts of loss of natural light and from loss of outlook would be felt only from the adjoining property to the West, number 10 Hengrave Road. By virtue of the design of the extension, as well as the site context, it is not considered that the impacts would cause considerable harm such as to constitute a reason for refusal. The proposed extension has been set in and stepped down from the adjoining property, which as it exists, is higher than the application site. This means that potential overshadowing has been minimised.
- 6.22 Further, it is noted that number 10 Hengrave Road benefits from its own modern extension with a depth of approximately 3.5 meters. Officers are in receipt of a plan prepared by the applicant which clearly illustrates that the loss of outlook would be marginal.
- 6.23 Further to the above, it is noted that the impacts on number 10 Hengrave Road, both from overshadowing and loss of outlook are diminished by the existence of two semi-mature trees which, particularly in warmer months, would screen the extension from view, and provide shading to the rear garden setting.
- 6.24 The proposed extension is not considered likely to cause any significant refracting or glare of light to disturb neighbouring amenity. Although the rear elevation features glass sliding doors and windows these are partially shielded by sliding timber screens, and protected from direct sunlight by the overhanging awning (ground floor) and balcony (lower ground floor).
- 6.25 As described above, and through the use of appropriate planning conditions, the proposal would not be expected to have a significant adverse impact on the amenity of neighbouring residents and therefore the proposed works are consistent with Core Strategy Policy 15 and DM Policy 30.

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 It is considered that the proposed change of use of 51 Bargery Road would assist in providing equality of opportunity in terms of childcare in the Borough, and there is therefore no adverse impact on equality issues.

8.0 Conclusion

- 8.1 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).
- 8.2 In summary, the proposed works are considered to be appropriate in its scale, form and materials and to preserve the character and appearance of the dwelling in accordance with DM policies 1, 30 & 31 and Core Strategy Policies 8 & 15

8.0 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:

095/02/01 Rev P01, 095/02/02 Rev P03, 095/02/22 Rev P02, 095/02/10 Rev P03, 095/02/20 Rev P02, 095/02/24 Rev P02, 095/02/26 Rev P02, 095/02/28 Rev P02, 095/02/11 Rev P04, 095/02/12 Rev P04, 095/02/13 Rev P04, 095/02/14 Rev P04, 095/02/21 Rev P04, 095/02/23 Rev P04, 095/02/25.1 Rev P04, 095/02/27 Rev P04, 095/02/29 Rev P03, Design & Access Statement (December 2015, Red Squirrel Architects Ltd), Lindum Sedum Plus Mat Technical Specifications.

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) Notwithstanding the plans, drawings and documents detailed in Condition 2, all proposed dormer cheeks shall be externally finished with lead flashing.

No development shall commence on site until a detailed schedule and sample of the proposed lead flashing to be used on the dormer cheeks 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.

- 4) 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.

Reason: To protect neighbouring amenity in accordance with Core Strategy Policy 15.

- 5) Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the Western elevation of the building hereby approved shall be fitted as obscure glazed in accordance with Drawing No 095/02/27 Rev P04 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 31 Alterations and extensions to existing buildings including residential extensions 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 discussions took place which resulted in further information being submitted.

This page is intentionally left blank

12 Hengrave Rd, SE23



This page is intentionally left blank

Committee	PLANNING COMMITTEE A	
Report Title	The Catford Bridge Tavern, Station Approach, London SE6 4RE	
Ward	Rushey Green	
Contributors	Luke Mannix/Suzanne White	
Class	PART 1	18 February 2016

Reg. Nos. (A) DC/15/90741

Application dated 30.01.15 as revised 28.01.16

Applicant Planning Sense Ltd. (on behalf of Solitaire Restaurants Ltd.)

Proposal The construction of a single-storey extension with roof terrace at lower ground floor level and a roof extension at second floor level to the rear of The Catford Tavern, Station Approach SE6, together with the reconstruction, alteration and conversion of the upper floors from Use Class A4 (public house) to Use Class C3 (dwellings) to provide 1 one-bedroom and 5 two-bedroom self-contained flats, as well as associated works including alterations to the elevations, the insertion of rooflights in the rear roof slopes, landscaping and boundary treatment and the provision of cycle and refuse stores.

Applicant's Plan Nos. D_1250_rev00; D_1000_rev01; D_1000_rev02; D_1000_rev03; D_1000_rev04; D2301 Rev 03; D2302 Rev 03; Sustainability Statement; Flood Risk Assessment; Lifetime Homes Plan; Acoustic Design Advice (Pace consult, Jan 2015); CIL form (received 5th May 2015);

Planning, Design & Access Statement (received 18 September 2015);

15003_D1004_rev01; 15003_D1101_rev04; 15003_D1102_rev04; 15003_D1103_rev04; 15003_D1104_rev04; 15003_D2000_rev04; 15003_D2001_rev04; 15003_D2003_rev04; 15003_D2004_rev04; 15003_D2101_rev04; 15003_D2102_rev04; 15003_D2103_rev04; 15003_D2104_rev04; 15003_D2202_rev04; 15003_D2205_rev00; 15003_D3001; 15003_D3002; 15003_D3003; 15003_V_2300_rev03; 15003_V_2301_rev01; 15003_V_2303_rev02; 107254_SK02 rev P2; Structural Summary on Fire Damage (Fairhurst, December 2015); Viability Statement (Solitaire, December 2015) (received 21st December 2015)

Clay tiles existing; Proposed front door precedent; Email from agent re approach to rebuilding/refurbishment; Dreadnought tiles brochure (received 12th January 2016);

107254_SK01 revP2 (received 14th January 2016); and

15003_D2204_rev02; 15003_D2002_rev04 (received 28th January 2016).

Background Papers

- (1) Case File LE/947/C/TP
- (2) Development Management Local Plan (2014)
- (3) Core Strategy (2012)
- (4) The London Plan (2015)

Designation

Locally Listed Building
Article 4(1) Direction
Catford Major District Centre
Area of Archaeological Priority
Flood Risk Zone 2/Zone 3

Screening

N/A

1.0 Property/Site Description

- 1.1 The application relates to the Catford Bridge Tavern, formally known as the Copperfield and the Railway Tavern.
- 1.2 Catford Bridge Tavern is a two storey building with additional accommodation in the roofspace and an accessible basement level. The tavern included ancillary landlord and employee accommodation above the ground floor pub and therefore the entire building is considered to fall within Use Class A4 (public houses). The pub was built with an off license which still remains to the rear of the building with its original decorative timber shop front. A garden and yard is accessed from the rear of the site while there is a first floor terrace for private amenity to the upper floors.
- 1.3 The tavern was built in the 1930's by Courage Brewery in the 'Tudorbethan' house style, being a popular style for public houses for this period. The ground floor of the building has a smooth faience blockwork and the upper levels are mainly clad in timber bracing and decorative motifs, although there are small areas of red brick some with diachromatic detail. There are substantial red brick chimneys which rise from the first floor in some cases and are topped with decorative diamond profiled stacks.
- 1.4 The existing windows are leaded casements to the upper floors and clear glazed timber casements to the ground floor. It has three dominant gables

that address the key views; down Catford Hill; along Catford Road and from the station. The entirety of the pitched roof and dormer pitches are plain clay tiles. Although it should be noted that the majority of the roof has been destroyed by fire damage in early 2015. Furthermore windows and doors have been altered to prevent squatting during vacancy.

- 1.5 The property is not located within a Conservation Area, nor is it a listed building. However, it is a locally listed building with an Article 4(1) Direction removing permitted development rights.
- 1.6 The site is designated within the Catford Major District Centre, although it is not designated as primary or secondary shopping frontage.
- 1.7 The site is bordered by Station Approach to the north, the South Circular (Catford Road) to the south, Doggett Road to the east and Catford Bridge Station to the west. The South Circular is a classified 'A' road under Transport for London (TfL) ownership while the remaining roads are unclassified.
- 1.8 Parking is not allowed along the South Circular being a red route and is restricted to resident parking only along Doggett Road. The site has a PTAL rating of 6a based on a scale of 0-6b with 6b the highest. Therefore the access to public transport is considered to be excellent.

2.0 Planning History

- 2.1 DC/12/81142 – Planning permission was refused for the change of use of the Catford Bridge Tavern (formerly the Copperfield) Station Approach, from a public house (Class A4) to a retail unit (Class A1) at basement and ground floor levels and at first and second floor levels to provide 4 two bedroom and 1 three bedroom residential self-contained flats (Class C3), together with alterations to the elevations including the provision of bicycle and bin storage.
- 2.2 Planning permission was refused for the following reasons:-

1) The proposed change of use from a public house (Class A4) to retail unit (Class A1) and residential accommodation (Class C3) would cause the loss of a vital and valued community facility without a suitable replacement contrary to policy LCE2 Existing Leisure and Community Facilities in the UDP (July 2004); Core Strategy Policy 19 Provision and maintenance of community and recreational facilities in the Core Strategy (June 2011); Policies 3.1 Ensuring equal life chances for all; 4.6 Support for and enhancement of arts, culture, sport and entertainment provision and 7.1 Building London's neighbourhoods and communities in the London Plan (2011) and Paragraph 70 of the NPPF.

2) The loss of a public house (Class A4) and the creation of a retail unit (Class A1) would have a negative impact on the viability and vitality of Catford town centre contrary to Core Strategy Strategic Objective 4 Economic activity and local businesses in the Core Strategy (June 2011); Policy 4.1

Developing London's economy and Policy 4.8 Supporting a successful and diverse retail sector in the London Plan (2011) and Paragraph 152 of the NPPF.

3) *The proposed extension at first floor level would by reason of its appearance appear as a visually obtrusive and bulky form of development, failing to relate to the host building contrary to policies URB 3 Urban Design; URB 6 Extensions and Alterations; URB 20 Locally Listed Buildings; HSG 4 Residential Amenity and HSG 12 Residential Extensions of the Council's adopted Unitary Development Plan (2004) and Spatial Policy 5 Areas of Stability and Managed Change and Core Strategy Policy 15 High quality design for Lewisham in the adopted Core Strategy (2011).*

4) *The proposed bicycle and bin stores by reason of their size, design and location would have a detrimental impact on the character and appearance if the building contrary to policies URB 3 Urban Design; URB 6 Extensions and Alterations; URB 20 Locally Listed Buildings; HSG 4 Residential Amenity and HSG 12 Residential Extensions of the Council's adopted Unitary Development Plan (2004) and Spatial Policy 5 Areas of Stability and Managed Change and Core Strategy Policy 15 High quality design for Lewisham in the adopted Core Strategy (2011).*

5) *The flats proposed would provide a substandard level of accommodation and external amenity space to the detriment of future occupiers contrary to policies URB 3 Urban Design; URB 6 Extensions and Alterations; HSG 4 Residential Amenity and HSG 12 Residential Extensions in the adopted UDP (July 2004); Policy 1: Housing provision, mix and affordability and Policy 15: High quality design for Lewisham; policies 3.5 Quality and design of housing; 7.4 Local character and 7.6 Architecture in the London Plan 2011 and Mayor London Housing Supplementary Planning Guidance (2012).*

3.0 Current Planning Applications

- 3.1 The application proposes works of rebuilding, refurbishment and extension of the existing building and change of use of the first and second floors.
- 3.2 Two extensions are proposed. The first would be on the north elevation of the building at lower ground level, extending into the existing yard. The extension (50sqm) would provide additional floorspace to the secondary bar/function room at this level and an external terrace to the main bar at ground floor level. The extension would be clad in red brick to match the existing building, with aluminium-framed windows. A metal frame canopy with glass roof is provided over the terrace.
- 3.3 A roof extension at 2nd floor level is also proposed, to the rear of the building. The extension would have a flat roof, but with a pitch to the north

and west elevations of the building. It would sit below the main ridge line of the building. Pitched dormers following the Tudorbethan style of the existing dormers are proposed to each elevation. The extension would be clad in matching roof tiles to the existing.

- 3.4 The additional space at 2nd floor level is proposed for residential use. The application seeks to extend and sub-divide the existing accommodation (Use Class A4) at 1st and 2nd floor levels into six self-contained flats (Use Class C3). The new units would comprise 1 one-bedroom and 5 two-bedroom self-contained flats.
- 3.5 This space currently comprises one large flat, the existing pub kitchen and office. A new entrance would be created from the rear of the building to serve the flats. New kitchen facilities would be provided at ground floor level for the refurbished pub.
- 3.6 Bin and cycle storage for the new flats would be provided at lower ground level, utilising 34.5sq m of the existing pub storage area. Approximately 84sq m internal storage would be retained, together with the external storage area.
- 3.7 The roof of the building would be re-constructed. Where possible, existing roof tiles not damaged by the recent fire would be re-used. The applicant has identified that the original manufacturer is still producing the same tiles and it is proposed that these are specified to supplement the salvaged tiles.
- 3.8 Other minor works to the elevations are proposed, including the addition of rooflights, new windows and doors.

Supporting Documents

- 3.9 The application was submitted with Lifetime Homes drawings, together with a Design & Access Statement, Noise Report and a Flood Risk Assessment.

Revisions

- 3.10 The initially submitted drawings were revised to alter the form of the 2nd floor extension from a flat topped mansard roof, introduce the canopy to the terrace and correct inaccuracies in the existing elevation drawings.

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received.
- 4.2 49 letters of notification went out to nearby properties and businesses. Site notices were displayed and a press notice was placed in the Lewisham Shopper on the 8th of July 2015. Finally, Ward Councillors and statutory bodies and organisations were notified.

- 4.3 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement. The responses received are detailed below.

Written Responses received from Local Residents and Ward Councillors

- 4.4 A response was received from a resident in Dowanhill Road which provided support for the development to re-introduce the pub, however felt the introduction of residential above would lead to land use conflict leading to the pub's eventual closure.
- 4.5 No formal response was received from Ward Councillors.

Written Responses received from Statutory Agencies

- 4.6 TfL raised no objections, however made the following comments:-
- The proposed cycle parking should comply with the London Plan (2015) standards for both residents and pub employees and patrons in an accessible location;
 - A condition should be added for the submission of a Construction Management Plan and Delivery and Servicing Plan, bearing in mind the site adjoins the South Circular with bus stops to the front;
 - A section 106 agreement should be entered exempting future residents from obtaining a CPZ permit;
 - The design of the outside seating area around the entrance should ensure no impacts on the adjoining footway;
 - Clarification on disabled access; and,
 - Information appears to be missing from the Design and Access Statement.
- 4.7 It was also raised that separate approvals may be needed from TfL as highway authority for the South Circular additional to any planning permission, for example hoardings licences. In the event planning permission is granted the applicant is advised to contact TfL direct once proposals have been confirmed.
- 4.8 The Environmental Agency (EA) advised that planning permission could be granted with the following condition relating to the protection of groundwater:

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: *To prevent pollution of controlled waters and comply with the National Planning Policy Framework.*

- 4.9 An informative was also suggested in relation to the appropriate treatment and disposal of contaminated soil.
- 4.10 With respect to flood risk management, the EA noted that the flood risk assessment lacked information such as estimated flood levels for the site to adequately allow an assessment of the potential flood depths. However, given the residential units are above ground floor level, there is no objection to the proposal.
- 4.11 It was also recommended that the use of flood proofing measures is considered to reduce the impact of flooding on the proposed development. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.
- 4.12 Finally, a condition was raised which may be added requiring the submission of an emergency flood evacuation plan which is acceptable to your emergency planning department.
- 4.13 Network Rail were consulted and raised no objections nor comments with regard to the proposed development.

Environmental Health/Noise

- 4.14 There is no objection to the development on the basis of noise provided the applicant follows all the recommendations detailed in the acoustic design advice report.
- 4.15 However of particular note is the impact on residential units overlooking the proposed terrace with a greater impact due to open doors and patron noise. The report does recommend specific glazing for these bedrooms, however this is based on levels appropriate before 11pm but where sleep is to be protected then the level of noise reduction should be greater.
- 4.16 There would need to be consideration for some form of mechanical ventilation so the resident has the choice of keeping windows closed during hot weather.
- 4.17 If amplified systems are being used, then the pub should have its own noise limiting device where all equipment has to pass through it. This could include electric contacts on doors and windows so if opened the limiter reduces levels further thus controlling noise within the premises.
- 4.18 Recommend attaching the standard noise condition so that the specification of the detailed glazing design is required to meet BS8233: 2014.

Highways and Transport

- 4.19 The site is well located in terms of access to public transport and therefore a car-free scheme is considered acceptable.

- 4.20 However, it is considered that the applicant has not given due regard to the pedestrian environment for future residents or how the development would be serviced. It is noted that the existing pedestrian environment is not suitable for residential development, especially factoring the current state of parking along Doggett Road/Station Approach leading to Catford Bridge Station.
- 4.21 Therefore the proposal would only be considered acceptable if the applicant entered into a S278 agreement with the Highway Authority. The S278 Highways Agreement is required to secure highways improvement works on the public highway adjacent to the site and shall include widening the footways adjacent to the site, the removal of the unregulated parking spaces on the Doggett Road frontage and any associated Traffic Regulation Orders.
- 4.22 The proposed works would rationalise on-street parking, manage traffic flows and create an improved public realm which will benefit future residents and users of the application site, and provide wider benefits for pedestrians, cyclists and road users accessing Catford Bridge Station.
- 4.23 A Construction Management Plan, Waste Management Plan and Delivery and Servicing Plan, together with details of secure cycle storage would also be required.

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 2.14 Areas for regeneration
Policy 2.15 Town centres
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.16 Protection and enhancement of social infrastructure
Policy 4.7 Retail and town centre development
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.12 Flood risk management
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local character
Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)

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 1 Lewisham Spatial Strategy

Spatial Policy 2 Regeneration and Growth Areas

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 10 Managing and reducing the risk of flooding

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

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

Development Management Local Plan

5.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant 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 20 Public houses

DM Policy 26 Noise and vibration

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 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest

6.0 Planning Considerations

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

a) Principle of Development

b) Design

- c) Standard of Accommodation
- d) Noise
- e) Impact on Adjoining Properties
- f) Highways and Traffic Issues
- g) Sustainability and Energy
- h) Flooding

Principle of Development

- 6.2 Policy 20 of the Development Management Local Plan recognises the importance of public houses as a community resource and seeks to prevent their redevelopment or change of use, except in limited circumstances where evidence has been submitted to demonstrate that the pub is not economically viable.
- 6.3 The policy states that the Council will only permit the change of use or redevelopment of a public house (Use Class A4) after an assessment of the following:
- A viability report that demonstrates the public house is no longer economically viable;
 - The role the public house plays in the provision of space for community groups and evidence that the building has been offered to community groups at a reasonable rate
 - The design, character and heritage value of the building. If significant to the streetscape, the Council may require retention of the ground floor in D1 use
 - The ability and appropriateness of the building or site to accommodate an alternative use and the acceptability of any alterations these may entail
- 6.4 The policy states that the change of use of a public house to residential will only be acceptable where:
- The proposal has been assessed as acceptable against the above criteria;
 - The accommodation to be provided is of the highest design quality.
- 6.5 The upper floors of the pub, which contain living accommodation, the existing pub kitchen and office and the lower ground floor storage area are considered to be in A4 use, forming ancillary facilities to the main pub use. The proposed change of use of these areas to residential (Use Class C3) will only be acceptable if it can be demonstrated that neither the loss of this floor space, nor the nature of the new uses introduced, would impact negatively on the future viability of the pub use.
- 6.6 Of the floor area that is proposed to change to residential, only the kitchen, office and lower ground floor area to be used for a bike/bin store comprise floorspace directly associated with the operation of the pub. This must be set against the proposed lower ground floor extension (50sq m), new

terrace and refurbishment works which extend and improve the pub facilities. The extended kitchen at ground floor level will be smaller in area than the combined area of the existing kitchens, though at 26.1sq m is considered adequate for the size of the pub. Overall, the impact of the extension and change of use of A4 floorspace is considered to have a neutral impact on the future viability of the pub use.

- 6.7 The applicant states that the new residential units are intended to be rented out in order to provide an income stream to support the pub. The text to support criterion 1a. of DM policy 20 states that in order to ensure that the Council can make a sound assessment when a change of use is proposed, applicants will be required to submit a viability report. The applicant has submitted a statement which provides an overview of their experience of operating pubs in London and of converting the upper floors to supplement income; the challenges of running a successful pub in the current market; the costs of refurbishment; anticipated income from the pub and rental of the flats above. This indicates that the rental of the flats will make a significant contribution to the overall earnings of the pub building.
- 6.8 The proposal would introduce noise sensitive users to the site. The ability of the public house use to continue to function in close proximity to residential accommodation is fundamental to the acceptability of the conversion of the upper floors in principle. The design and noise insulation of the new residential units must ensure that a nuisance issue is not created which could impact on the pub use in the future.
- 6.9 A noise assessment was submitted with the application. The Council's EHO raised concern over the potential impact on the new residential units overlooking the outside terrace area, advising that the potential for noise escape due to doors being opened and patron noise was likely to generate levels that could disturb. However, he advised that this could be addressed by improving the glazing specification and providing mechanical ventilation to the units. This is proposed to be secured by condition.
- 6.10 It is also relevant to note that the design has reduced the potential for conflict between the uses through the layout of the residential units. The bedrooms of the unit which wraps around the proposed pub terrace at second floor level would not have windows overlooking this space and therefore can more easily be insulated against noise. This unit and the corresponding unit at first floor level only have living rooms overlooking this space, which have aspect also to the west, enabling occupiers to open these windows rather than those overlooking the terrace. In addition, the relevant British Standard, BS8233: 2014 Guidance on sound insulation and noise reduction for buildings, sets a higher internal noise limit for living rooms, which are deemed less sensitive than bedrooms.
- 6.11 Overall, officers are satisfied that the proposals, together with the proposed conditions, will not impact negatively on the future viability of the pub use.

Design

- 6.12 Urban design and the conservation of heritage assets are key considerations 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.
- 6.13 In assessing the impact of a proposed development on the significance of a non-designated heritage asset, paragraph 135 of the NPPF advises 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.”*
- 6.14 National Planning Policy Guidance reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle.
- 6.15 London Plan Policy 7.8 advises that *“Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.”*
- 6.16 Core Strategy Policy 15 seeks to *“ensure any development conserves and enhances the borough’s heritage assets, and the significance of their settings, such as conservation areas, listed buildings etc”*, while Policy 16 states that the Council will: *“ensure that the value and significance of the borough’s heritage assets and their settings, which include 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.”*
- 6.17 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.
- 6.18 The Catford Bridge Tavern is a local landmark building and identifies the location of the station from the main road. It is a good quality example of an early twentieth century public house and makes a handsome and positive contribution to the streetscape in this area. Furthermore, being a locally listed building, it is considered to be a non-designated heritage asset.
- 6.19 The alterations to the building proposed as part of this application can be divided into works of extension and refurbishment/rebuilding. The impact of these works are considered in turn below.

Extensions

- 6.20 The pub's roofscape features steeply double-pitched roofs that are typical for the Tudorbethan style of the building. While the principle of an extension at second floor level was accepted from an early stage in the application process, the design as originally submitted - a flat topped mansard - was considered inherently out of character with the style and composition of the building. This issue was particularly significant given that the rear elevation is highly visible from the public realm, notably from the South Circular in the approach from the West, from Catford Bridge Station and from Catford Station where the extension can be seen at eye level.
- 6.21 The design was subsequently amended in discussion with officers to that which is now proposed, with the pitch on the west and north elevations more closely matching that of the existing roof slopes. In addition, the dormer windows on each elevation have been altered to Tudorbethan style, more in keeping with the character of the building. Overall it is considered that the scale, form and detailing of the roof extension are appropriate to the character of the existing building.
- 6.22 The location of the proposed extension at lower ground level to the rear of the building is presently a small yard which is underutilised. The extension of the pub into this area is considered to be acceptable in principle. The design is simple and contemporary, faced in brick to match the existing building. The roof terrace above would be enclosed with a glass and metal balustrade and canopy. The structure of the canopy appears visually 'heavy' in the drawings and therefore it is recommended that further details are provided by condition in order to ensure that the eventual treatment is lightweight and does not detract from the character of the existing building.
- 6.23 A new staircase is proposed on the north elevation leading to the new entrance which will serve the residential units above. An existing door on this elevation, behind which will be the extended kitchen, is retained and refurbished. The new residential entrance will have a contemporary design, with a new canopy clad in copper. Access to the bin and cycle store is provided directly below.
- 6.24 Overall, it is considered that the extensions and associated changes to the north elevation have been treated sensitively and will complement the existing building.

Rebuilding/refurbishment works

- 6.25 The application was submitted in January 2015, prior to the fire which happened in March and caused significant damage to the roof and second floor of the building. As a result, the scope of the application has been extended to include rebuilding and refurbishment works.
- 6.26 The applicant has confirmed their intention to reinstate the roof on a like-for-like basis and the submitted plans demonstrate this. Many of the existing roof tiles were damaged by the fire, however the applicant has established that they are still in production by the original manufacturer. Existing roof tiles will be re-used where possible and supplemented by matching tiles.

- 6.27 The existing chimney stacks are a key feature of the existing building and officers have worked to ensure that they would be retained and supported during the re-construction works. The applicant has responded by providing a structural report and drawings to demonstrate that they are sound and would be protected during the building works.
- 6.28 A new chimney is proposed to the north elevation to provide ventilation to the kitchen. Officers had queried whether one of the existing chimney stacks could be utilised, but it is understood that this is not possible. In any case, provided that the new stack is detailed to match the existing chimneys, the addition is considered acceptable.
- 6.29 The building features leaded lights to the first and second floors. These are high quality details and are arranged with careful thought, with a pattern of diamond and rectangular leaded lights. These windows form an intrinsic part of the building's significance as a Tudorbethan public house. The proposal is now to retain all existing single glazed windows and their leaded lights, to repair and repaint these and to introduce a secondary glazing system. New windows are distinct from the historic ones by being aluminium framed. This is acceptable and welcome.
- 6.30 The window and door to the kitchen on the east elevation are believed to have historically been part of the off licence shopfront, but are currently boarded. It is proposed that these are retained and refurbished.
- 6.31 Rooflights are proposed to be introduced to serve the new residential units. All are shown as conservation type set flush in the roofslope and metal framed on the proposed plans, which is welcomed.
- 6.32 Externally, an enlarged and formalised seating area is proposed adjacent to the main pub entrance on the east elevation. The enlarged area would be enclosed by extending the existing brick wall and railing. The enlarged area would not impede the footpath and would improve the appearance of this area and is considered acceptable on this basis. A condition is recommended however in order to ensure that the hard landscape treatment is of a high quality and coordinated with the improvements to the footpath which are proposed to be undertaken through a Section 278 agreement.
- 6.33 Finally, the proposals include the provision of an access ramp to the main entrance to ensure that the pub, once re-opened, will be fully accessible.
- 6.34 In order to ensure that the works are carried out sensitively in the interest of the special character of the building, conditions are recommended in respect of materials and detailed design elements.
- 6.35 Overall, it is considered that the design of the development proposals is generally of a high quality, sympathetic to the form, scale, materials and architecture of the locally listed building. For these reasons, the proposals are considered acceptable in design and conservation terms.

Standard of Accommodation

- 6.36 Core Strategy Policy 1, Development Local Plan Policy 32, London Plan Policy 3.5 and the London Plan Housing SPG seek to ensure that all new residential development meets minimum size standards.
- 6.37 The nationally described space standards have been released in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation and remains solely within the planning system as a new form of technical planning standard.
- 6.38 The national housing standards are roughly in compliance with the space standards of the London Plan. However there are differences in the spacing of individual rooms as well as floor to ceiling heights. In the instance of conflict, the national housing standards take precedent. An assessment of the proposed floorspace against the relevant standard is given in Table 1.
- 6.39 In addition to the internal floorspace, external amenity should also be provided to new residential development with standard 4.10.1 of the London Housing SPG setting out the baseline requirements for private open space. The standard requires a minimum of 5sq m to be provided for 1-2 person dwellings and an extra 1sq m for each additional occupant.
- 6.40 Only proposed flat 1 and 2 would benefit from external amenity space. However, under baseline standard 4.10.1, where external amenity space cannot be provided, an equivalent amount of space should be provided internally. This is in addition to the internal minimum standards.
- 6.41 It should be noted that the applicant has described flat 3 as a two bedroom 3 person unit as stated in the planning, design and access statement, which is contrary to the plans which show double bedrooms. Where there is conflict, the Council has used the minimum bedroom sizes of the national housing standard to determine the occupancy, being 7.5sq m for a single bedroom and 11.5sq m for a double bedroom.
- 6.42 For this reason, it should be noted that bedroom 2 of proposed flat 2 is considered to be a single bedroom at 11sq m and bedroom 2 of proposed flat 3 is considered to be a single bedroom at 10.8sq m.

Table [1]: Unit Size

		Proposed Floorspace (m²)	Minimum Standard (m²)
Flat (2b3p)	1	69	61
Flat (2b4p)	2	79.5	74
Flat (2b3p)	3	69.3	61

Flat (2b3p)	4	72.3	61
Flat (1b2p)	5	54.6	50
Flat (2b3p)	6	67.3	61

- 6.43 Taking the above into account, the proposed units are considered to be in compliance with the minimum floor space of the national housing standards. Furthermore, it is considered that the amount of storage provided meets the requirements of the standards.
- 6.44 However it should be noted that there are elements which do not conform with the national housing standards. For instance, both bedrooms in flat 6 are under 11.5sq m in floor space and therefore the unit does not technically provide at least one double bedroom. Furthermore, taking into consideration flat 5 does not have external amenity, it could be considered to be undersized.
- 6.45 The amount of living/dining kitchen space must also be considered, and whilst the national housing standards have no minimum floor space, the London Plan Housing SPG addresses this under Standard 4.4.1, however it should be noted that this is a good practice standard. Based on the scaled plans, it is noted that the living/kitchen/dining space for proposed flat 2 and 3 would not comply this standard.
- 6.46 Therefore, whilst the proposed units would meet the gross internal floor space standards, there are some standards against which the development fails.
- 6.47 However, the conservation and architectural value of the property should be taken into consideration. It should be noted that, through discussions with planning officers and the conservation officer, an acceptable design has been reached to ensure the development is of a high quality design standard which complements the character of the existing development.
- 6.48 The importance of the public house in providing a community benefit should also be taken into consideration. Pubs are considered to provide valuable social benefits to communities in allowing places to meet and socialise. The proposed development would seek to bring the currently vacant pub into use, as well as providing housing to increase the viability of the pub as a business and ensure its retention.
- 6.49 As a result, while the development does not meet some standards, it is considered to be acceptable on balance due to the high quality of the design and the benefit of bringing the public house back into use. Furthermore, taking into account the minor nature of the non-compliance of the scheme, it would be considered unreasonable to warrant a refusal on the basis of minimally undersized rooms.

- 6.50 The Council's DM Policy 32 outlines a minimum floor height of 2.5m. Whilst it is noted that the national housing standards has a minimum ceiling height of 2.3m over 75% of the gross internal area, the Mayor of London has issued a statement recommending that a minimum ceiling height of 2.5m for at least 75% of the gross internal area. This is to address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.
- 6.51 The proposed residential units would have a floor to ceiling height of 2.75m on the first floor level while the second floor level would have a floor to ceiling height of 2.45m. Furthermore it should be noted that the second floor would have sections of floorspace under 2.3m due to the slope of the roof, however this would be less than 75% of the units overall floor space.
- 6.52 Therefore the proposed development would meet the requirements of the national housing standard. Furthermore, while it would be preferred to have higher floor to ceiling heights in the second floor, it is considered that due to the nature of the conversion of the existing building, this would not be practical and the levels of light, as detailed below, are considered to be acceptable.
- 6.53 DM Policy 32 outlines that new residential development shall provide accommodation of a good size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. There will be a presumption that residential units provided should be dual aspect. Any single aspect dwellings provided will require a detailed justification as to why a dual aspect dwelling is not possible and a detailed demonstration that adequate lighting and ventilation can be achieved. North facing single aspect flats will not be supported.
- 6.54 Each proposed unit would benefit from dual aspect, in some cases there would be triple aspect. It is noted that some of these windows would be small, in particular the living rooms to unit 3 and unit 5, bedroom 2 of unit 3 and bedroom 1 of unit 6. However, given the difficulty of converting the existing building, together with the heritage sensitivity, and the adverse impact to the design of any enlargement to the existing windows, this is considered to be acceptable. Furthermore, it is noted that the units in the second floor would benefit from rooflights, which allow additional sunlight.
- 6.55 Therefore the amount of sunlight/daylight and outlook is considered acceptable.
- 6.56 With regard to privacy, it is noted that the existing building is significantly distant from any residential properties. The nearest residential windows are the units above the commercial premises opposite on Doggett Road. Taking this into account the proposed units are considered to have adequate privacy.

6.57 Overall, it is recognised that there are some elements of the development which do not conform with standards and policies; however, the overall benefit of providing a building of high quality design and bringing the pub back into viable use, as well as the overall acceptability of the amenities provided to future units, means that the development is acceptable in terms of standard of accommodation.

Noise

6.58 DM Policy 32 outlines that housing development should be sited to minimise disturbances from incompatible uses. In addition to this, DM Policy 26 states that new noise sensitive developments are to be located away from existing or planned sources of noise pollution, except if it can be demonstrated through design or mitigation that:-

- internal and external noise levels can be satisfactorily controlled and managed by the noise sensitive development; and
- there will be no adverse impact on the continued operation of any existing or proposed business or operation.

6.59 The proposed development would introduce noise sensitive residential uses to the upper floors of the building, which would be separate to the use of the lower floor public house. In addition, the Hayes railway is located approximately 15m to the west. Taking both these into account, it is considered important to have detailed specifications on how the proposed development would provide suitable noise insulation for the proposed upper floor units.

6.60 A report was submitted in support of the application giving advice with regards to acoustic design. The report noted that the existing separating floor is constructed of 200mm of concrete, estimated to comprise of a density of 1750kg/cu m, which provides above average sound insulation between floors.

6.61 The report outlines recommendations for the design of separating floors and walls between the proposed residential units in order to comply with Building Regulations. It is concluded that with the recommendations within the report, the development would exceed Building Regulations requirements.

6.62 With respect to glazing levels, the report gives details on the guidance for the bedroom windows to proposed flat 1 above the external terrace to the rear. The report expects external noise level to be 70dB or higher and, in order to achieve the internal guidance levels of 35-40dB, a glazing specification resulting in a reduction not less than 40dB is recommended.

6.63 The report also mentions the windows to proposed flat 4, however the external design has since changed to remove the significant setback originally proposed.

6.64 The Council's Environmental Health officer has reviewed the document and in general considers the measures appropriate to ensure sufficient noise insulation.

- 6.65 It is noted that increased sound insulation specification to bedroom windows is required to take into consideration amenities at night during sleeping times.
- 6.66 It is considered that a condition could be added requiring glazing to meet the internal standards on all residential windows within the scheme in order to make the development acceptable. This condition would be worded to ensure units achieve levels not exceeding 30dB LAeq (night) and 45dB LAm_{ax} (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided.
- 6.67 It is also considered necessary to condition the design measures outlined in the report for the separating floor between the pub space and proposed residential units. This is to satisfy the Council that the development would be built to ensure compliance in terms of sound insulation.
- 6.68 Therefore, taking into account the measures described in the acoustic report, together with a condition for external glazing, the proposed development is considered to provide acceptable insulation from noise for the residential units.

Impact on Adjoining Properties

- 6.69 London Plan Policy 7.6 states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings. In addition, DM Policy 32 requires all new residential development to be neighbourly and provide a satisfactory level of privacy, outlook and natural lighting for it's neighbours.
- 6.70 The site, being bordered by Doggett Road, Station Approach, the South Circular and the Catford Bridge Station on either side, is noticeably separate from surrounding properties. The nearest development is a small commercial building fronting the South Circular 10m to the west, commercial properties fronting Station Approach 15m to the north west and ground floor commercial and upper floor residential properties on the corner of Doggett Road and South Circular 25m to the east.
- 6.71 Considering there would be no significant alteration to the scale and massing of the existing building, there would be no adverse impact on adjoining properties in terms of light. Furthermore, as the proposed alterations are considered to be in keeping with the existing structure, the impact on visual amenities of nearby occupiers is considered to be negligible.
- 6.72 The proposed change of use of the upper floors to residential is not considered to be a significant departure from the previous ancillary accommodation use of the area. Therefore the level of overlooking is not considered to increase significantly. Furthermore, due to the separation of the nearest residential property by the highway, any possible overlooking from the proposed eastern first floor terrace is considered to be acceptable.

- 6.73 In terms of noise affecting existing residents, the pub use is existing and it is considered that there is sufficient distance between the development and the nearest neighbouring property. Furthermore, given the location within a Major Town Centre and existing level of noise from traffic, pedestrians and other land uses, together with the previous use of the building for a public house, the proposed development is not considered to significantly increase the level of noise.
- 6.74 Overall the proposed development is not considered to have an adverse impact on adjoining properties in terms of noise, overlooking, sunlight/daylight or visual amenities.

Highways and Traffic Issues

- 6.75 The NPPF and the London Plan seek to promote sustainable development through reducing the reliance on private vehicle travel where appropriate. Encouragement is given to solutions which support reductions in greenhouse gas emissions and reduce congestion and facilitates the use of sustainable modes of transport.
- 6.76 The Council also seeks a managed and restrained approach to car parking provision to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities. The car parking standards contained within the London Plan will be used as a basis for assessment.
- 6.77 The Parking Addendum to Chapter 6 of the London Plan includes the maximum car parking standards. The standards outline for 1-2 bedroom dwellings less than one space per unit is recommended and for 3 bedroom dwelling 1.5 space per unit. There are no standards relating to an A4 public house. However it should be noted that for areas of high PTAL rating, development should look to be significantly under these standards.
- 6.78 In order to promote sustainable modes of transport, the Parking Addendum to Chapter 6 of the London Plan also includes minimum cycle parking standards. For a drinking establishment, 1 space per 175sq m of floorspace for long stay and 1 space per 40sq m for short stay. For residential units, 1 space is required per one bedroom dwelling and two for all others.
- 6.79 The site has an excellent PTAL, being located adjacent to Catford Bridge Station. There is no car parking on the South Circular and a CPZ is located on Doggett Road.
- 6.80 There are some parking spaces along Station Approach, however it should be noted that this area is under strain through unmanaged parking as commuters enter and exit the station or use nearby shopping facilities in the town centre. Furthermore it is noted that the pavement area to the front of Station Approach is in a poor condition, making it unacceptable for residential use. Taking this into account, it is necessary for this area to be improved in order to make the development for residential use acceptable.

- 6.81 The Council's Highways Officer and TfL have requested that the applicant enter into a Section 278 agreement to improve the highway to the front of the pub and along Station Approach. These improvements include removal of the existing parking spaces, and widening of the footways around the pub.
- 6.82 With these works to improve the highway, the proposed development is considered to be acceptable in terms of providing satisfactory access and pedestrian movement. A Section 106 agreement is recommended in order to ensure these works are completed. Furthermore, in order to ensure the design and standard of the landscaping works within the applicant's ownership are appropriate, a condition for a hard landscaping plan is also recommended.
- 6.83 Overall, given the site's excellent PTAL, a car free development is considered to be acceptable.
- 6.84 The comments from the highway officer with regard to restricting future residents from gaining residential parking permits for the Doggett Road CPZ is noted and it is recommended this is added to the Section 106 agreement.
- 6.85 The proposal includes residential cycle parking near the entrance to the flats. The proposal includes individual lockers per flat which meets the minimum standards of the London Plan. However it is noted that there are no cycle parking places provided for the public house. Based on the floor space of the ground floor pub, 10 cycle parking spaces would be required.
- 6.86 It is considered that a condition could be added for the provision of the required cycle parking spaces.
- 6.87 The proposed development includes refuse storage for the residential units on the ground floor to the rear near the entrance and for the pub on the lower ground floor to the west. Whilst this is considered acceptable in principle, details are required to ensure the waste is stored in an acceptable manner to enable easy collection by the Council and therefore a refuse strategy should be conditioned.
- 6.88 A delivery and servicing plan and construction management plan have not been submitted with this application. In order to ensure these plans are appropriate, particularly give the location of the development site near Catford Bridge Station and the South Circular, conditions should be added for these to be submitted.

Sustainability and Energy

- 6.89 London Plan Policy 5.2 states that development proposals 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; and,

3) Be green: use renewable energy.

- 6.90 Core Strategy Policy 7 looks to apply the London Plan policies relevant to climate change including those related to: air quality, energy efficiency, sustainable design and construction, retrofitting, decentralised energy works, renewable energy, innovative energy technologies, overheating and cooling, urban greening, and living roofs and walls. In addition Core Strategy Policy 8 requires all new non-residential development to meet BREEAM 'Excellent' standard.
- 6.91 In line with the Core Strategy, DM Policy 22 outlines within the policy justification that heritage assets have to maximise energy efficiency and carbon reductions whilst protecting the historic and architectural value of a historic asset. Applicants undertaking extensions, conversion or refurbishment of designated heritage assets should give consideration to the energy efficiency requirements outlined in the policy.
- 6.92 With respect to the residential development, following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes from planning to be absorbed into Building Regulation requirements which will be introduced following an amendment to the Planning and Energy Act 2008. This is expected to take place later in 2016.
- 6.93 However, as an interim measure to require sustainability improvements on small scale schemes, Local Government Authority has the benefit of enforcing a Code for Sustainable Homes equivalent in terms of water and energy reduction. Specifically, these are:-
- a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and,
 - water efficiency measures to achieve a target of maximum 110 litres per person per day which includes a 5 litre allowance for external water use.
- 6.94 The proposal includes a sustainability statement, however it does not detail how the proposed development would meet the Council's standards in terms of BREEAM or residential energy and water saving as outlined above.
- 6.95 However, with respect to the residential dwellings, it is considered that a condition can be added to ensure the development would comply with the sustainability standards.
- 6.96 In relation to the BREEAM rating of the pub, it is noted that the works to extend the floor space are of minor nature, together with refurbishment works to bring it to its original use. As a result, and coupled with heritage value, it is not considered reasonable to place a condition for an 'Excellent' rating or measures above that already required by Building Regulations.

- 6.97 Overall, with the sustainability measures required in the residential units, The proposed development is considered to comply with the Council's sustainability policies.

Flooding

- 6.98 The site is located primarily in flood zone 2, with small amounts of land in flood zone 3.
- 6.99 It is noted that the proposed extensions are minor in nature and therefore are not considered to have an adverse impact in the event of flooding. Furthermore, as the proposed units are located on the first and second floor level, the residential use is considered to be above the flood level.
- 6.100 The comments from the EA are noted with regard to flooding, in particular the recommended condition. However officers consider that as the development is acceptable in respect of flooding, adding a condition for flood proofing and an evacuation plan are not necessary or reasonable. Nonetheless, it is considered that it should be added as an informative.

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. In addition to the Mayoral CIL, the Council's local CIL has been adopted and is also a material consideration.
- 7.4 CIL is payable on this application and the applicant has completed the relevant form.

8.0 Equalities Considerations

- 8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 8.4 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

9.0 Conclusion

- 9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 9.2 The proposal intends to bring the currently vacant and damaged Catford Bridge Tavern back into use with a basement and ground floor public house and residential units above.
- 9.3 The proposed change of use to residential is not considered to harm the viability of the pub. Furthermore, the proposed extensions and refurbishment works are considered to be of high quality design which is sympathetic to the character of the existing building and would also improve the viability of the pub.
- 9.4 The proposed dwellings would, on balance, provide an acceptable standard of accommodation for future residents.
- 9.5 It is considered that, through Section 278 agreement works to the highway, the area would be suitable for residential accommodation. Furthermore, due to the excellent PTAL, car free development is considered appropriate.
- 9.6 Overall, the proposed development is considered to be satisfactory in principle and in detail and, subject to the imposition of suitable conditions and a Section 106 agreement regarding the matters set out below, it is recommended that permission is granted.

RECOMMENDATION (A)

To agree the proposals and authorise the Head of Law to secure planning obligations under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters:-

- To enter into a Section 278 Agreement to complete improvements to the highway to include widening the footways adjacent to the site, the removal of the unregulated parking spaces on the Doggett Road frontage, provision of loading bay and any associated Traffic Regulation Orders.
- Restrict future residents from obtaining residential parking permits

- Monitoring, legal and professional costs

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:

D_1250_rev00; D_1000_rev01; D_1000_rev02; D_1000_rev03; D_1000_rev04; D2301 Rev 03; D2302 Rev 03; Sustainability Statement; Flood Risk Assessment; Lifetime Homes Plan; Acoustic Design Advice; CIL form (received 5th May 2015);

15003_D1004_rev01; 15003_D1101_rev04; 15003_D1102_rev04; 15003_D1103_rev04; 15003_D1104_rev04; 15003_D2000_rev04; 15003_D2001_rev04; 15003_D2003_rev04; 15003_D2004_rev04; 15003_D2101_rev04; 15003_D2102_rev04; 15003_D2103_rev04; 15003_D2104_rev04; 15003_D2202_rev04; 15003_D2205_rev00; 15003_D3001; 15003_D3002; 15003_D3003; 15003_V_2300_rev03; 15003_V_2301_rev01; 15003_V_2303_rev02; 107254_SK02 rev P2; Structural Summary on Fire Damage (Fairhurst, December 2015); Viability Statement (Solitaire, December 2015) (received 21st December 2015)

Clay tiles existing; Proposed front door precedent; Email from agent re approach to rebuilding/refurbishment; Dreadnought tiles brochure (received 12th January 2016);

107254_SK01 revP2 (received 14th January 2016); and

15003_D2204_rev02; 15003_D2002_rev04 (received 28th January 2016).

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. (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 an 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 occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration, DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space

standards of the Development Management Local Plan (November 2014).

5. (a) The buildings hereby approved shall be constructed in order to achieve the following requirements:
- a minimum 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and
 - a reduction in potable water demand to a maximum of 110 litres per person per day
- (b) Within 3 months of occupation of any of the residential units hereby approved, evidence (prepared by a suitably qualified assessor) shall be submitted to the Local Planning Authority and approved in writing to demonstrate full compliance with part (a) for each unit.

Reasons: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

6. (a) Notwithstanding the details hereby approved, no development shall commence until the following details have been submitted to and approved in writing by the local planning authority:
- elevations and sections at a scale of not less than 1:10 showing the canopy to the roof terrace;
 - elevations and sections at a scale of not less than 1:20 of the proposed new roof dormer;
 - details of all new roofs and doors at a scale of not less than 1:10;
 - section of the new ramp at a scale of not less than 1:10;and
 - details of the proposed new rooflights at a scale of not less than 1:10.
- (b) The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens.

7. No development shall commence on site until a detailed schedule and samples of all external materials to be used on the building have been submitted to and approved in writing by the local planning authority, including:

- all external finishes i.e. windows, doors, railings, handrails, metal gates;
- a sample panels(s) shall be constructed on site of the proposed bricks (showing type of brick, bonding, mortar and pointing) for the new chimney and extensions;
- samples of the existing plain clay tile and proposed clay tile and any other roof coverings.

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

8. Any repairs to, or replacement of, original fabric (e.g. render, Tudor timber work, timber fascias) and works of making good shall be carried out in detail and materials to match the existing.

Reason: To ensure that the works are carried out sensitively in the interest of the special character of the building, in accordance with policy CS16 Conservation areas, heritage assets and the historic environment of the Core Strategy 2011 and policies 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 and DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets.

9. (a) No development shall commence until a refuse management plan for the on-site storage, disposal and collection of refuse and recycling facilities has been submitted to and approved in writing by the local planning authority.
- (b) The approved details shall be carried out in full prior to the occupation of the development and retained thereafter.

Reasons: 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 DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014) and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

10. (a) A minimum of 11 secure and dry cycle parking spaces for the residential units shall be provided within the development as indicated on drawing no. 15003_D2000 Rev 04 hereby approved.

- (b) No development shall commence on site until the full details of a minimum 10 cycle parking facilities for the public house 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).

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

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

- 12. (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. 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 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).

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

15. The development hereby approved shall be constructed in accordance with the recommendations set out in the Acoustic Design Advice Report (Pace consult, January 2015) for the design of separating floors and walls in order to improve sound insulation between the residential and commercial uses of the building.

Reason: To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration, DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

Informatives

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- B. 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>
- C. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.

- D. 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.

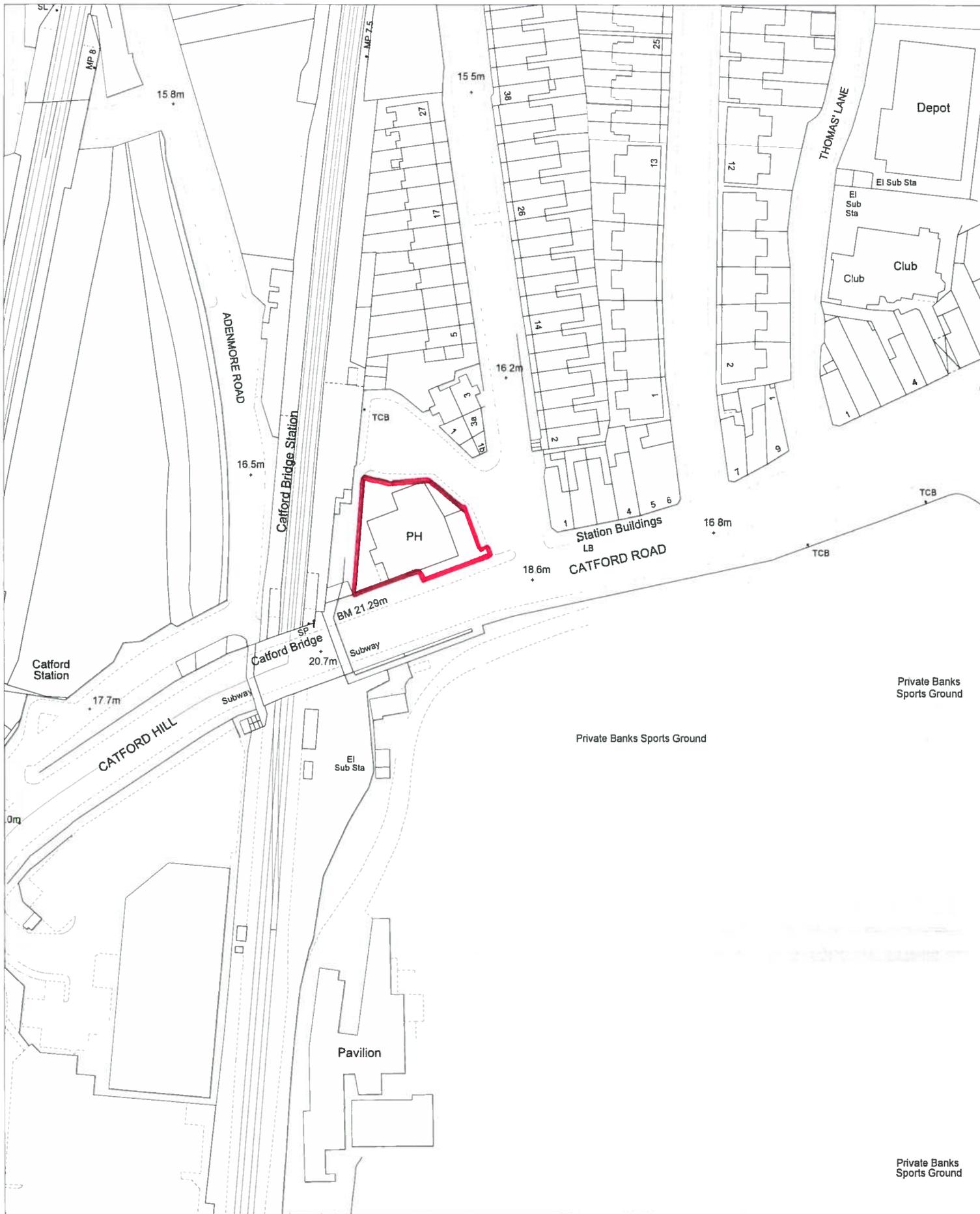
Applicants should also be aware of their responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance therefore relating to their activities on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

- E. The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- F. Assessment of the sound insulation scheme should be carried out by a suitably qualified acoustic consultant.
- G. It should also be noted that separate approvals may be needed from TfL as highway authority for the South Circular additional to any planning permission, e.g. hoardings licence. The applicant is advised to contact TfL direct once proposals have been confirmed.
- H. The EA recommend that the use of flood proofing measures is considered to reduce the impact of flooding on the proposed development. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Further guidance is available from the Communities and Local Government publication 'Improving the flood performance of new buildings' which can be viewed at:

<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>.

It is recommended that future occupants register with the EA's flood warning service, 'FloodLine', so that they may prepare themselves in case of flooding. They can do this by calling 0845 988 1188.

Catford Bridge Tavern, SE6



This page is intentionally left blank