

## PLANNING COMMITTEE B

Date of Meeting: **THURSDAY, 3 MARCH 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:**

**Joan Reid (Chair)  
Jacq Paschoud (Vice-Chair)  
Jim Mallory  
Peter Bernards  
Mark Ingleby  
Alicia Kennedy  
Hilary Moore  
John Muldoon  
Gareth Siddorn  
Susan Wise**

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, 23 February 2016**

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

**Telephone No: 020 8314 9324  
Email: [planning@lewisham.gov.uk](mailto:planning@lewisham.gov.uk)**



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

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

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

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

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

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

<b>Order Of Business</b>			
<b>Item No</b>	<b>Title of Report</b>	<b>Ward</b>	<b>Page No.</b>
1.	Declarations of Interests		1 - 4
2.	Minutes		5 - 6
3.	96C Drakefell Road	Telegraph Hill	7 - 16
4.	51 Bargery Road	Catford South	17 - 34
5.	87-89 Loampit Vale	Ladywell	35 - 110
6.	7 Heath Lane	Blackheath	111 - 126
7.	Raymont Hall, Wickham Road	Brockley	127 - 158
8.	Surrey House, Lewisham Way	Brockley	159 - 184

**This page is intentionally left blank**

Committee	PLANNING COMMITTEE (ABC)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date:

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 ()	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date

MINUTES

To approve the minutes of the meeting of Planning Committee () held on the.

**This page is intentionally left blank**

Committee	PLANNING COMMITTEE A B C	
Report Title	96C Drakefell Road, SE4	
Ward	Telegraph Hill	
Contributors	Maeve Wylie	
Class	PART 1	3 March 2016

Reg. Nos. (A) DC/15/94815

Application dated 11.12.15

Applicant Selcom Building Services

Proposal The Construction of a roof extension to the rear roof slope of 96C Drakefell Road, SE14 together with the installation of 2 velux windows to the side roof slope.

Applicant's Plan Nos. Drakefell/01 2015 Rev A02; Site Location Map; Design & Access/ Heritage Statement

Background Papers

- (1) This is Background Papers List
- (2) Case File DC/46/96/TP
- (3) Local Development Framework Documents
- (4) The London Plan

Designation Area of Stability and Managed Change

**1.0 Property/Site Description**

- 1.1 The application site consists of a two-storey with basement terraced, Victorian property arranged as three flats. The property is situated on the southern side of Drakefell Road.
- 1.2 The houses on this street are a well preserved example of late 19th century middle class terraced houses. The majority of properties in the street have timber sliding sash type windows. All properties within this terrace (No's 134 – 91) have ground floor and upper floor bay windows and two storey back additions.
- 1.3 The property is located within the Telegraph Hill Conservation Area and is subject to an Article 4 Direction. The property is not a listed building.

**2.0 Planning History**

- 2.1 No relevant planning history connected to this site

**3.0 Current Planning Applications**

The Proposals

- 3.1 The Construction of a roof extension to the rear roof slope of 96C Drakefell Road, SE14 together with the installation of 2 velux windows to the side roof slope.

- 3.2 The proposed dormer would be located centrally in the rear roof slope and would measure 2.48m deep, 2.6m wide by 1.3m in height. It would have two windows in the rear elevation, they would be timber sash windows. The dormer would be constructed from lead cladding and inset 1m from the eaves and 1.26m and 1.45m from the party walls.
- 3.3 There would be two roof lights in the roof slope of the back addition, both of which on the west side of the property facing 98 Drakefell Road.

#### Supporting Documents

- 3.4 Heritage Statement

### **4.0 Consultation**

- 4.1 Six neighbouring properties, Telegraph Hill Ward Councillors, Amenities Society Panel (ASP), Telegraph Hill Society and a Conservation Officer were consulted regarding the application.
- 4.2 No neighbours objected to this proposal.
- 4.3 The Amenities Society Panel (ASP) have raised an objections to the proposed development stating that the “dormer is over-large and visible from the public realm. Given the extent of visibility of the property, the Panel objects to the principle of adding a dormer to the rear roof slope of this property.”
- 4.4 The Telegraph Hill Society made an objection to the application, and also follow up comments. The objection is summarised as follows:
- Object to the rear roof extension
  - The rear roof extension would be visible from Aspinall Road
  - Rear roof extensions are not a common feature in the area and will create a precedent.
- 4.5 The Conservation Officer has raised no objections to the proposal and stated that the design, and materials for suitable for the Conservation Area.

### **5.0 Policy Context**

#### 5.1 Introduction

- 5.2 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.
- 5.3 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.

#### 5.4 National Planning Policy Framework

5.5 The NPPF was published on 27<sup>th</sup> 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)' .

5.6 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.

#### 5.7 London Plan (2015)

The London Plan policies relevant to this application are:-

Policy 5.3 Sustainable design and construction

Policy 7.4 Local character

Policy 7.8 Heritage assets and archaeology

#### 5.8 Core Strategy

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

Spatial Policy 5 Areas of Stability and Managed Change

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 15 High quality design for Lewisham

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

#### 5.10 Development Management Local Plan

5.11 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 lists the relevant cross cutting policies from the Development Management Local Plan as they relate 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

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

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

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

#### 5.14 Telegraph Hill Conservation Area Character Appraisal

5.15 This document provides a detailed description of the Telegraph Hill Conservation Area, and recognises the 4 character areas. Drakefell Road is identified as being in Character Area 3 which is noted for its good quality late 19<sup>th</sup> century development. The appraisal also notes key architectural features of buildings across the conservation area.

### **6.0 Planning Considerations**

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

- a) Principle of Development
- b) Design
- c) Impact on Adjoining Properties

#### Principle of Development

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

#### Design

6.3 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises

the potential of sites and is sensitive to the local context and responds to local character.

- 6.4 Core Strategy Policy 16 states that the Council will ensure that the value and significance of the borough's heritage assets and their settings, conservation areas, listed buildings, archaeological remains, registered historic parks and gardens and other non designated assets such as locally listed buildings, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice.
- 6.5 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations and extensions to existing buildings. 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. An adequate response to how the scheme relates to the existing street including its building frontages will be required including:
- The quality and durability of building materials that either match or complement the existing and their sensitive use on the development and the justification behind the choice.*
- The activity and visual interest for the public provided by the development at ground floor level with the provision of windows and doors to provide physical and visual links between buildings and the public domain.*
- A statement describing the significance of heritage asset, including its setting will be required for proposals that impact on such an asset.*
- 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. In addition, replacement windows should closely match the pattern of the original windows.
- 6.7 DM Policy 36 states that the Council, having paid special attention to the special interest of its Conservation Areas, and the desirability of preserving and or enhancing their character and or appearance, will not grant planning permission where alterations and extensions to existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.
- 6.8 The proposal incorporates two elements; the rear roof extension and the two rear roof lights.
- 6.9 The proposal would involve the extension of the rear roof to create additional living space in the loft. The proposal also includes the creation of 2 roof lights on the second floor back addition which would provide light to the third flat kitchen.
- 6.10 The rear dormer would be set back approximately 1m from the eaves of the roof and at least 1.2m from the party wall with no. 94, rising to 1.4m from the party wall boundary with no. 98. The two windows proposed to be installed within the dormer are timber sashes to match those used in the main elevations.

- 6.11 The position of the extension is suitably located on the centre of the rear roof. The proposal would not be viewable from Drakefell Road. From Aspinall Road it is deemed that the proposal would have very little visual impact. From a combination of the road steeping downwards, the two storey back addition to both 94 & 96 and the parapet wall on the roof it is considered that the proposal would not be an intrusive addition to the host building or the terrace of houses.
- 6.12 The two roof lights would be located towards the rear of the side roof slope of the house, facing towards No. 98. Due to their positioning towards the rear of the house and on a slope not visible from the public view it is considered that the roof lights would be acceptable.
- 6.13 The design, scale and materials proposed for the rear dormer and rear rooflights are considered to be acceptable and would not harm the character or appearance of the main dwellinghouse or the Telegraph Hill Conservation Area. Therefore, the proposal complies with Core Strategy Policies 15 and 16, DM Policies 30, 31 and 36 and paragraph 6.7 of the Residential Standards SPD.

#### Impact on Adjoining Properties

- 6.14 Core Strategy Policy 15 and DM Policy 31 seek to protect residential amenity. When seeking permission for extensions/alterations to existing buildings it must be demonstrated that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss or privacy or general noise and disturbance.
- 6.15 The proposal involves the addition of two velux windows and a dormer within the existing roof to the rear of the property. Given the positioning of the proposed rooflight and dormer window, they would not be expected to give rise to an increased impact with regards to overlooking or loss of privacy.
- 6.16 For the above reasons, Officers are satisfied that significant harm would not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss of privacy or general noise and disturbance. The proposal is therefore considered to be acceptable with regards to policy DM Policy 31.

### **7.0 Conclusion**

- 7.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 7.2 Officers consider that the proposal is appropriate in terms of the location and design of the windows, thereby not resulting in material harm to the appearance and character of the Telegraph Hill Conservation Area and the scheme is therefore considered acceptable.

### **RECOMMENDATION (C)**

**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:

Drakefell/01 2015 A02; Site Location Map; Design & Access Statement/ Heritage Statement

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

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

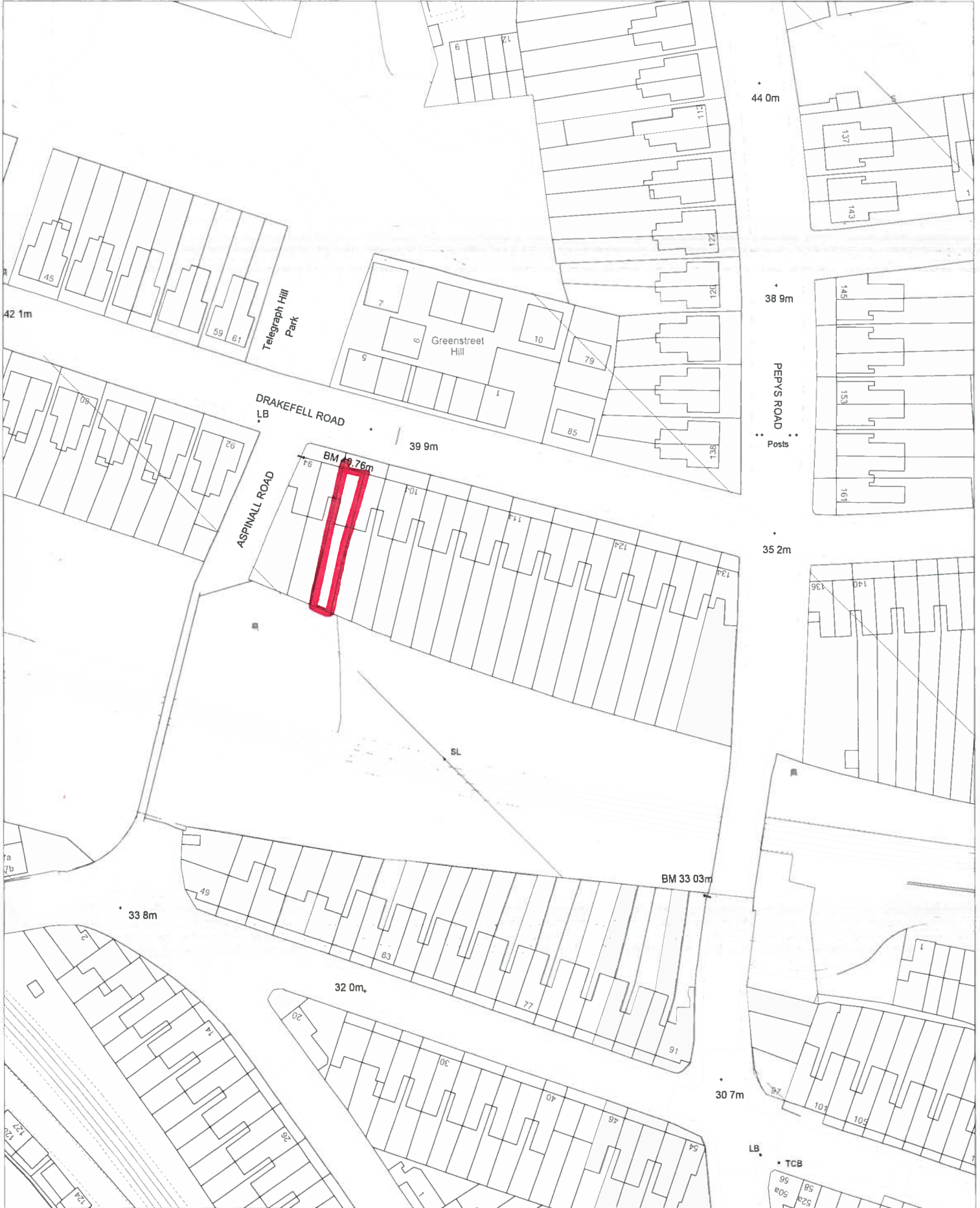
**Reason:** To ensure that the high design quality demonstrated in the plans and submission is delivered so that local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and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

### **INFORMATIVES**

(1) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought. However, as the proposal was clearly in accordance with the Development Plan, permission could be granted without any further discussion.

**This page is intentionally left blank**

# 96c Drakefell Road



**This page is intentionally left blank**

Committee	PLANNING COMMITTEE (A)	
Report Title	51 Bargery Road SE6	
Ward	Catford	
Contributors	S Isaacson & Geoff Whittington	
Class	PART 1	3 March 2016

<u>Reg. Nos.</u>	DC/14/86689
<u>Application dated</u>	26 February 2014
<u>Applicant</u>	EICynthy Services on behalf of Harmony Education Ltd.
<u>Proposal</u>	The change of use of the ground floor at 51 Bargery Road SE6 to a Day Nursery (Use Class D1) for up to 24 children, together with the provision of associated residential and office floorspace at first floor and the construction of two single storey extensions to the rear.
<u>Applicant's Plan Nos.</u>	Pa123/p100; pa123/p101; pa123/p102; pa123/p103; pa123/P105; pa123/p106; pa123/p107 Rev A; pa123/p108 Rev A; Design & Access Statement & Heritage Statement
<u>Background Papers</u>	(1) Case File LE/702/51/TP (2) National Planning Policy Framework (NPPF) (3) Local Development Framework Documents (4) The London Plan (2015)
<u>Designation</u>	Within Culverley Green Conservation Area; Culverley Green Conservation Area Character Appraisal; Area of Archaeological Priority; Local Open Space Deficiency Area; Culverley Green Article 4 Direction; PTAL 3

**1.0 Property/Site Description**

- 1.1 The application site comprises a two-storey, semi-detached dwelling-house located on the north side of Bargery Road, close to the junction with Penerley Road. The property is located within the Culverley Green Conservation Area and most permitted development rights have been removed by Article 4 Direction from all single-family dwellinghouses in the area.
- 1.2 The application property is spacious, with medium and large sized front and rear gardens respectively. The loft space in the building has been partly converted to provide additional habitable floorspace. The front garden has been laid as hardstanding. Apart from the corner of Bargery Road at its junction with Bromley Road, there are no on-street parking restrictions in the local area.

1.3 The surrounding area is predominantly residential, characterised by semi-detached Corbett dwellings, some of which have been converted into self-contained flats. Three hostels, one care home and one day nursery are currently located within Bargery Road.

## **2.0 Planning History**

2.1 In October 2006, the Council received an application for a Certificate of Lawful Development in respect of the construction of a single-storey extension to the rear of 51 Bargery Road. The property was visited at that time by the Planning Enforcement Officer, who confirmed that the house was already in multiple occupation, with 11 bedrooms (all of which were occupied), two kitchens (one of which was in the loft area) and included the loft conversion which had already been carried out, but without planning permission being granted.

2.2 The Enforcement Officer also recorded that a wooden-framed, perspex-covered area had been erected to the rear of the property, together with a small garden shed, which was within five metres of the rear of the building. The garden had been divided, with the owner of number 49, who lived next door, having taken over the rear half of the garden of 51 Bargery Road for his own personal use.

2.3 The Certificate of Lawful Development for the single-storey extension was therefore refused on 8 December 2006 as the property had been unlawfully converted to bedsit accommodation and was not occupied as a single family dwellinghouse (DC/06/63912).

2.4 In February 2007, a planning application was received for the alteration and conversion of 51 Bargery Road into a child contact centre within Use Class D1 of the Use Classes Order (DC/07/64763).

2.5 Planning permission was subsequently refused on 2 May 2007, for the following reasons:-

(1) *The proposal would result in the loss of residential accommodation, contrary to policy HSG 1 Prevention of Loss of Housing in the Adopted Unitary Development Plan (July 2004) and policy 3A.1 in the London Plan 2004.*

(2) *The proposed commercial use would be likely to attract a considerable number of callers to the building, with attendant noise and disturbance to nearby residents and additional parking in the street, and would not preserve or enhance the Culverley Green Conservation Area, contrary to policies HSG 4 Residential Amenity and URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas in the Adopted Unitary Development Plan (July 2004).*

2.6 On 9 June 2008, the Council granted a House in Multiple Occupation (HMO) Licence under Section 64 of the Housing Act 2004 to Mr Mohammed Shabir. The licence states:- "The Council has decided that the house is reasonably suitable for occupation by not more than 10 households consisting of no more than 10 persons." The licence was granted subject to the conditions set out in the attached schedules and came into force on 9 July 2008, for a period of five years from that date, but may be revoked or varied by the Council during that time.

2.7 The Council subsequently received a planning application in December 2008 for the continuation of use of 51 Bargery Road as a house in multiple occupation (HMO) and the retention of Velux-style windows in the front, side and rear roof slopes, and retention of the use of the loft space as additional accommodation (DC/08/70465). This application was refused on 5 February 2009 for the following reasons:-

(1) *The unauthorised change of use of the property from a dwelling-house (Use Class C3) to a House in Multiple Occupation (HMO) has resulted in the provision of substandard accommodation that is not self-contained, contrary to Policies HSG 4 Residential Amenity & HSG 9 Conversion of Residential Property in the adopted Unitary Development Plan (July 2004).*

(2) *The unauthorised conversion of the loft space, with the insertion of Velux windows that are not "conservation-style" rooflights is considered unsatisfactory and contrary to Policies URB 3 Urban Design, URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas and HSG 12 Residential Extensions in the adopted Unitary Development Plan (July 2004).*

2.8 In 2010, planning permission was refused for the conversion of 51 Bargery Road to provide 1 one bedroom and 1 three bedroom, self-contained flats and 1 two bedroom, self-contained maisonette, for the following reasons:

*"The ground floor flat, by reason of its awkward layout and small room sizes, would fail to provide a reasonable standard of accommodation, to the detriment of future occupiers. As such, the development would be contrary to policies HSG 4 Residential Amenity and HSG 9 Conversion of Residential Property of the Unitary Development Plan (July 2004)."*

2.9 The current position is that the unauthorised HMO occupation of the property has ceased, the rooflights in the front of the building have been removed, the partially-converted loft space is not currently in use (other than for some limited storage) and the ground and first floors are being occupied as a single family dwelling-house by the current applicant.

2.10 The occupier is a Registered Childminder and has OFSTED approval to operate as a childminder for up to 6 children at 51 Bargery Road. Planning permission is not a requirement for this nature of use.

### **3.0 Current Planning Application**

#### The Proposal

3.1 The applicant proposes to use the ground floor of the property as a day nursery for up to 24 children, including the construction of two single-storey rear extensions. The existing front room would be a 'baby' room for children up to 2 years. The existing rear living room would be a toddler/ pre-school room. A bathroom and kitchen would remain on the ground floor.

3.2 There is an existing poor quality single-storey infill addition at the rear of the main living room. This is an unenclosed timber and corrugated plastic element that would be replaced by a permanent extension of similar depth – 2 metres. In addition, a conservatory is proposed at the rear of the existing 2-storey outrigger, which would measure 2.9 metres deep.

- 3.3 The application originally included the construction of a dormer window in the rear roof slope with roof lights in the front, side and rear roof slopes, but these elements have been omitted from the proposal due to officer concerns.
- 3.4 The first floor would be retained as the applicant's family home, providing two bedrooms, living room and a small office.

#### Operation / Staffing

- 3.5 The proposed hours of operation would be 7.30am to 6.30pm Monday to Fridays. The nursery would be closed on Bank Holidays and during Christmas week. The applicant has stated that two full-time staff and three part-time staff would be employed.
- 3.6 The applicant has stated that Ofsted approval for the day nursery would be sought following any grant of planning permission. Ofsted have issued a 'Good' rating (issued in August 2014) for the applicant's existing childminding business.

#### Access / Parking

- 3.7 The applicant envisages that most parents will live locally and walk to and from the premises with their children, thereby negating the need to drive. A minibus service to collect and drop-off children is proposed by the applicant.
- 3.8 For those who do drive, an off-street car parking space in the front garden would be made available, whilst there is unrestricted on-street parking within the area.

### **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.
- 4.3 11 letters have been received, raising objections on the following grounds:-
- Noise and disturbance from children;
  - Intensification of use;
  - Disproportionately high concentration of nurseries;
  - Additional traffic and parking congestion;
  - Cumulative impact of the number of other nurseries and non-residential uses in the vicinity;
  - Loss of a large family dwelling-house;
  - Inadequate access to public open space with play facilities;
  - Use would erode the existing residential character.



## Culverley Green Residents Association

4.4 The Association have objected on the following grounds:

- The area supports a large number of other non-residential properties, including care homes and hostels;
- Existing parking pressures is an issue for residents;
- Noise concerns.

4.5 Heidi Alexandra MP has objected to the proposal on grounds of additional parking pressures; and would detract from residential amenity.

(Letters are available to Members)

4.6 Due to the number of responses, a local meeting was held on 6 August 2014. The minutes of the meeting are attached to this report as an appendices.

## Amenity Societies Panel

4.7 The application originally proposed the installation of a front roof light, which the Panel raised objections toward, however this has since been removed from the plans.

## **5.0 Policy Context**

### Introduction

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

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

A local finance consideration means:

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

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

## National Planning Policy Framework

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

## London Plan (2015)

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

Policy 3.1	Ensuring equal life chances for all
Policy 3.3	Increasing housing supply
Policy 3.6	Children and young people's play and informal recreation facilities
Policy 3.9	Mixed and balanced communities
Policy 3.14	Existing housing stock
Policy 3.16	Protection and enhancement of social infrastructure
Policy 3.18	Education facilities
Policy 5.3	Sustainable design and construction
Policy 7.1	Building London's neighbourhoods and communities
Policy 7.2	An inclusive environment
Policy 7.4	Local character
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 with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:-

Core Strategy Policy 1	Housing provision, mix and affordability;
Core Strategy Policy 15	High quality design for Lewisham;
Core Strategy Policy 16	Conservation areas, heritage assets and the historic environment;
Core Strategy Policy 19	Provision and maintenance of community and recreational facilities;
Core Strategy Policy 20	Delivering educational achievements, healthcare provision and promoting healthy lifestyles.

## Development Management

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:-

DM Policy 1	Presumption in favour of sustainable development
DM Policy 2	Prevention of loss of existing housing
DM Policy 22	Sustainable design and construction
DM Policy 29	Car parking
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 42	Nurseries and childcare

### Residential Standards Supplementary Planning Document (August 2006, amended 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 main issues to be considered in respect of this application include:

- Principle of change of use to a day nursery;
- The conversion of residential floorspace;
- Impact upon residential amenity;
- Highways and traffic Issues;
- Quality of residential accommodation;
- Scale and appearance of the proposed extensions.

### Principle of Change of Use to Day Nursery

6.2 DM Policy 42 Nurseries and childcare states that 'The Council will require applicants for day nurseries and facilities for the care, recreation and education of children to consider:

- the acceptability of the loss of the existing use;
- traffic volumes and the effect on congestion;
- accessibility by walking, cycling and public transport;

- the impact on local residential amenity, including noise;
- the need for suitable space for outside play areas.'

*The acceptability of the loss of the existing use*

- 6.3 Core Strategy Policy 1 states that 'development should result in no net loss of housing', whilst the Council seeks to resist the loss of residential accommodation, in line with Policy 3.14 Existing housing of the London Plan (2015).
- 6.4 Part 1(C) DM Policy 2 advises that the Council will only grant planning permission for the loss of housing by change of use where a local community service or facility is proposed that meets an identified need.
- 6.5 The Development Management Local Plan (2014) states Lewisham has one of the highest proportions of children in London and there is subsequently a considerable need for childcare and nursery provision.
- 6.6 The Children and Young People Team (CYPT) have confirmed there is a duty to provide additional nursery places in the Borough for children over the next few years. This is supported by DM Policy 42 Nurseries and childcare, which states that the aim of the policy is to ensure an appropriate level of nursery and childcare provision in the Borough, referring to the 'considerable need' for such provision.
- 6.7 With regard to need for additional childcare spaces in the Borough, since September 2014, an additional 2,032 children in Lewisham aged 2 are eligible for the free 15 hours per week places. Presently, CYPT advise that less than 1200 have managed to find a childcare place.
- 6.8 Whilst there are other nurseries in the area, the Children and Young People Team advise there is sufficient demand for childcare to sustain all good quality providers. Officers have advised the information they have is that nearby nurseries are full, and this may be due to the fact that there are good transport connections from Catford, which working parents require.
- 6.9 Potential childcare providers are generally advised by the Council that they should undertake sufficient market research to ensure there is demand for the services that they wish to deliver - in this case, the Children and Young People Team are satisfied the applicant has met with this requirement, and raise no objections to the proposal.
- 6.10 DM Policy 42 states that 'applicants should seek to find the most appropriate location for new nursery provision in an area. Existing vacant D uses are considered most appropriate and only after this should existing C3 uses be considered.'
- 6.11 The policy also advises that the applicant should consider detached properties for nursery use, and where such tenure are not available, a semi-detached dwelling would be considered appropriate.
- 6.12 The applicant has confirmed their property search with Kalmars Commercial property agents included D use premises in or near Catford. An inspection of Bellingham Community Nursery was undertaken, however the applicant was unable to secure this, or find suitable D use premises elsewhere.

- 6.13 A search of detached properties was also undertaken, however none were on the market within the vicinity. Subsequently, the applicant considers the conversion of the existing semi-detached property to provide an appropriate alternative.
- 6.14 Officers are satisfied the applicant has sought to find premises elsewhere, and consider it reasonable that she proposes to undertake a nursery operation from the application property, which is currently in her ownership.
- 6.15 The proposed nursery use would not result in the entire loss of residential accommodation at the application property. The residential accommodation on the upper floors would be retained as a non self-contained unit ancillary to the nursery use, which would be occupied by the applicant. The occupiers would continue to make use of the ground floor and garden areas outside of nursery opening hours, with limited access when the nursery is in operation during the day. The layout of the property would not be altered so it may be easily reverted back to full residential use should the nursery use cease.
- 6.16 A planning condition would be included that ensures the residential element remains ancillary to the nursery use and is not unlawfully converted to a House in Multiple Occupancy or a self-contained flat. This would also serve to maintain both the safety and welfare of the nursery children, and the operation/ layout of the proposed ground floor use.
- 6.17 Officers therefore raise no objections to the change of use of the dwelling-house - subject to appropriate conditions - and are satisfied the proposal would not be detrimental to the residential character of the immediate area.

*Traffic volumes and the effect on congestion*

- 6.18 The applicant does not envisage that many parents would drive to the premises as most would reside locally. For those who would drive, there are on-street opportunities for short term parking nearby, whilst an off-street space to the front driveway of the application property may be used by parents if available.
- 6.19 It is considered appropriate that a Travel Plan be formally submitted. This would further ensure the nursery would not significantly increase on-street parking by encouraging the use of non-car means associated with trips generated by the proposed facilities, ie staff encouraged to cycle to work; further details of the proposed minibus service etc. The Travel Plan would also be expected to specify a monitoring and review mechanism that demonstrates compliance with the given objectives.
- 6.20 Highways officers have raised no objections to the proposed day nursery, subject to the submission of an acceptable Travel Plan.

*Accessibility by walking, cycling and public transport*

- 6.21 Policies 3.16 Protection and enhancement of social infrastructure and 3.18 Education facilities of the London Plan (2015), and Policy 19: Provision and maintenance of community and recreational facilities of the Core Strategy (2011) encourage the provision of such facilities and advise these should be located within easy reach by walking, cycling and public transport, close to other community facilities and services and town and local centres, providing there is no adverse impact on residential amenity, including noise and traffic generation.

- 6.22 The application site lies within a PTAL 3 area, where on a scale of 1-6, 3 is considered to provide good access to public transport, with a number of bus routes operating along Bromley Road to the west.
- 6.23 The nursery may provide a 'home pick-up and drop-off minibus service to assist parents', which would further serve to reduce any impact upon on-street parking. Whilst the service would be welcomed, it would only operate if there is demand from parents. The recommendation to grant is therefore not dependent upon the minibus service being provided, particularly as it is envisaged that parents would be likely to walk to the premises if they live locally, or are en-route to their daily commute. This is emphasised by the provision of a 'buggy park' within the property, whereby parents may leave prams until the evening pick-up. This would be secured by condition.
- 6.24 Plan P103 indicates secure cycle parking to the frontage for parents, whilst the applicant has suggested the provision of a dry and secure store within the rear garden for nursery staff and residential occupiers. Further details would be requested by condition.

*The impact on local residential amenity, including noise*

- 6.25 The semi-detached nature of the application property is considered appropriate for a day nursery use, serving to minimise noise and disturbance to neighbouring occupiers.
- 6.26 Furthermore, the use as a nursery would operate during the day and cease in the early evening, whilst closed at weekends and public holidays. The applicant has confirmed that the proposed hours of operation would be 07:30 to 6:30 Monday to Friday, which would be subject to a planning condition.
- 6.27 To ensure the number of children remains at an appropriate level, a condition is proposed to restrict the overall number to a maximum of 24. The applicant has advised it is unlikely all places would be filled as they must ensure there is sufficient space for children to move up to the older groups.
- 6.28 Although the ground floor would be used as a day nursery, the upper floor would remain in residential use to be occupied by the applicant, thereby maintaining the residential character of Bargery Road.
- 6.29 It is noted that there are non C3(a) residential uses within Bargery Road, including a daycare nursery 90 metres to the west of the application site at no.26 (Skylarks), which accommodates 20 children, however the immediate area remains predominantly residential in character, providing single dwellings and flat conversions. Officers therefore consider the proposal would not result in an unacceptable over-concentration of such use in Bargery Road.
- 6.30 It is considered that the proposed scheme would not significantly alter the existing residential character and therefore refusal on these grounds would be unreasonable. The property would retain a suitably sized residential element on the first floor for the owners of the property, whilst the appearance of the property would not change.
- 6.31 Should permission be granted, planning conditions would seek to safeguard the amenities of neighbouring occupiers to; limit the hours of operation; restrict the use to daycare nursery only and implementation of a Travel Plan.

- 6.32 In regard to use of the rear garden by nursery children, generally a condition is imposed restricting the hours to between 10am-12pm, and 2.30pm to 4.30pm. In this case, it is considered appropriate that due to the residential character of the area, a management plan be formally submitted to the Council to advise upon times of use, the number of children permitted to use the garden at any one time, and measures to ensure the amenity of neighbouring occupiers is safeguarded.
- 6.33 It is accepted that a day nursery use would generate noise and disturbance, but this must be balanced against the expanding need for childcare services in the Borough. Limiting the number of children and use of the rear garden for play by condition would minimise excessive noise disturbance to neighbouring properties and their gardens.

#### *The need for suitable space for outside play areas*

- 6.35 The proposed nursery would use part of the existing rear garden for outdoor play, however further details will be requested by condition regarding confirmation of the proportion of garden area that would be allocated to the nursery children.

#### Rear Extensions

- 6.36 Paragraph 15 of the National Planning Policy Framework (p15) states: "local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- 6.37 Core Strategy Policy 15 seeks to promote high quality design with DM Policy 31 requiring extensions to be of a high, site specific and sensitive design quality that respects the form and detailing of the original building. DM Policy 36 (B) seeks to ensure new development and alterations preserves or enhances the character and appearance of conservation areas.
- 6.38 The application proposes the construction of a single-storey conservatory that would adjoin the existing rear outrigger, measuring 2.9 metres deep.
- 6.39 A single-storey rear infill extension would also be constructed that would measure 2 metres deep, incorporating a lean-to roof. Proposed facing brickwork and roof tiling would match the appearance of the existing dwelling.
- 6.40 The appearance, size and depth of the proposed extensions are considered to be acceptable, and would not result in significant visual harm upon the amenities of the neighbouring occupiers.
- 6.41 As the extensions would be located to the rear of the property and not visible from the public realm, officers are satisfied there would be no visual harm upon the character of the host building or the Culverley Green Conservation Area.

#### Standard of Residential Accommodation

- 6.42 Officers have applied the principles of DM Policy 32 'Housing design, layout and space standards' to this application in order to assess whether the proposed alterations to the residential accommodation is considered to be acceptable.

- 6.43 It is proposed that the first floor 2 bedroom residential unit (non self-contained) would have an internal floor area of 89.5sqm. This is in compliance with DM Policy 32, which requires a two bedroom 4 person residential flat to have a minimum gross internal area of 70sqm.
- 6.44 An office would be provided, which the applicant has advised would be used mainly during the weekdays in relation to the nursery use, and for general home use at other times. The room would measure 8 sq.m, therefore the residential unit would still meet the minimum floorspace requirement when deducting the office space.
- 6.45 The London Housing SPG states that double bedrooms should be at least 11.5sqm, whilst single bedrooms should be at least 7.5sqm. It is also essential that dwellings provide accommodation with an acceptable shape and layout of rooms. In this case, the proposed bedrooms would have floor areas of 13.6sqm and 16.1sqm, whilst the unit would benefit from a separate living room and kitchen. In addition, occupiers would have use of existing rooms located within the loftspace.
- 6.46 Residential units should also be provided with a readily accessible, secure, private and usable external space and include space suitable for children's play. The proposed unit would enter the rear garden separately from the nursery children via the existing side passageway, accessed from either the ground floor kitchen or the front entrance, whilst nursery children would access the garden from the 'creative' and 'pre-school' rooms at the rear.
- 6.47 Considering the nature of the two uses, it is appropriate to request the following details to ensure the operation of the nursery is not compromised;
- Confirmation of the preferred route for the upper floor residential occupiers to access the rear garden.
  - Specific areas within the ground floor that residential occupiers would be unable to access during nursery operating hours.
  - Ensure the unit remains ancillary to the nursery use, preventing future use as HMO accommodation or as a self-contained unit that would serve to compromise the operation of the associated nursery use and potentially the safety of the children.
- 6.48 The rear garden measures approximately 50 metres deep, providing sufficient garden space for both the residential and nursery users. It is not envisaged that the nursery children would require full use of the entire garden. As part of the management plan and boundary treatment conditions, the applicant would be required to advise upon suitable measures to separate the garden into designated areas, ensuring a safe play environment for the children, and the provision of private amenity space for the residential occupiers.
- 6.49 In summary, officers are satisfied the standard of residential accommodation would accord with guidance, whilst benefiting from sufficient amenity space when the nursery is in operation.

## **7.0 Community Infrastructure Levy**

- 7.1 The proposed development is not liable for Lewisham CIL.



## **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 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.

## **9.0 Conclusion**

- 9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 9.2 On balance, officers consider that the proposed change of use of the dwelling to provide a daycare nursery (Use Class D1) at ground floor is acceptable, in accordance with the requirements of DM Policy 42. Appropriate conditions would mitigate the impact of the use upon neighbouring occupiers.
- 9.3 The standard of residential accommodation on the upper floor would be in accordance with guidance, whilst the proposed single-storey additions to the rear of the building are appropriate in size and appearance, and would not harm the amenities of neighbouring occupiers or the character of the Culverley Green Conservation Area.
- 9.4 For these reasons, it is therefore recommended permission be granted.

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

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

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

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

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) The day nursery hereby approved shall only operate at ground floor level, first floor office and rear garden of 51 Bargery Road, and shall not operate other than between the hours of 07.30am and 6.30pm Mondays to Fridays, and not at all on Saturdays, Sundays or Public Holidays, unless the local planning authority gives written consent to any variation.

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 of the Development Management Local Plan (November 2014).

- (4) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use hereby approved shall operate as a day nursery and for no other purpose in Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any subsequent Order or statutory provision revoking or re-enacting that Order.

Reason: In granting this permission the local planning authority has had regard to the circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use, in the event of the occupier vacating the premises, in the light of any material considerations existing at the time.

- (5) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the upper floor residential accommodation ancillary to the day nursery hereby approved shall not form a separate self-contained flat or House in Multiple Occupation without the prior written approval of the local planning authority.

Reason: In granting this permission the local planning authority has had regard to the circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use, in accordance with relevant Policies in the London Plan (2015), Core Strategy (2011) and the Development Management Local Plan (2014).

- (6) The maximum number of children accommodated at any one time within the day nursery hereby permitted shall not exceed 24no without the prior written approval of the local planning authority.

Reason: In order to safeguard the amenities of adjoining occupants and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 42 Nurseries and childcare of the Development Management Local Plan (November 2014).

(7) The nursery use hereby permitted shall not be implemented until a Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall include (but is not limited to):

- Daily nursery activities;
- Control of access from the upper floor residential unit to the rear garden;
- Areas within the ground floor nursery that residential occupiers would be unable to access during operating hours;
- The extent of garden area to be used as play space for children (incorporating measures to safeguard neighbouring residential amenity including times of use and average number of children using the garden at any one time).

The Management Plan shall be implemented as approved at first commencement of the nursery use, and be retained thereafter in perpetuity.

Reason: To ensure that the intensity of the use does not cause an unacceptable loss of amenity to neighbouring residential properties, and to comply with DM Policy 42 Nurseries and childcare of the Development Management Local Plan (2014).

(8) (a) The day nursery use shall not commence until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation thereafter.

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

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

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

(9) No development shall commence on site until a detailed schedule and specification of all external materials and finishes, including windows, external doors and roof coverings to be used on the extensions hereby approved 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 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 and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

- (10) (a) Siting and elevation details of a secure and dry cycle store shall be submitted to and approved by the local planning authority. The cycle store shall be provided in accordance with the approved plans prior to commencement of the nursery use hereby granted, and maintained thereafter.
- (b) The secure cycle parking to the frontage and internal 'buggy storage' space shown on Plan pa123/p103 shall be provided in full prior to commencement of the nursery use, and maintained thereafter.

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

- (11) (a) Details of boundary treatments, including any gates or fences within the rear garden separating the areas allocated to the day nursery and upper floor residential occupiers, shall be submitted to and approved in writing by the local planning authority prior to commencement of the use hereby granted.
- (b) The approved treatments shall be implemented prior to commencement of the use hereby granted, and maintained thereafter.

Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity, and in order that the local planning authority may be satisfied as to the amenity space provision in the scheme, in compliance with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 32 Housing Design, layout and space of the Development Management Local Plan (November 2014).

### **INFORMATIVE**

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

# 51 Bargery Road



**This page is intentionally left blank**

Committee	PLANNING COMMITTEE B	
Report Title	87-89 Loampit Vale, SE13 7TG	
Ward	Ladywell	
Contributors	Suzanne White	
Class	PART 1	3 <sup>rd</sup> March 2016

Reg. Nos. DC/15/093403

Application dated 18.08.15 as revised 16<sup>th</sup> November 2015

Applicant Bptw on behalf of Family Mosaic

Proposal Demolition of existing shop, workshop and 5 no. bedsits at 87-89 Loampit Vale, SE13 and the construction of a part 4, part 6, part 7 storey building comprising 49 self-contained dwellings (Use Class C3) together with associated parking, landscape works and amenity space.

Applicant's Plan Nos. OS; EX\_SP; EX\_E\_01; EX\_S\_01; L\_SP; L\_03\_00; L\_03\_01; L\_03\_02; L\_03\_03; L\_03\_05; L\_03\_06; L\_03\_07; S\_AA; S\_BB; S\_CC; EL\_S; EL\_W;; EL\_NW; EL\_NE; EL\_E; DR\_EL\_S; DR\_EL\_W; DR\_EL\_E; D-WIN-01; D-WIN-02; D-WIN-03; D\_TY\_RT1 Rev B; D-ENT-01; D-BAL-01; D-BAL-02; D-CLAD-01; D-CLAD-02; FT\_20\_WCH01; FT\_20\_WCH02; FT\_20\_WCH09; FT\_20\_WCH10; FT\_20\_WCH11; L200; L700; Daylight; Sunlight & Overshadowing Report; Design & Access Statement; Air Quality Neutral Assessment; Affordable Housing Statement; External & Internal Daytime Bat Assessment; Lifetime Homes Review; Wheelchair Statement; Financial Viability Appraisal; CfSH Assessment; Flood Risk Assessment; Schedule Of Areas 2015/07/01; Transport Statement; Travel Plan; Energy Assessment; Sustainability Statement; Lighting Assessment; Train Induced Vibration And Assessment Report 22147/VAR/REVB; Planning Statement; Phase 1 Habitat Survey & Bat Scoping Survey; Environmental Noise Survey Report 22147/ENS1; Justification For The Loss Of Commercial Use; Vegetation For Extensive & Biodiverse Green Roofs; CIL Form; Planning Obligations Form; Phase 1 Land Contamination Assessment; (received 16<sup>th</sup> September 2015); and

L\_03\_04 Rev A; Revised Bat Emergence/Return Survey (WYG); Suggested bird and bat box location; Cover letter (bptw) received 16<sup>th</sup>

November 2015.

<u>Background Papers</u>	(1) Case File LE/122/L/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	None
<u>Screening</u>	N/A

## **1.0 Property/Site Description**

- 1.1 The application site is located on the south side of Loampit Vale, just west of the railway line and outside the Lewisham Town Centre boundary. It is bordered to the south by Bertrand Street, while to the west are commercial and residential properties fronting Algernon Road and Loampit Vale.
- 1.2 To the Loampit Vale frontage the site is occupied by a part single, part two storey building that comprises a vacant retail unit (50sqm) to the ground floor with residential accommodation above (no. 89 Loampit Vale). Immediately adjoining this building to the rear is a two storey building, also comprising residential units. In total the existing buildings provide 5 studio flats on the site. The total site area is approximately 0.18ha.
- 1.3 The southern portion of the site is occupied by a builder's yard and skip storage area totalling approximately 1,590 m<sup>2</sup>. This portion of the site is vacant at present.
- 1.4 The surrounding context is mixed, with commercial uses to the north and north-west on Loampit Vale, including an existing petrol station. To the west is a mixture of two-storey terraced dwellings and a relatively recent 4 storey block of flats. East of the viaduct, within Lewisham Town Centre, the building scale ranges up to 24 storeys, though the building to the immediate east has a height of 12/14 storeys. To the west of the viaduct the predominant scale is 3 storeys, with occasional exceedances including the church and 4 storey flatted block on Algernon Road.
- 1.5 Access to the site is taken from Loampit Vale and Bertrand Street. To the south east of the site, Bertrand Street is pedestrianised under the railway viaduct.
- 1.6 The site is located within the Lewisham Town Centre CPZ, as is Bertrand Street.
- 1.7 The site has a PTAL rating of 6b 'Excellent' and is located in Flood Zone 2. It is not situated within a conservation area and does not contain any listed buildings. The Former Church of Transfiguration on the western side of Algernon Road is Grade II listed.

## **2.0 Planning History**

- 2.1 DC/12/81564 - The construction of a part three/part four/part five/part six storey block incorporating balconies at 87-89 Loampit Vale SE13 comprising 20, one bedroom, 11 two bedroom and 18 three bedroom self-contained flats, together with the provision of refuse stores, cycle spaces, 4 car parking spaces and vehicular access onto Loampit Vale. WITHDRAWN



- 2.2 DC/13/85582 - Demolition of existing shop, workshop and 5 no. bedsits at 87-89 Loampit Vale, SE13 and the construction of a part 4, part 11 storey building comprising 49 self-contained dwellings (20 x 1 bedroom, 18 x 2 bedroom and 11 x 3 bedroom); together with four car parking spaces, landscaping and amenity space. WITHDRAWN.
- 2.3 DC/09/72170 - The construction of 2, four storey blocks comprising 8 two bedroom self-contained flats on the former Builders Yard, adjacent to 87 Loampit Vale SE13, together with the provision of refuse stores, 8 cycle spaces, 3 car parking spaces and vehicular access onto Loampit Vale. REFUSED on account of poor outlook of the units onto the railway, lack of amenity given noise and vibration from railway, premature and piecemeal development of site likely to give rise to conflict with skip yard adjacent and loss of employment use.

### **3.0 Current Planning Applications**

#### The Proposals

- 3.1 The application seeks permission for the demolition of the existing buildings on site and the erection of a part 4/part 6/part 7 storey building comprising of 49 residential units.
- 3.2 The scheme layout features a new linear route parallel to the viaduct in the eastern portion of the site. The new building would face on to this route, as well as onto Loampit Vale and Bertrand Street. In the western portion of the site, roughly triangular shaped, a communal garden for the occupiers would be created.
- 3.3 The building would span from Loampit Vale to Bertrand Street, with the tallest elements to the north and gradually stepping down to 4 storeys in the south of the site. The seventh floor would be set back on all sides. The building is proposed to be faced in a mixture of light brown, dark brown and white brick.
- 3.4 The proposed mix is 22no 1bed units, 17no 2bed units and 10no 3bed units. Of these, 5no. are wheelchair units.
- 3.5 The scheme is car-free but proposes that two disabled spaces are designated on the highway (Bertrand Street).

### **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, a advert was placed in the local press and letters were sent to residents and business in the surrounding area and the relevant ward Councillors.

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

- 4.3 Objections were received from six local residents, of Algernon Road and Bertrand Street, raising the following concerns:

- Design in direct contravention of URB 3 Urban Design as it does not respect the local context and street pattern, and in particular, the scale and proportions of the surrounding buildings. Reaching up to seven storeys in places far outstripping the immediate surrounds that are predominately two or three storey low rise housing.
- The proposed number of 49 residential units on the plot size available (0.18 hectares) is clearly over-development. The site is not identified as a 'Regeneration & Growth Area' with the site sitting outside of the Council's 'major town centre' boundary. The density of the site at 790 habitable rooms per hectare is unacceptable for the site
- proposed development by reason of its size, depth, width, height and massing would have an unacceptably adverse impact on the amenities of the properties immediately adjacent to the site and surrounding area by reason of overlooking, loss of privacy and visually overbearing impact.
- report on daylight and sunlight highlights that there will be a detrimental and noticeable effect on all of the adjacent properties. Concern that height of proposed building will cause restriction to the light to flats at the back of the WhiteCube.
- parking spaces should be provided on-site, within the boundary of the proposed scheme and could easily be provided for if a less over developed proposal came forward.
- residents in need of these spaces will not be able to guarantee their availability given all Blue Badge holders will be able to access these spaces if provided off-site on the street.
- The drawings do not take into consideration the on-street parking bays on the other side of Bertrand St and as cited block the proposed pedestrian/cycle route through the site.
- Ensure if the building goes ahead (in whatever agreed format) that the noise and work carried out on this property is very much inside set limits that do not effect the tenants/owners of the Whitecube at the weekend and early mornings or late evenings during the week and that construction debris and dirt is carefully disposed of. The amount of new buildings and roadworks in our area of Lewisham has been extremely high recently. This has a serious impact on the day-to-day life of residents.
- Council should investigate the quality of work by Mulberry builders did building The White Cube and the amount of serious structural problems all of the owners and tenants have experienced. (not a planning consideration)

#### Written Responses received from Statutory Agencies

#### Ecological Regeneration Manager

- 4.4 The cross section e.g. Bauder uk native species plug plants on 75-150mm variable depth substrate is acceptable.

- 4.5 Suggest requiring details of plug planting density (and to lesser extent species composition), any over-seeding proposal and an establishment guarantee and or maintenance plan to ensure that the roof does function in the longer term and that issues such as access and watering (to aid effective establishment) are incorporated into the design rather than as an afterthought.

#### Strategic Housing

- 4.6 Disappointed that the affordable element at 31% does not meet the policy position of 50%, which should be tested through a viability assessment.
- 4.7 Additionally, the tenure split of 40/60 for shared ownership/rented does not meet the policy position. Would rather some of these units are swapped in favour of more rented, particularly the 2 beds.
- 4.8 Pleased that the rented units are all 2 and 3 beds and that rent levels will be set at the target rent +1%.

#### Environmental Health

- 4.9 In relation to the vibration report, agree with the recommendations in the report, which should be secured, in particular measures to minimise amplification of vibration levels by the use of heavy, stiff constructions.
- 4.10 We would want to have some consideration for S106 to cover costs of air quality monitoring. The Council has a real time air quality monitoring station that is nearby on Loampit Vale and the money will contribute to the ongoing maintenance costs for the station.
- 4.11 Please include a CEMP and CLP which will seek to control the impacts from the construction.

#### Highways and Transportation

- 4.12 The Council's Highways Officer has advised that, given the site's location near Lewisham Town Centre, a car-free approach is acceptable, subject to the provision of:-
- Car Club membership
  - A Travel Plan
  - A S106 agreement excluding future residents of the proposed development from obtaining permits in the surrounding Controlled Parking Zone
  - The applicant entering into a s278 agreement with the highway authority to secure improvement works to the section of Bertrand Street adjacent to the site, to enhance the pedestrian environment adjacent to the site.
- 4.13 The S278 highways works include:-
- Enhancing lighting on Bertrand Street
  - New footway on Bertrand Street (along site frontage)
  - Enhancing the pedestrian environment under the railway bridge on Bertrand Street adjacent to the site (surface treatment (footways & walls), lighting, works to prevent birds roosting,

- Reconfigure the parking bays on Bertrand Street (as shown on the plan in Appendix I of the TA) to provide two proposed disabled parking bays on Bertrand Street and meet cost of amending the associated TMO)

4.14 In addition, a Parking Management Plan, Delivery and Servicing Plan and a Construction Management Plan should be secured by condition.

#### Environment Agency

4.15 The site lies mainly within Flood Zone 1, and partly in Flood Zone 2, the low and medium risk zones respectively. Residential development is classified as vulnerable in terms of flood risk. The application should be assessed in reference to our Flood Risk Standing Advice for vulnerable development in Flood Zone 2 when reviewing the flood risk assessment submitted with this planning application.

#### Transport for London

4.16 This proposal is located on the Lewisham Way A20 which forms part of the Transport for London for which TfL is the highway authority.

4.17 TfL requests that the footway and carriageway on the TLRN is not blocked during demolition or construction. Temporary obstructions must be kept to a minimum. No skips or materials should be kept on the footway or carriageway at any time.

4.18 Welcomes a car free development. Also, TfL confirms that two disabled parking bays will be provided.

4.19 TfL is satisfied that the cycle parking provision meets the Further Alterations to the London Plan (2015) for both long and short stay. TfL requests that, to support cycling, cycle shower and changing facilities are provided.

4.20 TfL welcomes the commitment to prepare a Construction Logistic Plan (CLP). This plan should be secured by condition.

4.21 Travel Plans should be checked for robustness using the ATTrBuTE tool and a draft or framework plan should be provided as part of the application submission.

## **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 2.9 Inner London

Policy 2.13 Opportunity areas and intensification areas

Policy 2.14 Areas for regeneration

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice  
 Policy 3.9 Mixed and balanced communities  
 Policy 3.10 Definition of affordable housing  
 Policy 3.11 Affordable housing targets  
 Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes  
 Policy 3.13 Affordable housing thresholds  
 Policy 4.1 Developing London's economy  
 Policy 4.4 Managing industrial land and premises  
 Policy 5.3 Sustainable design and construction  
 Policy 5.10 Urban greening  
 Policy 5.11 Green roofs and development site environs  
 Policy 5.12 Flood risk management  
 Policy 5.13 Sustainable drainage  
 Policy 6.3 Assessing effects of development on transport capacity  
 Policy 6.4 Enhancing London's transport connectivity  
 Policy 6.7 Better streets and surface transport  
 Policy 6.9 Cycling  
 Policy 6.10 Walking  
 Policy 6.11 Smoothing traffic flow and tackling congestion  
 Policy 6.12 Road network capacity  
 Policy 6.13 Parking  
 Policy 7.1 Lifetime neighbourhoods  
 Policy 7.2 An inclusive environment  
 Policy 7.3 Designing out crime  
 Policy 7.4 Local character  
 Policy 7.5 Public realm  
 Policy 7.6 Architecture  
 Policy 7.14 Improving air quality  
 Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes  
 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:
- Accessible London: Achieving an Inclusive Environment (2004)
  - Housing (2012)
  - Sustainable Design and Construction (2006)
  - Shaping Neighbourhoods: Play and Informal Recreation (2012)

#### London Plan Best Practice Guidance

- 5.8 The London Plan Best Practice Guidance's relevant to this application are:
- Development Plan Policies for Biodiversity (2005)
  - Control of dust and emissions from construction and demolition (2006)
  - Wheelchair Accessible Housing (2007)

Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy  
Spatial Policy 5 Areas of Stability and Managed Change  
Core Strategy Policy 1 Housing provision, mix and affordability  
Core Strategy Policy 8 Sustainable design and construction and energy efficiency  
Core Strategy Policy 9 Improving local air quality  
Core Strategy Policy 10 Managing and reducing the risk of flooding  
Core Strategy Policy 14 Sustainable movement and transport  
Core Strategy Policy 15 High quality design for Lewisham  
Core Strategy Policy 21 Planning obligations

Development Management Local Plan

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

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 2	Prevention of loss of existing housing
DM Policy 7	Affordable rented housing
DM Policy 11	Other employment locations
DM Policy 22	Sustainable design and construction
DM Policy 23	Air quality
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 35	Public realm

Residential Standards Supplementary Planning Document (August 2006/ Updated 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.

Planning Obligations Supplementary Planning Document (February 2015)

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

**6.0 Planning Considerations**

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

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

Principle of Development

- 6.2 The site includes a retail unit (A1), workshop and builder's yard. It is not located within the town centre of a designated shopping frontage nor within any of the defined Strategic Industrial Locations, Local Employment Locations or Mixed Use Locations as defined by Core Strategy. The site is therefore classed as an "other employment location".
- 6.3 The submitted planning statement states that the retail unit is vacant and that the yard is presently used to store a small amount of building material. It further states that the retail unit is unlikely to become occupied and requires significant investment and refurbishment due to its poor condition.
- 6.4 Core Strategy Policy 5 seeks to protect non-designated employment sites which are located outside of Town and Local Centres. The Policy states that other uses, including retail, community and residential will be supported if it can be demonstrated that site specific conditions including site accessibility, restrictions from adjacent land uses, building age, business viability, and viability of redevelopment show that the site should no longer be retained in employment use.



- 6.5 In this case, access to the site for large vehicles is somewhat constrained on account of the narrow frontage to Loampit Vale and the residential nature of Bertrand Street, albeit the site has been used in the past as a skip yard and builder's yard. In recent years, redevelopment within the town centre, particularly to the east along Loampit Vale has introduced new residential use in proximity to the site. It appears that demand for the retail unit and commercial space has dwindled over the same period, with the result that the site would now require substantial investment in order to re-activate these uses. The applicant has stated that there is an existing lease for the yard, yet even so it is under utilised.
- 6.6 The National Planning Policy Framework (NPPF) states that Planning 'should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'. Policy 3.4 of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity. The site is well served by public transport, being located within walking distance of Lewisham Rail and DLR stations and is therefore considered a sustainable location and would utilise previously developed land. Residential use is a priority in London and the borough and it is considered that an additional 49 units would make a valuable contribution towards meeting housing need, which is set by the London Plan as 1,385 unit per year for the borough or 13,847 as a minimum ten year target.
- 6.7 On account of its high public transport accessibility, proximity to the town centre and situation within an area with a high proportion of residential use it is considered that the site would be appropriate for residential use. Taking this into account and given the site's location outside the town centre and designated shopping frontages, and the apparent lack of demand for commercial uses, on balance it is considered that the principle of residential use on the site is acceptable, subject to achieving a high quality scheme in response to the other policies of the Development Plan, as discussed below.

### *Density*

- 6.8 Core Strategy Policy 15 seeks to ensure a high quality of development in Lewisham, including residential schemes and that densities should be those set out in the London Plan. Policy 3.4 of the London Plan 2011 seeks to ensure that development proposals achieve the maximum intensity of use compatible with local context. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a sites setting (assessed in terms of its location, existing building form and massing) and public transport accessibility level (PTAL).
- 6.9 The site is located within an Area of Stability and Managed Change, just outside Lewisham Town Centre and has a PTAL of 6b, indicating excellent accessibility to public transport connections. The scheme proposes 49 dwellings on a 0.18 hectare site which equates to a density of 267 dwellings (790 habitable rooms) per hectare, just above the density range of 70-260 dwellings per hectare (200-700 hr/ha) for the 'Urban' setting density ranges set out in the London Plan and is considered to be acceptable in this highly accessible location.

- 6.10 Notwithstanding the density of the proposals, the scheme should provide a high quality and well designed standard of residential accommodation and good urban design. The quality of the residential accommodation is discussed further below.

### Design

- 6.11 Paragraph 63 of the National Planning Policy Framework states that ‘in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area’. Paragraph 64 states that ‘permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions’.
- 6.12 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.13 London Plan and Core Strategy design policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.
- 6.14 Lewisham Town Centre and the wider area is undergoing significant change. The redevelopment of this prominent site creates the opportunity to significantly improve the quality of the local environment as one of a sequence of high quality new developments that deliver improvements to the public realm.

### *Height and massing*

- 6.15 In terms of the impact upon the urban environment, Core Strategy Policy 15 states that for all development the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character. Within the Areas of Stability and Managed Change the policy advises that the scale and type of development will generally be smaller scale than other parts of the borough respecting conservation areas, listed buildings and the scale of surrounding residential character. It notes in respect of redevelopment opportunities near stations that these may provide scope for higher density redevelopment, where the primary considerations will be accessibility to public transport, local character and urban design principles which aim to establish place making as part of any redevelopment.
- 6.16 This application is a resubmission following the withdrawal of planning application DC/13/85582 which sought the redevelopment of the site to provide a building of between 4 and 11 storeys. This was withdrawn following confirmation from officers that the building was of an unacceptable scale given the site’s location outside the town centre.
- 6.17 The revised scheme proposes a building of 6 storeys with a recessed 7<sup>th</sup> floor and is of a much simpler form. Whilst taller than immediately adjacent buildings, the

scheme is not considered to represent a 'tall building' as defined by Core Strategy Policy 18 which states that 'tall buildings are defined as 'i) buildings that are significantly taller than the predominant height of buildings in the surrounding area ii) buildings which have a notable impact on the skyline of the borough iii) are more than 25m high adjacent to the River Thames or 30m high elsewhere in the borough'.

- 6.18 The submitted Design and Access Statement includes a series of 3D images showing the proposal in views from the Town Centre, Bertrand Street and Loampit Vale (west). The views show that the building's scale and mass would be a significant change in comparison to the existing 2 storey buildings on site, but would not appear out of context against the scale of buildings in the town centre.
- 6.19 The scale of buildings to the west of the viaduct varies between 2 to 4 storeys and in this context the building would be prominent, however this is considered acceptable for a number of reasons. The building's mass and scale is focused to the north of the site, on Loampit Vale, which is considered appropriate as an important approach to the town centre. The top floor is set back on all sides, reducing its visual impact. The building then steps down as it moves south towards Bertrand Street, where it has a height of 4 storeys. The building's position on the site is also relevant, as it is located towards the eastern portion, leaving a significant garden area in the western portion of the site, adjacent to existing residential properties.
- 6.20 Overall, officers consider that the scale, massing and layout of the proposed building are successful in responding to the existing built context, particularly in mediating the transition from Loampit Vale to Bertrand Street.

#### *Detailed design*

- 6.21 In terms of materiality, the elevations are formed from three primary materials, brick, metal panels and glazing. The east and northeast elevations, which face the elevated railway and the Renaissance development, are faced in a darker brick. The west elevations, surrounding the communal gardens and the south elevation which faces two storey residential properties, are proposed to be clad in a lighter brick. A white brick is used in recessed elements, while the 7<sup>th</sup> storey and four storey element on Bertrand Street are clad in glass rainscreen cladding.
- 6.22 With regard to the north west elevation, care has been taken to reduce the number of windows overlooking the adjacent petrol station site, so as not to unduly prejudice its redevelopment in time. Glass panels on this elevation are sandblasted to allow light in to the building, while preventing overlooking of the adjacent site. Interest is added to this elevation by recessed panels with extruded brick detailing.
- 6.23 The residential lobby on Loampit Vale is proposed as a fully glazed frontage, which wraps around the corner of the building. Along the proposed new pedestrian route, direct access is provided to ground floor units, which are set back behind the building line of the upper floors to provide privacy for occupiers. As the building turns the corner on to Bertrand Street, a landscaped strip extends to provide a front garden for the ground floor unit on the corner. The corresponding ground floor on Bertrand Street similarly is set back on the line of the existing terraced dwellings, and provided with a front garden space. A second

residential entrance on this elevation is identified metal canopy. An external balcony sits above the canopy, with the remainder of balconies on this elevation inset. Projecting balconies are provided to units overlooking the communal space on the west elevation, while the 3bed maisonettes on ground and first floor levels below each have private terraces which link directly to the communal garden.

- 6.24 The elevations are considered to be well ordered and simple in arrangement. It is through the use of subtle detailing around the windows that interest is articulated.
- 6.25 Officers fully support the use of brick in this location, which is used extensively in Loampit Vale, Lewisham Way, Algernon Road and Bertrand Street, together with the extensive use of glazing and limited pallet of brick and metals. The level of detail submitted alongside the application is extensive and provides a clear and realistic impression of the buildings final appearance.

#### *Public realm and landscaping*

- 6.26 In terms of public realm, the existing site is dominated by hard standing and the buildings, and boundary treatment in particular, have a neutral to negative impact on the streetscene and public realm. It is proposed that the replacement building would be set back from and run in parallel to the railway viaduct, providing a new public route between Loampit Vale and Bertrand Street. The route would vary in width between 4.3 and 4.8 metres, which is considered appropriate for the anticipated level of pedestrian and cycle use.
- 6.27 The route and footpath on the Loampit Vale frontage are proposed to be finished in a simple treatment of hard paving slabs and setts, softened with a low hedge adjacent to the ground floor units. This is considered to be acceptable in principle, and a condition is recommended to secure these details.
- 6.28 Overall, the proposed treatment of the public realm is considered high quality and is supported by officers. The applicant has demonstrated on the plans how their proposed public realm would co-ordinate with adjacent development sites and as such it is considered that the proposal would make a positive contribution in this respect.
- 6.29 The proposed communal garden would cover an area of and includes different character areas, including a decked seating area, play space, lawn area, new shrub and tree planting and a perimeter route providing access to each area. Details of landscape materials, planting specification, play equipment and landscape management are proposed to be required by conditions in order to ensure that this space is delivered to the quality indicated in the plans and Design and Access Statement.

#### *Summary*

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

- 6.31 Following requests from the Council's officers at pre-application stage, the applicant has provided 1:20 details of the balcony balustrades/ soffits/ entrances/ brick detailing and windows as described above. The specification of the bricks and other external materials has not been submitted, however it is considered that this can be secured by condition.
- 6.32 The detailed plans that have been submitted demonstrate that a quality design is achievable and are therefore considered to be sufficient to justify the scale and height of the proposal. Officers consider that the proposed development has maximised the potential of the site and the scale of building achievable in this location and, subject to the quality of the detailing and design being adequately secured through conditions, it is considered that the development would be a high quality addition to the area.

### Housing

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

- 6.33 Policy 3.12 of the London Plan (Negotiating Affordable Housing on individual private residential and mixed use schemes) states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential mixed use schemes, having regard to:
- a) current and future requirements of affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11.
  - b) affordable housing targets adopted in line with Policy 3.11
  - c) the need to encourage rather than restrain residential development
  - d) the need to promote mixed and balanced communities
  - e) the size and type of affordable housing needed in particular locations
  - f) the specific circumstances of individual sites.

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

- 6.34 Core Strategy Policy 1 states that contributions to affordable housing will be sought on sites capable of providing 10 or more dwellings. Core Strategy Policy 1 confirms that the maximum level of affordable housing would be sought by the Council, with a strategic target of 50%, as a starting point for negotiations and subject to an assessment of viability. The policy seeks provision at 70% social rented and 30% intermediate housing (based on total unit numbers) and family housing (three+ bedrooms) in development of more than 10 units. Where existing areas have a high concentration of social rented housing, different proportions of affordable housing could be sought.
- 6.35 The HMA states (at paragraph 35) that a net 6,777 dwellings should be provided over the current 5-year period to meet current identified need. This is equivalent to the provision of 1,345 dwellings per annum. Table 3A.1 of the London Plan sets out a target of 11,050 additional homes to be built in Lewisham in the 10 years from 2011 - 2021, which is reflected in a monitoring target of 1,105 additional homes per year.
- 6.36 The proposed development would provide 49 residential units. As originally submitted, the tenure mix proposed was 6no. social rent, 9no. shared ownership and 34no. private units.

6.37 In discussion with officers, this has been amended to 10no. social rent and 39no. private units. This is the result of discussions with the Council's Strategic Housing Team who have stated a preference for rented units as opposed to shared ownership in this location, to better meet the identified needs of residents in this part of the borough.

6.38 The development would therefore comprise 20.4% affordable units or 29% by habitable room.

6.39 **Table [ 1 ]: Residential Tenure and Size Mix\***

	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed +</b>	<b>Total</b>
<b>Private</b>	18 (2)	11 (1)	7 (0)	0 (0)	36 (3)
<b>Social Rent</b>	2 (0)	3 (2)	3 (0)	0 (0)	8 (2)
<b>Affordable Rent</b>	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Shared Ownership</b>	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	20 (2)	14 (3)	10 (0)	0 (0)	44 (5)

\*Wheelchair accessible units shown in ( )

6.40 As the percentage of affordable housing to be provided falls below the target figure referred to in Core Strategy Policy 1, a financial viability assessment has been submitted by the applicant. This has been the subject of independent review by specialist consultants instructed by the Council to assess the overall viability of the scheme and its ability, in financial terms, to meet policy in terms of affordable housing provision. Further consideration of financial viability is set out in section 7 of this report. However, in summary, the financial appraisal demonstrates that when taken with other policy requirements, the proposed development exceeds the maximum technically viable amount of affordable housing at this time.

6.41 It is also important to consider CIL and s106 obligations secured. Such mitigation has an impact on the viability of the scheme

6.42 It is also relevant to note that the provision of the 10 (100%) social rented units does not meet the 70% social rented / 30% intermediate split for housing set out in Core Strategy Policy 1 nor the 60/40% split in London Plan Policy 3.11.

6.43 The result of the independent review of the applicant's financial viability assessment is that the scheme shows a deficit based on both the originally proposed level of affordable housing and the revised offer of 10 social rent units. The report prepared by the Council's viability consultant, which is attached as Appendix A, considers alternative tenure mixes in line with Policy CS1. The first considers a policy compliant mix, providing 10 social rented and 5 shared ownership units. This results in a greater deficit and, hence, the scheme would not viable.

- 6.44 The second scenario the affordable housing offer being 100% social rented tenure. This results in 5no. two bedroom apartments and 3no. three bed maisonettes. This results in a surplus, though not sufficient to enable the provision of an additional affordable unit.
- 6.45 On the basis of a viable scheme (no deficit), a policy compliant mix was considered. The outcome was 6no. affordable rent units and 3 shared ownership units. A further viable option, would comprise 5no. 2bed and 3no 3bed units.
- 6.46 This compares to the proposed affordable housing offer of 10no. social rented. A policy compliant scheme, subject to viability assessment, would deliver a mix of 6no. social rented and 3no. intermediate units. The applicant has essentially accepted a lower return from the scheme in order to provide additional social rent units.
- 6.47 The submitted affordable housing statement confirms that all of the rented properties would be let at target rent + 1%, to allow for the Government's rent reduction. The Target Rent level is controlled by the Tenants Services Authority for the Government. Rents are calculated according to a formula based on relative property values and relative local earnings. The Council's Housing Officer supports this this approach to setting rent levels for this scheme.
- 6.48 For the reasons set out above, the proposals have been shown to exceed the amount of affordable housing that can be supported by the scheme, based on financial viability assessment. It is therefore considered that this tenure mix is acceptable.
- 6.49 The proposed size mix includes 10 family sized units (3 bed) which equates to 20.4% overall but 33% within the rented tenure. Although the overall number of family sized units is lower than the 42% sought by Core Strategy Policy 1, given the site's location adjacent to a railway viaduct, it is considered that the provision is acceptable in relation to the Policy. Further it is welcomed that the majority (80%) of social rented units are 2bed and 3bed units, which best meet the current need as advised by the Council's Housing Officer. On balance, the mix is considered to be acceptable overall.

*b) Wheelchair units*

- 6.50 Core Strategy Policy 1 and London Plan Policy 3.8 state that all new housing should be built to Lifetime Homes standards and that 10% of the new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. As such, the application is required to provide 5 wheelchair units. The proposed provision is 2no. units (2bed 3 person) in social rent tenure and 3no. units (1x2bed and 2x1bed units) in private tenure. The location and size of the wheelchair units are identified in the Schedule of Accommodation and ground and first floor plans. The level of wheelchair unit provision is considered to accord with the requirements of Core Strategy 1.
- 6.51 The applicant has confirmed that all residential units have been designed to Lifetime Homes standards. Although Lifetime Homes standards have been superseded, the new Building Regulations Part M4(2) is equivalent.
- 6.52 A condition is recommended to secure the provision of 10% wheelchair units to Building Regulations Part M4(3)(2) and the remaining 90% of units to Building

Regulations Part M4(2), equivalent to Lifetime Homes. In addition, it is proposed to secure through the s.106 agreement, the nomination of the affordable wheelchair units and marketing of the private adaptable units.

*b) Standard of Residential Accommodation*

- 6.53 Policy 3.5 ‘Quality and design of housing developments’ of the London Plan requires housing developments to be of the highest quality internally, externally and in relation to their context. This policy sets out the minimum floor space standards for new houses relative to the number of occupants and taking into account commonly required furniture and spaces needed for differing activities and circulation, in line with Lifetime Home Standards.
- 6.54 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.
- 6.55 Nationally prescribed space standards were 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.
- 6.56 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.
- 6.57 All units would meet these standards, the majority of which are dual aspect. Fourteen units are single aspect, of which 3 face north east. These units are provided with a full width terrace which has aspect to the north west also. On the basis of the low number of these units, the fact that they do not face directly north, have additional private amenity space and access to a large communal garden, it is considered that they would provide adequate living accommodation and the scheme as a whole would provide a good standard of accommodation.

**Table [2]: Dwelling Sizes**

Unit Size	National Technical Standard	Proposed minimum area
1 bed, 2 person	50 sqm	50 sqm
2 bed, 3 person	61 sqm	61 sqm
2 bed, 4 person	70 sqm	70 sqm
3 bed, 4 person	74 sqm	80 sqm
3 bed, 5 person flat	86 sqm	86 sqm
3 bed, 5 person maisonette	93 sqm (2 storey)	96 sqm



- 6.58 Standard 4.10.1 of the Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. The minimum depth for all external space is 1500mm. All units within this development would have private amenity space in the form of balconies/ terraces which meet the aforementioned standard.

#### *Noise and Vibration*

- 6.59 The application is supported by a Train Induced Vibration Report and an Environmental Noise Survey, both by Hann Tucker Associates.
- 6.60 The former provides an assessment of the current train induced vibrations, based on survey data, in order to predict the likely train induced vibration and re-radiated noise levels in the development. The report concludes that vibrations would be very low, falling in the 'low probability of adverse comment' range, and would not therefore require mitigation. Nonetheless, the report goes on to recommend that measures are taken to minimise amplification of vibration levels by the use of heavy, stiff constructions, noting that the use of lightweight wide span constructions are inherently prone to significant vibration amplification.
- 6.61 A noise survey was also carried out on site. Based on the recorded noise levels, the report concludes that, with conventional thermal double glazing specified for the units closest to the rail line, the Council's requirements in terms of sound insulation will be readily achievable.
- 6.62 The Council's Environmental Health Officer has reviewed both reports and advised that they are unobjectionable, subject to conditions requiring that the development is carried out in accordance with the recommendations in the Vibration Report and measures to ensure sound insulation against external noise. Conditions have been specified in order to secure these mitigation measures.

#### Highways and Traffic Issues

##### *a) Access*

- 6.63 The site is located in close proximity to Lewisham Town Centre, close to bus services along Loampit Vale and train and Docklands Light Railway (DLR) services from Lewisham Station. It has a Public Transport Accessibility Level (PTAL) of 6b, where '1' is rated as Poor and '6' is rated as Excellent. The Council's Core Strategy Policy 15 'High quality design for London' encourages relatively dense development to be located in areas such as Lewisham where the PTAL is Good or Excellent. The site is considered to be highly accessible.
- 6.64 The scheme includes the provision of a new public route, linking Loampit Vale and Bertrand Street, which is a positive contribution towards public realm.

##### *b) Servicing*

- 6.65 Refuse stores are located internally, near the Loampit Vale and Bertrand Street entrances. It is proposed that refuse will be collected using the access way with refuse trucks moving from Bertrand Street to Loampit Vale, where they can exit via Loampit Vale either east or west. This is considered to be an acceptable

arrangement, provided that access is one-way. This is proposed to be secured through a Delivery and Servicing Plan by condition.

*c) Cycle Parking*

- 6.66 Cycle parking is provided within internal stores located off the two cores in addition to provision within the front amenity space of the ground floor units. As these units have additional amenity space to the rear, this arrangement is considered acceptable. A total of 78 spaces is provided, which is in accordance with the requirements of the London Plan.

*d) Car Parking*

- 6.67 No car parking is proposed on site. It is proposed to allocate two disabled spaces on Bertrand Street for the use of occupiers of the wheelchair units. A car-free approach is supported in this location which benefits from a PTAL of 6b, however, it is recommended that the ability to apply for parking permits is restricted to ensure that surrounding roads do not suffer from increased demand for on-street car parking. This would need to be secured as part of a s106 agreement.
- 6.68 The applicant has identified that two Blue Badge bays could be provided on Bertrand street adjacent to the site. However, in order to enable a refuse vehicle to enter the site from Bertrand Street, three bays on the opposite side of the street would need to be removed. The parking survey identified 59 parking spaces available within 200m or 2-3 minute walk from the site. It is considered that the loss of one on-street parking space would not have a significant impact on the provision of parking locally.
- 6.69 To mitigate the lack of parking on site the Council's Highways Officer has specified works to Bertrand Street adjacent to the site to improve the pedestrian environment between the site and town centre and encourage walking and cycling. The works on Bertrand Street include surface treatment to the footway adjacent to the site and improvements to the underside of the railway bridge on Bertrand Street to add lighting, refurbish the walls and works to prevent birds roosting. It is considered that the footway on Loampit Vale on the northern site boundary is in good condition and does not require improvement works. It is also noted that the new hard landscaped area created by the set back of the new building will deliver an improvement to this area for pedestrians.
- 6.70 It is further recommended that developer should provide 2 years' free car club membership to all residential units at first occupation, to reduce reliance on private vehicles. There are 3 car club spaces within 5 minutes walk of the site.
- 6.71 In summary, the site is highly accessible, with a PTAL of 6b, Lewisham DLR and National Rail stations approximately 400m distance away and many bus routes serving Loampit Vale. A car-free development is considered acceptable on the basis of the site's public transport accessibility rating and mitigation measures proposed, including provision of 2 disabled spaces on Bertrand Street, improvements to the pedestrian environment, car club membership, high cycle parking provision and a travel plan.

Impact on Adjoining Properties

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

*Daylight/ Sunlight/ Overshadowing*

- 6.73 An assessment of daylight and sunlight has been carried out for the development in accordance with the Building Research Establishment's good practice guide "Site Layout planning for daylight and sunlight". This report assesses the daylight, sunlight and overshadowing impacts that the proposed development may have on the existing properties surrounding the site as well as within the proposed development itself.
- 6.74 It is important to note that the BRE guidance includes a degree of flexibility within its application and for instance, developments in urban areas are treated differently to suburban areas because expectations of daylight and sunlight into properties differ in such locations. Consequently, it is often necessary to aim for different 'target values' of daylight and sunlight into rooms according to the location of the development.
- 6.75 The assessment of daylight is based on the calculation of the vertical sky component (VSC) to an affected window in both the existing and proposed condition. The VSC, simply put, is the amount of light received at the centre of a window. There is a further assessment that assesses the distribution of daylight within a room. This is called the average daylight factor (ADF). Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced by the room area, the area of room surfaces, the reflectance of room surfaces and the transmittance of the glazing with the size of the obstruction being a smaller influence. A further measure of daylight distribution within a room is no sky line (NSL). This divides those areas that can see direct daylight from those which cannot and helps to indicate how good the distribution of daylight is in a room.
- 6.76 The extent, to which the effect of a proposal on surrounding properties is considered significant, is dependent on the use of the room to which the window relates. The significance of any impact of proposals on non-habitable or less well-used rooms such as bedrooms therefore varies. In this case, the relevant tests are essentially whether less than 0.8 times the existing level of daylight and sunlight is retained within a room and whether more than half of any one garden space is overshadowed.
- 6.77 The existing site buildings are modest in scale and footprint. As a result it is considered that surrounding residential buildings enjoy a level of daylight and sunlight across the site in excess of what is found in a typical urban location such as this. For this reason, it is expected that there would be impact upon daylight and sunlight.
- 6.78 The relevant properties tested are residential buildings with windows that face onto the site. These includes: no's 1-3, 5-7, 9-11, 13-15 Algernon Road; White

Cube, Algernon Road; no.s 1-6 Bertrand Street; and 15 Branscombe Street. The results of the assessment are summarised below:

- Algernon Road: in all instances either a VSC of 27% or greater than 0.8 times the existing value is achieved. In addition, all rooms in the proposed situation will have a significant portion (80%) of the room in front of the NSL.
- White Cube: for the lower three floors in the existing situation a VSC of 27% is not achieved and, that following the implementation of the proposals will not be greater than 0.8 times the existing. The rooms of the windows affected were also tested for internal daylighting, using ADF and NSL. The ADF analysis takes into account the size of the window in question, the size of the room it serves and any other windows serving the room. The recommended minimum ADF levels depend on the room use, with these being 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. In all instances the recommended minimum ADF for a kitchen is exceeded in the proposed condition. All rooms in the proposed situation will have a significant portion of the room in front of the NSL.
- 1-4 Bertrand Street: all windows will achieve a VSC of at least 27% or 0.8 times the existing value and all rooms in the proposed situation will have a significant portion of the room in front of the NSL.
- 5&6 Bertrand Street: two windows serving a habitable room do not achieve a VSC of greater than 27% or greater than 0.8 times the existing value. ADF analysis was undertaken for these two rooms and NSL analysis was completed for all habitable rooms. In relation to the first floor window the minimum ADF for a bedroom is exceeded. In relation to the ground floor window, the assessment concludes that, due to the obstruction the existing rear extension of this property causes to daylight, even with the underdeveloped nature of the site, this room only achieves an existing ADF of 1%. The analysis demonstrates that an ADF of 0.8 times the existing is achieved, in compliance with the BRE guidelines. All rooms in the proposed situation will have a significant portion of the room in front of the NSL.
- 15 Branscombe Street: a VSC of 27% or greater than 0.8 times the existing value is achieved. In addition, all rooms in the proposed situation will have a significant portion of the room in front of the NSL.

6.79 With the development in place, the report concludes that all windows or the rooms they serve will achieve the required level of daylight set out in the BRE guidance based on either a VSC or ADF analysis except one window which, despite an open outlook, currently enjoys a poor level of daylight due to an existing extension at the property.

6.80 In light of the above, Officers have concluded that the impact of the proposals on adjoining properties in terms of daylight, sunlight and overshadowing would be acceptable.

#### *Outlook*

6.81 With regard to outlook, an important consideration is the impact of the development from neighbouring properties and whether the development would

have an overbearing impact by virtue of its scale and mass. Whilst it is evident that the view of the site from surrounding sites would dramatically change, it is not considered that there would be an adverse impact in this respect. The proposed building is located in the eastern portion of the application site, with the communal garden providing separation space to the rear of properties on Algernon Road and Bertrand Street. The mass is also concentrated towards Loampit Vale, between the filling station to the west and railway viaduct to the east.

- 6.82 The footprint of the proposed building adjoins 6 Bertrand Street at ground floor level, where the distance to the flank wall of the existing dwelling is 4 metres. A setback at 1<sup>st</sup> and 2<sup>nd</sup> floor levels increases the distance to 6 metres and a final setback at 3<sup>rd</sup> floor level increases this to 12 metres. The Council does not have guidance in respect of separation distances for flank to flank relationships, instead reference is made to the requirement of Policy DM 32 for new development to be neighbourly and provide adequate outlook. It is considered that the design of the proposed building, through its siting and the distribution of accommodation achieves a comfortable relationship with the neighbouring dwellings, whilst also making efficient use of the site.

#### *Privacy*

- 6.83 The Council's Residential Development Standards SPD (updated 2012) states that developers will be expected to demonstrate how the form and layout of their proposals will provide residents with a quality living environment, and how privacy will be provided both for the neighbours and the occupiers of the proposed development.
- 6.84 It states that a minimum separation distance of 21 metres should be maintained between directly facing habitable room windows on main rear elevations, unless mitigated through design. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development. A greater separation distance will be required where taller buildings are involved.
- 6.85 The acceptable distance between front elevations should normally be determined by the character of road widths in the area. The use of mews, courtyard, and other similar forms of development may entail relatively small front to front distances.
- 6.86 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.
- 6.87 The separation distances between the proposed block and adjacent properties are as follows:
- Min 23.2 metres to the White Cube at an oblique angle (21.5m to balcony)
  - 7.6 metres to 6 Bertrand Street (opaque window proposed)
  - 11.7 metres to 6 Bertrand Street at oblique angle
- 6.88 It is noted that the proposed block is set back from the boundary with the White Cube by 10-21metres, with the White Cube set off the same boundary by 11.6m. The proposed building therefore takes a similar approach to the boundary relationship. Although the proposed building is taller in part, there are no windows

directly facing the White Cube. The separation distance is a minimum of 23.2 to the rear elevation of the White Cube, 21.5 from the edge of the balcony. While the distance to the boundary is less at 7.4metres, there is only a parking area at the rear of the White Cube.

- 6.89 In relation to 6 Bertrand Street, there is a possibility of direct overlooking from the corner unit at each level, however the proposed windows facing towards the neighbouring dwelling are proposed to be obscure glazed. This is proposed to be secured by condition. The rooms within the proposed corner units at 1<sup>st</sup> and 2<sup>nd</sup> floor levels have aspect to south and north and are served by other windows, therefore will retain adequate daylight and outlook. The corner unit at 3<sup>rd</sup> floor level is set back 10.7metres from the flank wall of the rear projection of 6 Bertrand Street. That property has a window only at ground floor level. It is considered that the combination of the setback and flat roofs below would prevent direct overlooking of this window.
- 6.90 Of concern however is proximity of balconies on the proposed building to the rear and side elevations of 6 Bertrand Street and its rear garden. The balconies of Flats 13 at 2<sup>nd</sup> and 3<sup>rd</sup> floor level would sit 3 metres from the boundary of 6 Bertrand Street and could give rise to overlooking of that garden and consequent loss of privacy. In order to address this, it is recommended that a condition is added requiring screening to the south west part of these balconies.
- 6.91 In terms of privacy, therefore, it is accepted that there would be an element of mutual overlooking as is common in high density schemes. However, with the imposition of the conditions identified above, it is considered that the proposals would not give rise to a significant adverse impact upon neighbouring occupiers in this regard.

#### Sustainability and Energy

- 6.92 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.
- 6.93 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- 1 Be Lean: use less energy
  - 2 Be clean: supply energy efficiently
  - 3 Be green: use renewable energy
- 6.94 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policy 8 requires all new residential development to meet a minimum of Code for Sustainable Home Level 4.

- 6.95 Code for Sustainable Homes is no longer enforced following a Government review of technical housing standards in 2015, however, the applicant has submitted a pre-assessment which confirms that the development is capable of achieving the 19% carbon reduction that equates to a Level 4 rating. This would be policy compliant and is therefore supported.
- 6.96 The London Plan sets a higher carbon saving output of 35% for major development proposals and the applicant has submitted an energy strategy which adopts the Be Lean, Be Clean and Be Green principles from Policy 5.2 set out above.
- 6.97 The applicant's energy statement shows that, through a combination of insulation, low energy lighting, insulation to pipework, high efficiency boilers and waste water heat recovery, energy efficiency measures of 23% will be achieved.
- 6.98 With regards to renewable energy, the applicant's energy statement states that ground source heat pumps, air source heat pumps, wind turbines and biomass heating have been discounted due to the difficulties in integrating this technology within a scheme of this size.
- 6.99 The energy assessment confirms that solar photovoltaic panels (150 sqm array) are to be used at roof level. Taken together, the energy efficiency measures and renewable technologies will achieve a total carbon reduction of 35% which is compliant with the London Plan.

#### Living Roofs and Ecology

- 6.100 London Plan Policy 5.11 confirms that development proposals should include 'green' roofs. Core Strategy Policy 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity bio-diversity.
- 6.101 In this instance, the scheme proposes a living roof (108.4sqm) over the 4 storey element. A section has been provided which shows that, in terms of substrate depth and planting methodology, the specification meets the Council's requirements. A condition would be required to enable species composition to be agreed.
- 6.102 In addition, two bird boxes and two bat boxes are proposed. The location of these have been confirmed on a supplementary plan submitted in response to the comments of the Council's Ecological Regeneration Manager. This is considered acceptable and it is recommended that their specification is reserved by condition.
- 6.103 Taking into account the existing site condition, and lack of natural habitat it is considered that the proposals, through provision of a good quality living roof and bird and bat boxes achieves an enhancement of biodiversity habitat on site. The two roofs proposed in this instance would assist in attenuating and reducing the amount of run-off actually leaving the site. Overall the proposal is considered to be acceptable when judged against sustainability policies and other site considerations.

#### Other considerations

### *Construction*

- 6.104 Concern has been raised about disruption to local residents arising from construction works. A condition requiring a Construction Management Plan, in line with the Council's Code of Construction Practice, will enable to Council to limit working hours to reasonable times and require appropriate dust mitigation measures in order to address these concerns, although it is inevitable that some disruption would occur during the demolition and construction phase.

### *Flood Risk*

- 6.105 The application is supported by a Flood Risk Assessment, which identifies through a site specific flood risk assessment that the site is located mainly in Flood Zone 1, although the north east corner encroaches within the edge of Flood Zone 2. The site is therefore characterised as having a low risk of flooding from rivers or other sources of flooding
- 6.106 Technical Guidance to the National Planning Policy Framework Table 3, "Flood Risk Vulnerability and Flood Zone Compatibility", confirms that 'more vulnerable' developments situated in Zones 1 and 2 are appropriate and an exception test is not required.
- 6.107 The minimum proposed ground floor level for habitable rooms is situated at a level of 7.950m AOD which is at the modelled 1:1000 year flood level. Although no flood level information is available for the 1:100 year + climate change, the FRA shows that the extent of this event as shown on the Environment Agency flood maps is to the east of the railway viaduct. The ground level at this location is approximately 7.0m AOD, therefore the lowest proposed floor level will sit 0.95m above this level.
- 6.108 Further, the submitted assessment states that runoff rates will be restricted to less than 50% of the existing rate in accordance with the London Plan, and the proposed impermeable area of the site will be reduced from the existing situation. As such, the proposed surface water generated from the development would not be expected to result in increased flood risk elsewhere. A condition is recommended requiring details of surface water management to be submitted in order to ensure that the development is carried out in accordance with the strategy outlined in the Flood Risk Assessment.

### *Employment and Training*

- 6.109 As London's economy grows the number of jobs and careers available to Lewisham's citizens will increase. Many of these jobs will require specific skills. Lewisham's citizens should feel equipped to compete for the best jobs and fulfil their aspirations.
- 6.110 The Lewisham Local Labour and Business Scheme is a local initiative that helps local businesses and residents to access the opportunities generated by regeneration and development activity in Lewisham.
- 6.111 This particular policy objective provides the basis of the Government's commitment to reducing the environmental impact of new developments.



- 6.112 The use of local labour can also limit the environmental impact of new development due to people commuting shorter distances to travel to work.
- 6.113 The approach set out in the Council's Planning Obligations SPD is to split the contributions required equally between residential and commercial development. The contribution sought reflects the current training and operation costs of running the programme to the end date of this document (2025).
- 6.114 A threshold for residential developments of 10 dwellings or more, including mixed use schemes and live-work units, is set. Applied to the application scheme, this gives a contribution of £25,970.

### Planning Obligations

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NFFP also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

- 6.115 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 6.116 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development.
- 6.117 The following obligations are proposed to be secured by S106 agreement:

#### Housing

- Provision of 10no. social rent units (2no. 1bed, 5no. 2bed and 3no. 3bed)
- Rent levels at target rent +1%
- 2no. Social Rent units (Unit numbers 1 & 2) to be wheelchair units designed to Part M4(3)(2)(b) for which the Council will have nomination rights.
- Marketing strategy for wheelchair adaptable units in Private tenure
- Review mechanism to apply if scheme not implemented and positively progressed within 2 years

#### Transport

- 2 year car club membership for the occupiers of each unit

- Restriction on residents permits and notification of restriction to future occupiers
- Parking management plan
- Enter into a S278 agreement to secure the following:
  - Enhanced lighting on Bertrand Street
  - New footway on Bertrand Street (along site frontage)
  - Enhancing the pedestrian environment under the railway bridge on Bertrand Street adjacent to the site (surface treatment (footways & walls), lighting, works to prevent birds roosting,
  - Reconfigure the parking bays on Bertrand Street (as shown on the plan in Appendix I of the TA) to provide two proposed disabled parking bays on Bertrand Street and meet cost of amending the associated TMO)

#### Public Realm

- Provision of public routes through the site with the right to pass and repass
- Submission of public realm maintenance and management plan prior to first occupation.

#### Employment & Training

- Local labour scheme
- Financial contribution of £25,970

#### Air Quality

- Air quality monitoring contribution of £4,900

#### Monitoring & costs

- Meeting the Council's reasonable costs in preparing and monitoring the legal obligations

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

### **7.0 Local Finance Considerations**

7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

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

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

7.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

#### Viability

- 7.4 The Applicant has submitted a confidential financial appraisal for the scheme that has enabled the Council, advised by specialist consultants, to assess the overall viability of the scheme and its ability, in financial terms, to meet policy in terms of affordable housing provision. As discussed above, the offer of 15 affordable units (6no within social rent tenure and 9 within shared ownership tenure) is considered to be acceptable.
- 7.5 The financial viability assessment has been independently tested in terms of its methodology for assessment. The content has been found to be robust in terms of development opportunity, and viable against a number of land and profit benchmarks. The scheme assumptions and build costs have been tested and consideration has been given to sensitivity tests, s106 and CIL requirements in seeking to ascertain whether the development is viable and what level of affordable housing can be provided.
- 7.6 With regard to a suitable development return, the Council's consultant has advised that the GLA Toolkit's default allowance of 20% on Cost is a reasonable benchmark on private; with Affordable elements at 6% on cost. Taking into account site works, build costs and finance costs which have been appraised and accepted.
- 7.7 The financial appraisal demonstrates that, when taken with other policy requirements and the regeneration benefits of the scheme, the proposed development provides the maximum viable amount of affordable housing at the current time. There are also a range of transport and public realm improvements that would be undertaken to enhance the public realm around the site, namely the pavement upgrades and hard landscaping which the applicant has committed to providing. These parts of the scheme require substantial investment but also offer significant benefits the area.
- 7.8 An independent Quantity Surveyor has confirmed that the stated build costs are appropriate for the quality of scheme shown in the planning application.
- 7.9 The scheme is considered to be viable in its current form. Given the size of the scheme (49 units), which would be delivered in a single construction phase, it is not considered appropriate to use a 'review mechanism' within a s106. National Planning Practice Guidance on Viability states that *'Viability assessment in decision-taking should be based on current costs and values. Planning applications should be considered in today's circumstances. However, where a scheme required phased delivery over the medium and longer term, changes in the value of development and costs of delivery may be considered. Forecasts based on relevant market data, should be agreed between the applicant and local planning authority wherever possible'*.
- 7.10 Core Strategy Policy 1 sets a strategic target of 50% affordable housing from all sources and that this is the starting point for negotiations. The policy also notes that the level of affordable housing on sites will be subject to a financial viability assessment and the Council's SPD on planning obligations provides further guidance. Accordingly, the application scheme has been tested in respect of the level of affordable housing that can be provided, through financial viability review. The proposed level of affordable housing is considered to be the maximum that can be required and is therefore acceptable in relation to Core Strategy 1.

7.11 However, should the scheme not be implemented and positively progressed within two years, it is appropriate that scheme viability is revisited in order to determine whether additional affordable housing can be supported. It is therefore proposed that an obligation be secured to trigger a review mechanism if implementation has not progressed within 2 years.

## **8.0 Community Infrastructure Levy**

8.1 The above development is CIL liable.

## **9.0 Equalities Considerations**

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

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

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

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

9.4 Equality issues have been duly considered as part of the assessment of this application. It is not considered that the application would have any direct or indirect impact on the protected characteristics.

## **10.0 Conclusion**

10.1 This report has considered the proposals in the light of adopted development plan policies and other material considerations including information or representations relevant to the environmental effects of the proposals.

10.2 It is considered that the scale of the development is acceptable, that the building has been designed to respond to the context, constraints and potential of the site and that the development will provide a high standard of accommodation.

10.3 The NPPF is underpinned by a presumption in favour of sustainable development. Officers consider that with the recommended mitigation, planning conditions and obligations in place the scheme accords with local and national policies.

10.4 The proposals are considered to accord with the development plan. Officers have also had regard to other material considerations, including guidance set out in adopted supplementary planning documents and in other policy and guidance documents and the responses from consultees, which lead to the conclusions that have been reached in this case. Such material considerations are not considered

to outweigh a determination in accordance with the development plan and the application is accordingly recommended for approval.

## **11.0 RECOMMENDATION (A)**

To agree the proposals and authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters:-

### Housing

- Provision of 10no. social rent units (2no. 1bed, 5no. 2bed and 3no. 3bed)
- Rent levels at target rent +1%
- 2no. Social Rent units (Unit numbers 1 & 2) to be wheelchair units designed to Part M4(3)(2)(b) for which the Council will have nomination rights.
- Marketing strategy for wheelchair adaptable units in Private tenure
- Review mechanism to apply if scheme not implemented within 2 years

### Transport

- 2 year car club membership for the occupiers of each unit
- Restriction on residents permits and notification of restriction to future occupiers
- Parking management plan
- Enter into a S278 agreement to secure the following:
  - Enhanced lighting on Bertrand Street
  - New footway on Bertrand Street (along site frontage)
  - Enhancing the pedestrian environment under the railway bridge on Bertrand Street adjacent to the site (surface treatment (footways & walls), lighting, works to prevent birds roosting,
  - Reconfigure the parking bays on Bertrand Street (as shown on the plan in Appendix I of the TA) to provide two proposed disabled parking bays on Bertrand Street and meet cost of amending the associated TMO)

### Public Realm

- Provision of public routes through the site with the right to pass and repass
- Submission of public realm maintenance and management plan prior to first occupation.

### Employment & Training

- Local labour scheme
- Financial contribution of £25,970

### Air Quality

- Air quality monitoring contribution of £4,900

### Monitoring & costs

- Meeting the Council's reasonable costs in preparing and monitoring the legal obligations

## **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:

OS; EX\_SP; EX\_E\_01; EX\_S\_01; L\_SP; L\_03\_00; L\_03\_01; L\_03\_02; L\_03\_03; L\_03\_05; L\_03\_06; L\_03\_07; S\_AA; S\_BB; S\_CC; EL\_S; EL\_W, EL\_NW; EL\_NE; EL\_E; DR\_EL\_S; DR\_EL\_W; DR\_EL\_E; D-WIN-01; D-WIN-02; D-WIN-03; D\_TY\_RT1; D-ENT-01; D-BAL-01; D-BAL-02; D-CLAD-01; D-CLAD-02; FT\_20\_WCH01; FT\_20\_WCH02; FT\_20\_WCH09; FT\_20\_WCH10; FT\_20\_WCH11; L 200; L700; Daylight; Sunlight & Overshadowing Report; Air Quality Neutral Assessment; Affordable Housing Statement; External & Internal Daytime Bat Assessment; Bat Emergence/Return Survey; Wheelchair Statement; Flood Risk Assessment; Transport Statement; Lighting Assessment; Train Induced Vibration And Assessment Report 22147/VAR/REVB; Phase 1 Habitat Survey & Bat Scoping Survey; Environmental Noise Survey Report 22147/ENS1; Vegetation For Extensive & Biodiverse Green Roofs; Energy Assessment; Sustainability Statement; Travel Plan; Design and Access Statement (received 16<sup>th</sup> September 2015); and

**L\_03\_04 Rev A;** Revised Bat Emergence/Return Survey; Suggested bird and bat box location; Cover letter (bptw) received 16<sup>th</sup> November 2015.

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

3. No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
  - (a) Dust mitigation measures.
  - (b) The location and operation of plant and wheel washing facilities
  - (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
  - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
    - (i) Rationalise travel and traffic routes to and from the site.
    - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity.
    - (iii) Measures to deal with safe pedestrian movement.
  - (e) Security Management (to minimise risks to unauthorised personnel).

- (f) Details of the training of site operatives to follow the Construction Management Plan requirements.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with 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) No development (with the exception of the demolition of above ground structures) shall commence until each of the following have been complied with:-
- (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
  - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
  - (iii) The required remediation scheme implemented in full.
- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

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

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

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

5. (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 LAm<sub>ax</sub> (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 above ground level 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).

- 6. (a) The buildings hereby approved shall be constructed in accordance with the approved Energy Assessment (Silcock Dawson, August 2015) in order to achieve the following requirements:
  - a minimum of 35% improvement in the Target Emission Rate (TER) over the 2013 Building Regulations Part L1A minimum requirement to accord with current (April 2015) GLA requirements for carbon reduction; and
  - provide a whole house assessment of the efficiency of internal water fittings of a maximum of 105L 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.

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

- 7. (a) No development (other than demolition of above ground structures) shall commence on site until a scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

**Reason:** To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2011) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10:Managing and reducing the risk of flooding (2011).

- 8. (a) No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority.



- (b) Details of any such operations must be submitted to and approved in writing by the local planning authority prior to commencement of development (excluding above ground demolition) on site and shall be accompanied by details of the relevant penetrative methods.
- (c) Any such work shall be carried out only in accordance with the details approved under part (b).

**Reason:** To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network and Development Management Local Plan (November 2014) DM Policy 28 Contaminated land.

9. No development shall commence above ground level on site until a detailed schedule and sample panel of all external materials, including surface treatments, and finishes/windows and external doors/roof coverings to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

10. The refuse storage and recycling facilities shown on drawing L\_03\_00 hereby approved, 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).

11. (a) A minimum of 78 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) No development shall commence above ground level on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

12. All hard landscaping works which form part of the approved scheme shall be completed in accordance with approved plan L\_200 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.

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

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

14. Details of the specification of bird and bat boxes to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

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

15. (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. L\_03\_04 Rev A, D\_TY-RT1 Rev B and the Green Roof Specification hereby approved and maintained thereafter. Prior to commencement of the above ground works, a planting specification shall have been submitted to and approved in writing by the local planning authority.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

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

16. All external lighting shall be installed in accordance with the approved Lighting Assessment Report (AJ Energy Consultants Ltd, August 2015) and retained

permanently.

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

17. (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).

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

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

19. Prior to the occupation of the building hereby approved, details of screening to the balconies on the west elevation to prevent overlooking of no. 6 Bertrand Street shall be submitted to and approved in writing by the local planning authority.

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

20. (a) No development shall commence above ground level on site until detailed plans and specifications of the street furniture and play equipment to be provided on site have been submitted to and approved in writing by the local planning authority.
- (b) All 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 Policy 3.6 of the London Plan (2015), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

21. (a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified below:

- (i) Units **11, 12 & 13** shall meet standard M4(3)(2)(a)
- (ii) Units **1 & 2** shall meet standard M4(3)(2)(b)
- (iii) All other units shall meet standard M4(2)

(b) No development shall commence above ground level until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a) of this condition.

(c) The development shall be carried out in accordance with the requirements of part (b) of this condition.

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

22. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (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).

23. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes shall be fixed on the external faces 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).

24. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the west elevation of the building hereby approved and as denoted on plans L\_03\_01, L\_03\_02 and L\_03\_03 shall be fitted as obscure glazed fixed shut 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, DM Policy 32 Housing design,

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

25. The whole of the amenity space (including roof terraces and balconies) as shown on the approved plans hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

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

26. 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 roofs on the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to additional areas of 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, DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

27. The development shall be carried out in accordance with the recommendations set out in Section 11 of the approved Train Induced Vibration Report (Hann Tucker Associates, 17 July 2015).

**Reason:** In the interests of residential amenity and to comply with DM Policy 26 Noise and vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

## Informatives

- 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. 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.

- D. The applicant is advised that conditions 3 (CMP) and 4 (Site Investigation) require details to be submitted prior to the commencement of works due to the importance of minimising disruption on local residents and the local highway network during demolition and construction works and correctly identifying and remediating site contamination.

Private and Confidential

87-89 Loampit Vale, Lewisham SE13  
London Borough of Lewisham

Viability Report | February 2016

**urbandelivery**

## Contents Page

---

1.0	Introduction	1
2.0	Project Details	2
3.0	Approach to Viability Appraisal	4
4.0	Market Analysis	7
5.0	Viability Assessment	14
6.0	Viability Outputs	19
7.0	Conclusion	23

### APPENDICES

Appendix 1	Summary Viability Appraisal – 15 Affordable Homes
Appendix 3	Summary Viability Appraisal – 10 Social Rented Homes
Appendix 2	Trident Cost Report



## 1.0 Introduction

---

### Background

- 1.1 Urban Delivery was instructed by the London Borough of Lewisham (the “Council”) to assess a viability assessment provided by Family Mosaic (the “Applicant”) in support of its planning application. The purpose of this report is to provide guidance on the reasonableness of assumptions proposed by the Applicant with regard to the viability of the proposed development of the property known as 87-89 Loampit Vale, Lewisham, London, SE13 (the “Property”).

### Conflict of Interests

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

### Information Provided

- 1.5 In undertaking the review of the Applicant’s viability report, Urban Delivery has been provided with the following information:
- i. A copy of the Applicant’s viability report – prepared by Planning and Development Associates (undated), provided by the Council in February 2016. This report contained information on:
    - a. Viability assessment rationale.
    - b. Proposed scheme details and dwelling type and numbers.
    - c. A summary of indicative unit price adopted for each unit type in the Applicant’s appraisal.
    - d. The HCA Development Appraisal Tool summary appraisal model.
  - ii. A copy of the planning application submission documents including proposed floor plans and accommodation schedules and Design and Access Statement which have been downloaded from the LB Lewisham planning web site.

## 2.0 Project Details

---

### Location

- 2.1 The Property is located close to the centre of Lewisham in south east London within the London Borough of Lewisham. The Property is situated between Loampit Vale to the north and Bertrand Street to the south with an elevated railway line running along the eastern boundary. The Property is situated just outside of the designated Town Centre Boundary. Loampit Vale is part of the A20 and provides a direct route to other arterial routes and on to the motorway network. Lewisham railway and DLR stations are located within 350m to the east of the Property, providing regular services into central London.
- 2.2 The surrounding area is experiencing significant change and regeneration with the site immediately to the east having been redeveloped by Barratt Homes to provide a mix of new homes, retail units and a leisure centre. Land to the north of the Property had been used for commercial uses but much of this land is currently being redeveloped to provide new housing. We understand that further commercial sites are also due to be redeveloped in the near future.
- 2.3 Areas to the south and west of the Property comprise mainly residential uses, with some secondary retail uses continuing along Loampit Vale.

### The Site

- 2.4 The site comprises 0.18 hectares (0.44 acres) of land with two former retail units fronting on to Loampit Vale and five existing dwellings on the upper floors. The site is now vacant.
- 2.5 We understand that the site is currently owned by L&C Railways and the Applicant has exchanged contracts to acquire the site on a subject to planning basis. However, we are not aware of any leasehold obligations to current occupiers, if any. It is our understanding that the majority of the site, comprising the builders yard, is now vacant. We have therefore assumed that vacant possession of the Property can be achieved without any compensation payments being made by the Applicant.
- 2.6 We have only inspected the Property from the road and have not undertaken an internal inspection or carried out a measured survey. We are therefore reliant on the accuracy of the information provided by the Applicant and its advisors.

### Development Overview

- 2.7 The Applicant proposes the development of 49 new apartments, totalling 4,346 sq m (46,780 sq ft) of gross internal floorspace (GIA) within two blocks between four to seven storeys. We understand that the Net Sales Area will be 3,508 sq m (37,760 sq ft), reflecting an overall net to gross ratio of circa 80.73%.

2.8 The development will provide the following units:

Private

1 Bedroom Apartment:	16 (including 2 wheelchair units)
2 Bedroom Apartment:	11 (Including 1 wheelchair unit)
3 Bedroom Apartment:	7

Affordable

1 Bedroom Apartment:	6 (of which all are shared ownership)
2 Bedroom Apartment:	6 (of which 3 are shared ownership)
3 Bedroom Maisonette:	3 (of which all are social rented)

2.9 The planning application states that 15 dwellings will be available for affordable homes which reflects a proportion of 30.60% in terms of units and 31% with regard to habitable rooms (45 affordable habitable rooms). The proposed ratio of social rented to shared ownership tenure however is 40/60 while the Council's target is 70/30.

**Planning**

2.10 The Property is not designated for any particular use within the adopted Development Plan and sits just outside of the defined Major Centre of Lewisham and the Sustainable Living Area. The Property is not Listed and does not sit within a Conservation Area.

**Section 106 and CIL Proposals**

2.11 Discussions between the Council and the Applicant have resulted in the following S106 and CIL contributions being provided if the proposed development is granted planning permission.

- Mayoral CIL: £104,671
- LBL CIL: £209,342

**S106 Contributions**

- Air quality monitoring: £4,900
- Employment & Training: £25,970
- S278 Highways contributions: £18,130 (To be Confirmed)

**TOTAL MCIL & S106 COST: £363,013**

2.12 We understand that under the S106 agreement the provision of two on-site disabled parking bays will be secured for use by the residents of the affordable housing.

## 3.0 Approach to Viability Appraisal

---

### Limitation of residual development appraisals

- 3.1 We have prepared a series of development appraisals using the industry standard Argus Developer software to appraise the project viability. Please note the following;
- Development appraisals are highly sensitive to their inputs (i.e. small changes in inputs can lead to a marked change in outputs).
  - Development appraisals are required to assess viability as at today's date, which is reinforced in the RICS *Financial Viability in Planning* guidance note. They are permitted to factor in historic costs and also potential future market and cost inflation. However this all needs to be considered as at today's date.

### Approach to Appraisal

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

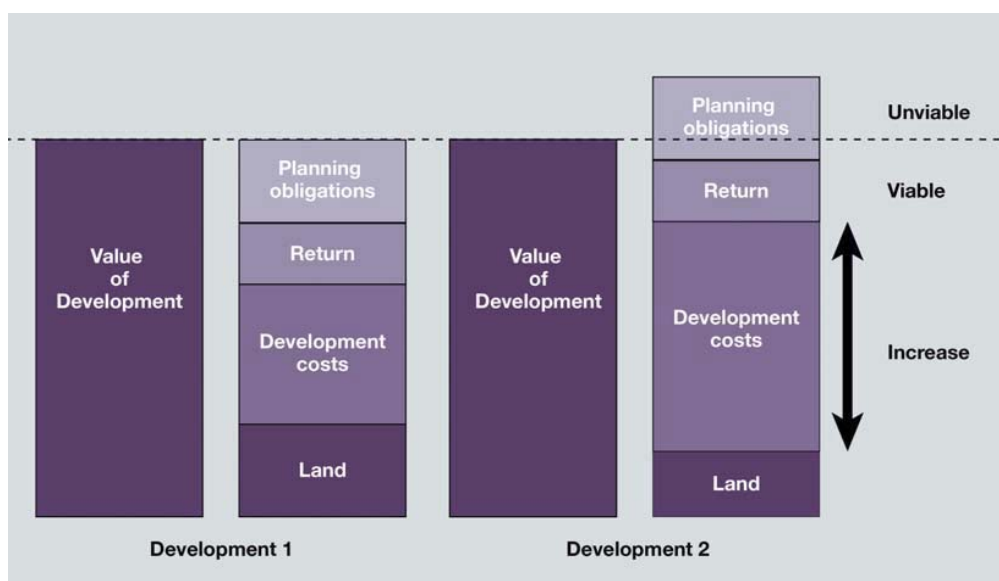
- 3.3 GN94 defines financial viability for planning purposes as follows:

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

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

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

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



Source: RICS Guidance Note 94/2012.

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

- 3.10 Where the existing site or property is undeveloped or in a condition unsuitable for use or occupation, an alternative approach could be to consider the Alternative Use Value (AUV). This methodology seeks to identify an alternative use or development that could be permitted on the site, in line with planning policy. The cost of constructing this hypothetical development must be considered and deducted from the potential development value in order to generate a Residual Land Value (RLV). This RLV can then be suggested as the Benchmark Land Value.
- 3.11 This viability assessment has been undertaken in accordance with the LB Lewisham's Supplementary Planning Document (SPD) on Planning Obligations, adopted on the 25<sup>th</sup> February 2015. This includes guidance on financial viability assessments (paragraphs 4.31 to 4.38). In respect of land value, the SPD notes that the analysis should be based on land values as set by the application of planning policy in determining the permissible scope of development rather than the price actually paid for the land.
- 3.12 The site value adopted in this viability assessment is based on a risk adjusted Market Value. The risk adjustment allows for the fact that the subject Property does not yet have a planning permission for the proposed use whereas evidence of similar land sales may reflect land sold with the benefit of a planning permission or a sale agreed on a 'subject to planning' basis. As such, the site value will normally be less than current market prices for development land for which planning permission has been secured and planning obligation requirements are known.
- 3.13 In determining the site value Urban Delivery will give regard to AUV and transactional evidence of other residential land sales and all other material considerations that might impact on site value.

### **Residual Development Appraisal Assumptions**

- 3.14 Our residual development appraisal has been prepared using Argus Developer, a recognised industry standard package that models individual development schemes and development phases. The model is based on costs and values adopted by the appraiser and can then be applied to a bespoke timeframe with assumptions on cost breakdown throughout the life of the project. This assumption on costs, revenues and the timing of such is then used to calculate finance costs.
- 3.15 In our residual development appraisal we have adopted our own assumptions on the amount and timing of income and expenditure, explaining why these differ from the Applicant's assumptions, if applicable. As part of our review we have examined all assumptions and formed our own independent view on whether these assumptions are applicable in the current market conditions.
- 3.16 We have appraised the development scheme as a single phase. We provide a copy of this appraisal in the Appendix 1 and set out the revenue and cost assumptions adopted.

## 4.0 Market Analysis

---

### Local Property Market

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

### *Land Sales*

#### 223-225 High Street, Lewisham, SE13

- 4.3 This property comprises an existing office building on a site of 0.07 ha (0.17 acres) and was granted planning permission in March 2015 for a development with 195 sq m (2,100 sq ft) of ground floor office space and 22 apartments over four upper floors. The planning permission does not require any on-site affordable housing but includes a S106 agreement with a total of £308,918 of financial contributions plus potential for overage payable to the Council. The ground floor commercial unit is pre-let to estate agent, Acorn, for a term of 15 years. The property sold in October 2015 for a price of £3,250,000.
- 4.4 In applying this comparable to the subject Property we would allow for a discount of circa 30% to reflect the cost and risk of achieving a suitable planning permission. This discounted price would reflect a land value of circa £33,050,000 per hectare (£13,380,000 per acre).
- 4.5 This would suggest a land value for the subject Property of circa £5,880,000 based on site area and approximately £3,500,000 based on the equivalent of £103,000 per private sale plot. We believe this evidence is a relatively close comparable that reflects the current demand for centrally located development sites in this part of the borough.

#### 29 Pomeroy Street, New Cross Gate, SE14

- 4.6 This property comprises an existing commercial premises with a site area of 0.16 ha (0.39 acres) and was granted planning permission in September 2015 for a development of 37 apartments (including six affordable homes) over four and five storeys. The planning permission includes a S106 agreement requiring a financial contribution of approximately £152,000 plus CIL liabilities of circa £108,000. The property sold in late 2015 for a price of £5,400,000.

- 4.7 In applying this comparable to the subject Property we would allow for a discount of circa 30% to reflect the cost and risk of achieving a suitable planning permission. This discounted price would reflect a land value of circa £23,940,000 per hectare (£9,690,000 per acre).
- 4.8 This would suggest a land value for the subject Property of circa £4,260,000 based on site area and approximately £3,470,000 based on the equivalent of £102,000 per private sale plot.
- 4.9 We would comment that the indicative land values suggested by these two comparables would reflect the price a developer may pay for the whole Property with the prospect of securing a planning permission to construct 49 dwellings, of which 15 would be provided as affordable homes, as proposed by the Applicant.

120-122 Tanners Hill, Lewisham, SE8

- 4.10 This land comprises an area of approximately 0.44 ha (1.09 acres) and was sold in October 2014 with the benefit of a planning permission for 58 residential units. We are advised by the sales agent that the site achieved a price of £7,600,000.
- 4.11 The development of this site proposes a similar number of dwellings in total to the subject Property, although the site areas result in substantially different development densities with this comparable reflecting only 53 dwellings per acre compared with 270 for 87-89 Loampit Vale.
- 4.12 In applying this comparable to the subject Property we would allow for a discount of circa 30% to reflect the cost and risk of achieving a suitable planning permission. This discounted price would reflect a land value of circa £12,060,000 per ha (£4,880,000 per acre).
- 4.13 Applying the analysis above, this would suggest a land value for the subject Property of circa £2,180,000 based on site area. On the basis that the subject Property has potential to achieve a greater density there is scope to suggest that the site could achieve a greater value per hectare than this comparable indicates. The discounted transaction price reflects a value of approximately £92,000 per dwelling which applied to the proposed 34 private sale units at Loampit Vale would indicate a value of circa £3,130,000.

*Residential Sales*

- 4.14 In order to form a view on a reasonable sales value we have undertaken an independent investigation into private residential sale values in the vicinity of the proposed development, as set out in the tables below.

**Renaissance, Loampit Vale – Barratt Homes**

- 4.15 Barratt Homes is nearing completion of its development of this scheme, located adjacent to the subject Property.



- 4.16 The development comprises eight buildings ranging from five to twenty-four storeys, incorporating balconies and terraces, comprising 788 residential units (including up to 186 affordable), a leisure centre, 1,856 sq m of commercial floorspace (Use Classes A1, A2, and B1, including 626 sq m for creative industries), an energy centre, replacement London City Mission facilities, public and private amenity space, together with associated landscaping, bin stores, 866 cycle, 26 motorcycle and 181 car parking spaces on ground and first floor levels, associated highway works, plant and servicing.
- 4.17 We understand that all homes within this development have now been reserved. However, details of actual sale prices for the most recent phases are not currently available and will not be released until the sales are legally completed. As an indication of asking prices and sales values within this scheme, we set out in the table below details of some more recent sales within the Roma Corte phase.

Barratt Developments - Renaissance, Loampit Vale							
Phase	Unit	No Beds	Area sq m	Area sq ft	Price	£psf	Sold Date
Roma Corte	Plot 207	1	49.4	532	£303,000	£ 570	Q2 2015
Roma Corte	Plot 212	1	45.2	487	£297,000	£ 610	Q2 2015
Roma Corte	Plot 213	1	49.4	532	£306,000	£ 575	Q2 2015
Roma Corte	Plot 218	1	45.2	487	£300,000	£ 617	Q2 2015
Roma Corte	Plot 278	1	45.2	487	£353,000	£ 726	Q3 2015
Roma Corte	Plot 290	1	45.2	487	£359,000	£ 738	Q3 2015
Roma Corte	Plot 366	1	45.7	492	£325,000	£ 661	Q2 2015
Roma Corte	Plot 210	2	64.2	691	£399,000	£ 577	Q2 2015
Roma Corte	Plot 211	2	64.0	689	£394,000	£ 572	Q2 2015
Roma Corte	Plot 216	2	64.2	691	£403,000	£ 583	Q2 2015
Roma Corte	Plot 217	2	64.0	689	£398,000	£ 578	Q2 2015
Roma Corte	Plot 273	2	53.8	579	£455,000	£ 786	Q3 2015
Roma Corte	Plot 285	2	53.8	579	£465,000	£ 803	Q3 2015
Roma Corte	Plot 288	2	64.0	689	£475,000	£ 690	Q3 2015
Roma Corte	Plot 289	2	64.2	691	£475,000	£ 687	Q3 2015
Roma Corte	Plot 369	2	56.3	606	£423,000	£ 698	Q2 2015
<b>Average Price</b>			<b>54.6</b>	<b>588</b>	<b>£383,125</b>	<b>£ 652</b>	

- 4.18 As can be seen, average sales values over the second and third quarters of 2015 were in the region of £7,020 per sq m (£652 per sq ft) for one and two bedroom apartments. It should be noted however that a number of these units are located on higher floors within the building and could therefore reflect a premium compare with typical apartments closer to ground level.
- 4.19 We note that the average unit size of these one and two bedroom units is slightly smaller than those proposed in the subject scheme. Combined with the potential premium for units on higher floors and the smaller floor areas in general, we are of the view that the average price of £7,020 per sq m (£652 per sq ft) is towards the higher end of the value range although since these units were sold in 2015 there is potential for prices to have increased further.

### Portrait Tower

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

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

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

### Tower Loft Apartments, Tower House, Lewisham High Street

- 4.23 This development is situated on Lewisham High Street and benefits from permitted development rights approved for the second and third floors of the scheme, although the developer has submitted a planning application for a two storey roof extension to provide an additional 20 private sale dwellings.
- 4.24 In summer 2015 the developer released the first 18 units for sale off-plan. We understand that these have now sold. The table below identifies the agreed pricing for this first phase of sales.

Tower Loft Apartments, Lewisham High Street, SE13							
Unit	Floor	No Beds	Area sq m	Area sq ft	Price	£psf	Reservation Date
3.1	3rd	1	55.0	592	£381,522	£ 644	Jun-15
3.2	3rd	1	46.5	501	£330,000	£ 659	Jun-15
3.3	3rd	Studio	45.5	490	£322,000	£ 657	Jun-15
3.4	3rd	Studio	49.5	533	£336,000	£ 630	Jun-15
3.5	3rd	1	52.0	560	£347,225	£ 620	Jun-15
3.6	3rd	1	49.0	527	£340,000	£ 645	Jun-15
3.7	3rd	1	50.0	538	£345,000	£ 641	Jun-15
3.8	3rd	1	50.0	538	£358,000	£ 665	Jun-15
3.9	3rd	1	48.5	522	£337,000	£ 646	Jun-15
3.10	3rd	1	51.5	554	£352,000	£ 635	Jun-15
3.11	3rd	Studio	42.5	457	£322,245	£ 705	Jul-15
3.12	3rd	Studio	47.5	511	£318,000	£ 622	Jun-15
3.13	3rd	Studio	37.0	398	£288,000	£ 724	Jun-15
3.14	3rd	1	44.5	479	£305,000	£ 637	Jun-15
3.15	3rd	1	67.0	721	£408,000	£ 566	Jun-15
3.16	3rd	1	49.0	527	£335,000	£ 636	Jun-15
3.17	3rd	1	52.0	560	£350,000	£ 625	Jun-15
3.18	3rd	2	66.5	716	£409,370	£ 572	Jun-15
<b>Average Asking Price</b>			<b>50.2</b>	<b>540</b>	<b>£343,576</b>	<b>£ 636</b>	

- 4.25 The majority of units on the third floor are one bedroom homes of varying floor areas. Our analysis suggests that these sold units are slightly smaller than the average size of unit proposed at the subject Property and average sales values may therefore be slightly higher on a sq m basis.

#### Prime Place, Norman Road, Greenwich, SE10

- 4.26 With a lack of suitable sales evidence for three bedroom apartments in Lewisham town centre we have considered evidence from further afield. Prime Place Greenwich is a development situated on Norman Road, located on the eastern side of Deptford Creek, approximately 1.6km to the north of the site on Loampit Vale. Although this development is located in a higher value location we have sought to draw a comparison with a number of three bedroom units that have been sold in order to provide an indication of the pricing that could be achieved in Lewisham.
- 4.27 The table below identifies a range of three bedroom units sold in the past 12 months:

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

4.28 We note that with the Applicant proposing that the three bed units on Loampit Vale will be in the order of 86 sq m (925 sq ft), the average private sale three bedroom unit at Prime Place is slightly larger. Allowing for this difference in size, location and house price inflation since these sales were achieved, we are of the opinion that the average value achieved of £6,146 per sq m (£571 per sq ft) provides a reasonable comparable for the three bedroom units within the Applicant's proposed development, should they be offered as private market homes rather than social rented units.

#### *Summary*

4.29 As can be identified from the comparable evidence tables above, the range of average sales values vary considerably from £5,290 and £8,640 per sq m (£491 and £803 per sq ft).

4.30 While the units at Barratt's Renaissance development, situated on the opposite side of the railway line from the subject Property, have sold well and achieved some high average values, the subject Property does not present a similar scale of development with on-site resident amenities and may therefore be expected to achieve a slightly lower average value per unit.

4.31 We have therefore considered indicative unit prices applicable to the proposed units based on the nature of the scheme, its location and the availability of similar sized units elsewhere in Lewisham. We note that certain units within the proposed development are relatively large compared with other schemes in the local area. Where a comparison is made with units that were sold during 2015 or as far back as 2014, we have also sought to allow for house price inflation over the relevant period.

4.32 Based on the average sales values achieved on other schemes in the area and in consideration of average unit prices referred to above, we are of the opinion that the private sales homes could achieve a total sales price in the order of £14,745,000, reflecting an average sales value of £6,080 per sq m (£565 per sq ft). While this may appear low compared with average values at other schemes, the proposed units are larger than average which has the effect of reducing the value per sq m/sq ft.

#### *Residential Rental Values*

4.33 We have reviewed the local property market and identified that rental values for one to three bedroom apartments are in the region of:

- 1 bed @ £265 per week (@ 60% = £160 per week)
- 2 bed @ £345 per week (@ 60% = £210 per week)
- 3 bed @ £410 per week (@ 60% = £250 per week) (Maisonette)

4.34 We have had regard to the above rental values in order to assess the potential value of any rented affordable homes that could be provided. These values have been adopted to test the value that could be attributed to on-site affordable homes and therefore their impact on viability and the total number and mix of tenures that could be provided by the Applicant.

- 4.35 The value of the rented units takes into account the government's requirement for Registered Providers to reduce social rents by 1% per annum over the next four years, starting from April 2016. The value per sq ft adopted in the relevant appraisals for the social rented units is a blended rate for the one, two and three bedroom units at £2,260 per sq m (£210 per sq ft).
- 4.36 With regard to shared ownership units we have adopted market values and made an assumption on the initial sale of equity to the purchaser. This is typically 25%. The rental payments on the interest retained by a Registered Provider are then calculated based on a maximum of 2.75% of the outstanding value per annum. We have however adjusted these rental figures to comply with maximum thresholds and affordability levels adopted by LB Lewisham.
- 4.37 We have based our value for the shared ownership units on the current household income thresholds, which are as follows: (The figures in brackets represent the maximum housing cost)
- 1 bed @ £36,795 per annum (£12,252 per annum)
  - 2 bed @ £42,663 per annum (£14,206 per annum)
  - 3 bed @ £59,810 per annum (£19,916 per annum)
- 4.38 Current policy requires that total housing costs are limited to no greater than 45% of net household income (Net housing income is assumed to be 74% of gross household income). This should include mortgage payment, rent and service charge.
- 4.39 In preparing our assessment we have ensured that total housing costs are kept below the figures in brackets above. In doing so, we have assumed that purchasers will acquire a 25% share of equity with an average mortgage rate of 5% per annum and an allowance for annual service charge of between £1,500 and £2,000.
- 4.40 The value per sq ft adopted in the relevant appraisals is a blended rate for the one, two and three bedroom units at £3,660 per sq m (£340 per sq ft).

## 5.0 Viability Assessment

---

### Land Value Benchmark

- 5.1 In order to ascertain if the proposed Land Value Benchmark was reasonable Urban Delivery investigated the Applicant's proposed Land Value Benchmark and compared this to an estimate of Market Value.
- 5.2 We understand that the Applicant has exchanged contracts to acquire the freehold interest in the Property for a price of £3,400,000, subject to planning. This is the price the Applicant has adopted as its Benchmark Land Value.

### *Existing Use Value*

- 5.3 In considering the EUV for the Property we have had regard to the current premises and the existing use and occupation. It is our understanding that the various commercial premises are currently vacant although there are five residential units that may remain occupied or lettable.
- 5.4 We have not been provided with any details for the five existing dwellings. With limited information available for these units we have assumed they are one bedroom units and have applied an arbitrary value of £250,000 per dwelling, suggesting a total of £1,250,000 for the existing residential units.
- 5.5 We understand however that the retail unit fronting Loampit Vale extends to an area of approximately 50.3 sq m (541 sq ft).
- 5.6 In considering a potential Existing Use Value for the retail unit we have applied a rental value of £215 per sq m (£20 per sq ft) and applied an investment yield of 7%. This generates a figure of approximately £150,000, net of purchasers costs at 3.8%.
- 5.7 With regard to the former builder's yard, this consists of an open yard extending to approximately 1,590 sq m (17,115 sq ft) and has previously been used for storing plant and materials. There is little evidence of similar sites transacting recently. The evidence that we have seen typically includes sites with a greater proportion of built space and ranges in value from £1,290 to £1,937 per sq m (£120 to £180 per sq ft) in terms of capital value. Applying a figure equivalent to 40% of these ranges to reflect the land value would suggest a site value in the region of £1,230,000 to £1,850,000.
- 5.8 Combining the indicative Existing Use Values suggested above would result in a maximum value in the order of £3,250,000. Applying a premium of 20% to incentivise a landowner to sell would indicate a land value in the order of £3,900,000.
- 5.9 However, given the on-going changes to the location and the development of residential uses on the adjoining sites, it is unlikely that the Property would now be sold as a commercial site and a vendor would seek to secure a price to reflect the strong likelihood of achieving a residential use on the site.

5.10 We are therefore of the opinion that it would be inappropriate to apply an EUV as a Benchmark Land Value and have sought to rely on evidence of other residential land sales from the local area.

#### *Market Value*

5.11 In order to adopt a preferred Market Value approach to assessing the Land Value Benchmark we have reviewed the local property market for evidence of land sales or the sale of premises that are suitable for residential development.

5.12 A review of the evidence referred to in Section 4 of this report highlights the range of values achievable for residential land within this area. There is evidence from sites within Lewisham and nearby areas at New Cross and Tanners Hill which would suggest a site with the ability to develop 49 dwellings would achieve a price ranging from £3,130,000 to £3,500,000.

5.13 Considering the evidence referred to above and applying this to the subject Property it is our opinion that a Benchmark Land Value of £3,400,000 for the Property is reasonable.

#### **Appraisal Inputs**

##### *Residential Revenue*

5.14 Based on the evidence of recent sales in the local vicinity we have applied our own view on indicative unit prices for the private sale unit types proposed. We have assumed the following pricing:

- 1 bed flat (2 person): £360,000
- 1 bed flat (2 person W/C): £375,000
- 2 bed flat (3 person): £465,000
- 2 bed flat (4 person): £475,000
- 2 bed flat (3 person W/C): £480,000
- 3 bed flat (5 person): £535,000

5.15 Based on these unit prices the average sales value for the private units is in the order of £6,080 per sq m (£565 per sq ft).

5.16 While the sales values on other schemes in the locality range between £5,280 and £8,640 per sq m (£491 and £803 per sq ft), the higher values tend to be achieved on the smaller one bedroom units, often located on the higher floors of tower schemes.

5.17 We estimate that the total revenue achievable for the private sale units could be in the order of £14,745,000. Assuming an average ground rent per private dwelling of £350 per annum, and applying an investment yield of 5.50%, we estimate that an investor may be prepared to purchase the ground rent investment for the 34 private dwellings for around £215,000.

*Affordable Homes*

- 5.18 We have appraised the value of the proposed affordable homes on the basis that the average rented unit will be capped at 60% of market rent. Our appraisal is based on the Applicant's initial proposal for a tenure split of 40% social rented and 60% shared ownership. We note that the Council's preferred split is 70/30 in favour of social rented accommodation.
- 5.17 Having applied these capped rents for one, two and three bedroom units we have derived that the average value of a social rented unit is in the region of £2,260 per sq m (£210 per sq ft).
- 5.18 With regard to the shared ownership units, assuming an initial sale of 25% of the freehold and gradual 'staircasing' by tenants over a 30 to 40 year period, we estimate the average value could be in the order of £3,660 per sq m (£340 per sq ft).
- 5.19 We have applied these broad values to our appraisal and estimated that the combination of social rented and shared ownership units would be in the order of £3,170,000.

*Housing Grant*

- 5.20 We note that Family Mosaic has access to approximately £570,000 of grant monies from the GLA which it has allocated to this development.

*Cost Advice*

- 5.21 Although the Applicant has commissioned a cost estimate from Messrs BPM, the overall build cost adopted within the viability appraisal reflects a rate of £2,150 per sq m (£200 per sq ft). In order to check the Applicant's cost assumptions we have taken advice from Trident Building Consultancy which has undertaken a review of the proposed development scheme. Overall, Trident has indicated that the broad cost assumptions applied by the Applicant appear reasonable and we provide a copy of the cost review summary at Appendix 3.
- 5.22 We have therefore adopted within our appraisal the costs set out in the Applicant's GLA Toolkit appraisal which breaks back to a figure of £2,150 per sq m (£200 per sq ft). In addition, the Applicant has included a contingency allowance of £200,000 which reflects a proportion of approximately 2.15% of build costs. We would typically expect a contingency to be in the order of 5%.

*S106 and CIL Contributions*

- 5.23 We have applied the final LBL and Mayoral CIL and S106 financial contributions to our appraisal as set out in paragraph 2.11. These total £314,013 for Mayoral CIL plus approximately £49,000 for S106 contributions.

*Professional Fees*

- 5.24 The Applicant has set out a list of specific fees for professional consultants. These total £683,000 which reflects a percentage of approximately 7.60% against build costs. We



would typically adopt professional fees in the range of 10% to 12%. On this basis, we are of the view that this is reasonable.

#### *Marketing Costs*

- 5.25 The Applicant has allowed for marketing costs of £636,574 with respect to both the private sale and affordable homes. This reflects a rate of 3.50% against the projected GDV which appears to include sales agent fees as well as associated marketing costs for advertising, preparation of websites, and preparation of marketing suite and show flat.
- 5.26 In our experience we would typically allow for agency fees of between 1% and 1.5% plus a marketing budget of around 2% to 3% of GDV. As such, we are of the opinion that marketing allowance is reasonable and we have therefore adopted a rate of 3.50% within our own appraisal.

#### *Legal Sales Fees*

- 5.27 We have included a cost of £600 per private dwelling to cover the cost of the Applicant's conveyancing costs. We believe this to be a reasonable cost allowance for processing the sale of long leasehold interests for the proposed units.

#### *Finance Costs*

- 5.28 The Applicant has adopted an average finance rate of 6.75% within its Three Dragons Toolkit model.
- 5.29 Some larger and financially secure developers are now able to secure more favourable finance rates in the region of 6% or 6.5% and while we do not believe that the rate suggested by the Applicant is unreasonable on the basis of the schemes location and the requirement to deliver the full scheme as a single phase, we are of the opinion that the applicant would be able to secure favourable terms with a lender and we have therefore applied a finance rate of 6.5% to our own appraisal. We would comment that it is also common practice for banks to charge an arrangement fee for investment and development finance and this can typically range from 1% to 2%, however, this may be rolled-up into the overall loan cost.

#### *Developer Profit*

- 5.30 The Applicant is seeking a developer profit of 20% profit on GDV. We would typically reduce this profit rate to 6% for the affordable homes. Based on our own estimates this would return a total profit sum of approximately £3,200,000 to the Applicant.
- 5.31 On the basis that the proposed scheme will need to be delivered as a single phase and that the site presents added risk in working in close proximity to an operational railway, we are of the opinion that this level of return is reasonable.
- 5.32 With regard to a suitable development return for a standard development project, we consider the GLA Toolkit's default allowance of 20% of Gross Residential Development

Value a reasonable benchmark. However, we are aware that other viability toolkits permit a range of profit levels to suit the phasing and perceived risk of the project.

- 5.33 We have also had regard to recent appeal cases where the Planning Inspectorate has passed judgement on the acceptability of certain profit levels within viability assessments. One particularly prominent case being *The University of Reading vs Wokingham BC* in which the Inspector accepted a developer return of 20% profit on GDV.
- 5.34 At the current time many developers and consultants are in agreement that average levels of return should be in the region of 20% profit on GDV, which typically translates to 25% profit on cost. As such, the level of profit sought in the Applicant's viability assessment is reasonable.

#### *Miscellaneous Costs*

- 5.35 We note that the Applicant will be required to make an additional payment of £50,000 to the land owner on the granting of planning permission for the proposed scheme. We are advised that the purchase price of £3,400,000 was subject to an overage clause requiring payment of a sum up to £425,000 depending on the scale of planning permission granted. Based on the 49 unit scheme the estimated overage payment will be £50,000. However, we have not seen any legal agreement confirming this provision.

## 6.0 Viability Outputs

---

### Viability Findings

- 6.1 We have undertaken our own appraisal and have arrived at the main outcomes described below.
- 6.2 Based on the proposed GDV, the development costs, target developer profit and the Benchmark Land Value, we are of the opinion that the proposal by the Applicant to offer 15 affordable homes (six rented units and nine shared ownership units), equating to a proportion of 30.60% of all homes proposed, is a reasonable offer.
- 6.3 Our findings suggest that the offer submitted by the Applicant does reflect the maximum number of affordable homes that can be provided at the current time, based on the proposed tenure split of 40% rented and 60% shared ownership. Our appraisal indicates a residual land value of circa £3,030,000 which falls short of the target land value by approximately £370,000.

### Sensitivity Testing

- 6.4 As part of the sensitivity testing we have sought to run our appraisals adopting a tenure split as close as possible to the Council policy compliant mix of 70% rented and 30% shared ownership units, albeit restricted to the Applicant's offer of 15 affordable homes in total. On the assumption that four of the one bedroom shared ownership units are converted to social rented units the residual land value is reduced to approximately £2,770,000. This produces a deficit of around £630,000.
- 6.5 In order to allow for a more acceptable mix of affordable tenures we have estimated that it would be possible to include six social rented units (including the three maisonettes) and three shared ownership homes. This mix of unit types reflects a 67/33 tenure split. We would comment however that while this configuration is regarded as financially viable, we estimate that an additional surplus of approximately £90,000 could be generated. However, this surplus is not sufficient to off-set the provision of an additional affordable home without it impacting negatively on the overall viability.
- 6.6 We have also considered how many affordable homes could potentially be provided on the basis that 100% of the affordable homes were to be provided as social rented tenure. Our review indicates that it would be possible to include a broad mix of 5No. two bedroom apartments and 3No. three bedroom maisonettes. This mix of social rented units would generate a financially viable development scheme.
- 6.7 We understand that the Applicant may be prepared to offer the affordable housing as 100% social rented and this would include a total of 10 dwellings. The mix of units would include 2No. 1 bed (2 person) flats, 5No. 2 bed (3 person) flats and 3No. 3 bed (5 person) maisonettes. We have tested these assumptions and estimate that the resultant residual

land value would be in the order of £3,200,000. This reflects a deficit of c.£200,000 and would be regarded as technically financially unviable.

*Sensitivity Testing – Original Proposal (15 Affordable Homes)*

- 6.8 We have run a series of sensitivity tests in order to understand the impact of changes to the assumptions on the viability of the originally proposed scheme with 15 affordable homes. The results of these are set out in the table below.

		Construction: Rate pF				
		-10.000%	-5.000%	0.000%	+5.000%	+10.000%
		179.77 pF	189.75 pF	199.74 pF	209.73 pF	219.71 pF
Sales: Rate pF	-10.000%	(£2,637,442) 17.647%	(£2,210,764) 17.697%	(£1,784,086) 17.747%	(£1,357,408) 17.797%	(£930,730) 17.847%
	-5.000%	(£3,258,009) 17.608%	(£2,833,090) 17.644%	(£2,406,412) 17.691%	(£1,979,734) 17.739%	(£1,553,056) 17.786%
	0.000%	(£3,876,115) 17.588%	(£3,453,651) 17.607%	(£3,028,738) 17.641%	(£2,602,060) 17.686%	(£2,175,382) 17.731%
	+5.000%	(£4,493,025) 17.577%	(£4,071,861) 17.587%	(£3,649,293) 17.605%	(£3,224,375) 17.638%	(£2,797,709) 17.681%
	+10.000%	(£5,109,392) 17.570%	(£4,688,844) 17.576%	(£4,267,587) 17.586%	(£3,844,936) 17.604%	(£3,420,007) 17.635%

- 6.9 These sensitivity results are based on a change to the average sales value and the build costs by a factor of 5% and 10%. As can be seen, a movement resulting in a higher sales value or lower build cost will increase the residual land value and in theory enable the delivery of additional affordable homes.
- 6.10 Based on current values and costs, we estimate that private sales values would need to increase by approximately 4% to achieve a viable development scheme. Any subsequent increase in values could then enable the Applicant to make a further contribution towards affordable housing.

**Review Mechanism**

- 6.11 Should anything prevent the Applicant from implementing the planning permission for an extended period of time it would be advantageous to seek a review mechanism within the S106 agreement to review viability at the construction commencement date, or just prior to this date.
- 6.12 Should it be found that sales values have increased substantially in that time it may be feasible for the Applicant to provide a ‘top-up’ to the affordable homes contribution.
- 6.13 In order to provide for an additional financial contribution towards affordable housing it is necessary to understand what the average sales value will need to reach while ensuring the development scheme remains financially viable.

*Further Financial Contribution - Original Proposal (15 Affordable Homes)*

- 6.14 In arriving at an appropriate Target Sales Value we have assumed that the construction contract will be let imminently and construction prices will be fixed. As such, our calculations have not made any allowance for cost inflation over the next 24 months. In

addition, we have assumed that the Applicant will acquire the land at £3,400,000.

- 6.15 Should average sales values for the private residential units reach £6,330 per sq m (£588 per sq ft) the Council may become eligible for a financial 'top-up'. It is assumed that any 'top-up' would reflect a 50% share of any development surplus in order to incentivise the developer to achieve a higher sales value.
- 6.16 We have calculated that based on the current Applicant offer of 30% affordable housing, should the scheme achieve a Target Sales Value of £7,300 per sq m (£679 per sq ft) or over, this will potentially signify that 50% affordable housing could be viable and the applicant could become liable to pay a maximum top-up contribution of £780,000.
- 6.17 As a further demonstration, should the average private sales value reach £6,930 per sq m (£643 per sq ft) then it may be viable for the Applicant to provide an additional £475,000 as this would signify it is viable to have offered 40% affordable housing by way of net sales area.

**Table: Estimated additional affordable housing contribution**

<b>Viable Scheme</b>	<b>Target Sales Value</b>	<b>Potential Top-Up</b>
40% Affordable	£643 per sq ft	£475,000
50% Affordable	£679 per sq ft	£780,000

*Further Financial Contribution - Revised Proposal (10 Social Rented Homes)*

- 6.17 Where the Applicant has offered to revise the provision of affordable homes to an on-site offer of 10 social rented units we have undertaken a similar exercise to identify under what circumstance the Applicant could potentially afford to make additional financial contributions towards off-site affordable homes. In undertaking this exercise we have based the increased provisions on a policy compliant mix of rented and shared ownership homes.
- 6.18 In order to achieve a viable scheme with 40% affordable housing (14 social rented and six shared ownership units) we estimate that the average private sales value would need to increase by approximately 16.25% in order for the scheme to break even. This would require an average sales value of c.£7,000 per sq m (£650 per sq ft).
- 6.19 In order to achieve a viable scheme with 50% affordable housing (17 social rented and seven shared ownership units) we estimate that the average private sales value would need to increase by approximately 27.25% in order for the scheme to break even. This would require an average sales value of c.£7,820 per sq m (£726 per sq ft).
- 6.20 These are summarised in the table below.

**Table: Estimated additional contribution – 10 Social Rented Homes**

<b>Viable Scheme</b>	<b>Target Sales Value</b>	<b>Potential Top-Up</b>
40% Affordable	£650 per sq ft	£780,000
50% Affordable	£726 per sq ft	£1,380,000

## 7.0 Conclusion

---

- 7.1 Having reviewed the Applicant's proposal for the site at 87-89 Loampit Vale we are of the opinion that the offer for 30.60% affordable housing is reasonable. It should be noted that this offer comprises a tenure mix of 40% social rented units and 60% shared ownership units.
- 7.2 Our appraisal indicates that this level of affordable housing would result in a potential deficit of £370,000 to the Applicant based on the agreed Benchmark Land Value and allowing the developer to achieve a return of 20% profit on GDV (6% profit for the affordable homes).
- 7.3 However, based on a revised offer by the Applicant to provide 10 social rented homes (20% affordable homes in total) the deficit is reduced to approximately £200,000. While this reflects a reduction in the number of affordable homes it does provide a greater number of social rented homes in this locality.
- 7.4 In light of this review, and based on the costs and sales values arrived at as at the date of this report, it is unlikely that the proposed scheme is able to support any additional affordable housing units above the respective numbers offered by the Applicant.
- 7.5 However given the results of the sensitivity testing and the anticipation that sales values will continue to increase over the next 12-24 months, the Council should incorporate a clause in the Section 106 Agreement which enables a review of this scheme at pre-determined scenarios to ensure that the Applicant provides a fair contribution towards affordable housing in the Borough.

## **APPENDIX 1**

### Summary Viability Appraisal – 15 Affordable Homes



87-89 Loampit Vale, Lewisham  
Urban Delivery Viability Appraisal Review

---

30% Affordable Housing

---

Development Appraisal  
Urban Delivery  
11 February 2016

**87-89 Loampit Vale, Lewisham  
Urban Delivery Viability Appraisal Review**

**Summary Appraisal for Merged Phases 1 2**

Currency in £

**REVENUE**

Sales Valuation	Units	ft <sup>2</sup>	Rate ft <sup>2</sup>	Unit Price	Gross Sales
1 Bed Flats (2P) - Private	14	7,784	647.48	360,000	5,040,000
1 Bed Flats (2P W/C) - Private	2	1,526	491.48	375,000	750,000
2 Bed Flats (3P) - Private	2	1,408	660.51	465,000	930,000
2 Bed Flats (4P) - Private	8	6,464	587.87	475,000	3,800,000
3 Bed Flats (5P) - Private	7	7,889	474.71	535,000	3,745,000
2 Bed Flats (3P W/C) - Private	1	1,017	471.98	480,000	480,000
2 Bed Flats (3P) - AR	1	816	210.00	171,360	171,360
2 Bed Flats (3P W/C) - AR	2	1,864	210.00	195,720	391,440
3 Bed Maisonette (5P) - AR	3	3,462	210.00	242,340	727,020
1 Bed Flats (2P) - SO	6	3,258	340.00	184,620	1,107,720
2 Bed Flats (4P) - SO	2	1,570	340.00	266,900	533,800
2 Bed Flats (3P) - SO	<u>1</u>	<u>710</u>	340.00	241,400	<u>241,400</u>
<b>Totals</b>	<b>49</b>	<b>37,768</b>			<b>17,917,740</b>

**Rental Area Summary**

	Units	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Ground Rent	34	350	11,900	11,900
<b>Totals</b>	<b>34</b>		<b>11,900</b>	<b>11,900</b>

**Investment Valuation**

<b>Ground Rent</b>					
Current Rent	11,900	YP @	5.5000%	18.1818	216,364
					<b>216,364</b>

**GROSS DEVELOPMENT VALUE**

	<b>18,134,104</b>
Income from Tenants	2,975
<b>Additional Revenue</b>	
Housing Grant	570,000
	570,000

**NET REALISATION**

	<b>18,707,079</b>
--	-------------------

**OUTLAY**

**ACQUISITION COSTS**

Residualised Price	3,028,738		
			3,028,738
Stamp Duty	4.00%	97,756	
Agent Fee	1.00%	24,439	
Survey		30,000	
			152,195

**CONSTRUCTION COSTS**

Construction	ft <sup>2</sup>	Rate ft <sup>2</sup>	Cost
1 Bed Flats (2P) - Private	9,642 ft <sup>2</sup>	199.74 pf <sup>2</sup>	1,925,896
1 Bed Flats (2P W/C) - Private	1,890 ft <sup>2</sup>	199.74 pf <sup>2</sup>	377,559
2 Bed Flats (3P) - Private	1,744 ft <sup>2</sup>	199.74 pf <sup>2</sup>	348,364
2 Bed Flats (4P) - Private	8,007 ft <sup>2</sup>	199.74 pf <sup>2</sup>	1,599,306
3 Bed Flats (5P) - Private	9,772 ft <sup>2</sup>	199.74 pf <sup>2</sup>	1,951,875
2 Bed Flats (3P W/C) - Private	1,260 ft <sup>2</sup>	199.74 pf <sup>2</sup>	251,623
2 Bed Flats (3P) - AR	1,011 ft <sup>2</sup>	199.74 pf <sup>2</sup>	201,893
2 Bed Flats (3P W/C) - AR	2,309 ft <sup>2</sup>	199.74 pf <sup>2</sup>	461,186
3 Bed Maisonette (5P) - AR	4,288 ft <sup>2</sup>	199.74 pf <sup>2</sup>	856,559
1 Bed Flats (2P) - SO	4,036 ft <sup>2</sup>	199.74 pf <sup>2</sup>	806,086
2 Bed Flats (4P) - SO	1,945 ft <sup>2</sup>	199.74 pf <sup>2</sup>	388,445
2 Bed Flats (3P) - SO	<u>879 ft<sup>2</sup></u>	199.74 pf <sup>2</sup>	<u>175,666</u>
<b>Totals</b>	<b>46,783 ft<sup>2</sup></b>		<b>9,344,457</b>
			<b>9,344,457</b>
Contingency		200,000	
			200,000
<b>Other Construction</b>			
Contamination		400,000	
S106		49,000	

**87-89 Loampit Vale, Lewisham  
Urban Delivery Viability Appraisal Review**

MCIL & LBL CIL			314,013		763,013
<b>PROFESSIONAL FEES</b>					
Architect Fees			60,000		
EA Fees			156,000		
Admin			276,000		
Legal Fees			40,000		
Party Wall Surveyor			20,000		
Structural Engineer			10,000		
Valuers Fee			5,000		
CDM Co-ordinator			26,000		
Other Consultant Fees			60,000		
					653,000
<b>MARKETING &amp; LETTING</b>					
Marketing		3.50%	516,075		
Marketing			58,500		
					574,575
<b>DISPOSAL FEES</b>					
Sales Legal Fee	34 un	600.00 /un	20,400		
					20,400
<b>Additional Costs</b>					
Overage to L&C Railways			50,000		
					50,000
<b>FINANCE</b>					
Debit Rate 6.500%, Credit Rate 0.000% (Nominal)					
Total Finance Cost					721,741
<b>TOTAL COSTS</b>				<b>15,508,119</b>	
<b>PROFIT</b>					
					<b>3,198,959</b>
<b>Performance Measures</b>					
Profit on Cost%			20.63%		
Profit on GDV%			17.64%		
Profit on NDV%			17.64%		
Development Yield% (on Rent)			0.08%		
Equivalent Yield% (Nominal)			5.50%		
Equivalent Yield% (True)			5.69%		
Gross Initial Yield%			5.50%		
Net Initial Yield%			5.50%		
IRR			29.89%		
Rent Cover		268 yrs 10 mths			
Profit Erosion (finance rate 6.500%)		2 yrs 11 mths			

## **APPENDIX 2**

### Summary Viability Appraisal – 10 Social Rented Homes

87-89 Loampit Vale, Lewisham  
Urban Delivery Viability Appraisal Review  
10 Social Rented Homes

---

20% Affordable Housing  
100% Social Rented

---

Development Appraisal  
Urban Delivery  
18 February 2016

**87-89 Loampit Vale, Lewisham  
Urban Delivery Viability Appraisal Review  
10 Social Rented Homes**

**Summary Appraisal for Merged Phases 1 2**

Currency in £

**REVENUE**

Sales Valuation	Units	ft <sup>2</sup>	Rate ft <sup>2</sup>	Unit Price	Gross Sales
1 Bed Flats (2P) - Private	14	7,784	647.48	360,000	5,040,000
1 Bed Flats (2P W/C) - Private	2	1,526	491.48	375,000	750,000
2 Bed Flats (4P) - Private	8	6,464	587.87	475,000	3,800,000
3 Bed Flats (5P) - Private	7	7,889	474.71	535,000	3,745,000
2 Bed Flats (3P W/C) - Private	1	1,017	471.98	480,000	480,000
1 Bed Flats (2P) - Private	4	2,172	662.98	360,000	1,440,000
2 Bed Flats (4P) - Private	2	1,570	605.10	475,000	950,000
2 Bed Flats (3P) - Private	1	710	654.93	465,000	465,000
2 Bed Flats (3P) - AR	1	816	210.00	171,360	171,360
2 Bed Flats (3P W/C) - AR	2	1,864	210.00	195,720	391,440
3 Bed Maisonette (5P) - AR	3	3,462	210.00	242,340	727,020
1 Bed Flats (2P) - AR	2	1,086	210.00	114,030	228,060
2 Bed Flats (3P) - AR	2	1,408	210.00	147,840	295,680
<b>Totals</b>	<b>49</b>	<b>37,768</b>			<b>18,483,560</b>

**Rental Area Summary**

	Units	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Ground Rent	39	350	13,650	13,650
<b>Totals</b>	<b>39</b>		<b>13,650</b>	<b>13,650</b>

**Investment Valuation**

Ground Rent					
Current Rent	13,650	YP @	5.5000%	18.1818	248,182
					<b>248,182</b>

**GROSS DEVELOPMENT VALUE**

**18,731,742**

Income from Tenants 3,413

**Additional Revenue**

Housing Grant 570,000  
570,000

**NET REALISATION**

**19,305,154**

**OUTLAY**

**ACQUISITION COSTS**

Residualised Price		3,206,695		3,206,695
Stamp Duty	4.00%	125,187		
Agent Fee	1.00%	31,297		
Survey		30,000		
				186,484

**CONSTRUCTION COSTS**

Construction	ft <sup>2</sup>	Rate ft <sup>2</sup>	Cost
1 Bed Flats (2P) - Private	9,642 ft <sup>2</sup>	199.74 pf <sup>2</sup>	1,925,896
1 Bed Flats (2P W/C) - Private	1,890 ft <sup>2</sup>	199.74 pf <sup>2</sup>	377,559
2 Bed Flats (4P) - Private	8,007 ft <sup>2</sup>	199.74 pf <sup>2</sup>	1,599,306
3 Bed Flats (5P) - Private	9,772 ft <sup>2</sup>	199.74 pf <sup>2</sup>	1,951,875
2 Bed Flats (3P W/C) - Private	1,260 ft <sup>2</sup>	199.74 pf <sup>2</sup>	251,623
1 Bed Flats (2P) - Private	2,690 ft <sup>2</sup>	199.74 pf <sup>2</sup>	537,390
2 Bed Flats (4P) - Private	1,945 ft <sup>2</sup>	199.74 pf <sup>2</sup>	388,445
2 Bed Flats (3P) - Private	879 ft <sup>2</sup>	199.74 pf <sup>2</sup>	175,666
2 Bed Flats (3P) - AR	1,011 ft <sup>2</sup>	199.74 pf <sup>2</sup>	201,893
2 Bed Flats (3P W/C) - AR	2,309 ft <sup>2</sup>	199.74 pf <sup>2</sup>	461,186
3 Bed Maisonette (5P) - AR	4,288 ft <sup>2</sup>	199.74 pf <sup>2</sup>	856,559
1 Bed Flats (2P) - AR	1,345 ft <sup>2</sup>	199.74 pf <sup>2</sup>	268,695
2 Bed Flats (3P) - AR	1,744 ft <sup>2</sup>	199.74 pf <sup>2</sup>	348,364
<b>Totals</b>	<b>46,783 ft<sup>2</sup></b>		<b>9,344,457</b>

Contingency 200,000  
200,000

**87-89 Loampit Vale, Lewisham  
Urban Delivery Viability Appraisal Review  
10 Social Rented Homes**

**Other Construction**

Contamination		400,000	
S106		49,000	
MCIL & LBL CIL		314,013	
			763,013

**PROFESSIONAL FEES**

Architect Fees		60,000	
EA Fees		156,000	
Admin		276,000	
Legal Fees		40,000	
Party Wall Surveyor		20,000	
Structural Engineer		10,000	
Valuers Fee		5,000	
CDM Co-ordinator		26,000	
Other Consultant Fees		60,000	
			653,000

**MARKETING & LETTING**

Marketing	3.50%	483,525	
Marketing		58,500	
			542,025

**DISPOSAL FEES**

Sales Legal Fee	32 un	600.00 /un	19,200
			19,200

**Additional Costs**

Overage to L&C Railways		50,000	
			50,000

**FINANCE**

Debit Rate 6.500%, Credit Rate 0.000% (Nominal)			
Total Finance Cost			808,665

**TOTAL COSTS**

**15,773,539**

**PROFIT**

**3,531,615**

**Performance Measures**

Profit on Cost%		22.39%
Profit on GDV%		18.85%
Profit on NDV%		18.85%
Development Yield% (on Rent)		0.09%
Equivalent Yield% (Nominal)		5.50%
Equivalent Yield% (True)		5.69%
Gross Initial Yield%		5.50%
Net Initial Yield%		5.50%
IRR		29.88%
Rent Cover	258 yrs 9 mths	
Profit Erosion (finance rate 6.500%)	3 yrs 2 mths	

## **APPENDIX 3**

### Trident Cost Report



# 87-89 Loampit Vale



**This page is intentionally left blank**

Committee	PLANNING COMMITTEE A	
Report Title	7 Heath Lane, London, SE3 0UT	
Ward	Blackheath	
Contributors	Andrew Harris	
Class	PART 1	18 February 2016

<u>Reg. Nos.</u>	DC/15/93600
<u>Application dated</u>	04.09.2015
<u>Applicant</u>	Mr Alan Budden on behalf of Mr Toby Smith
<u>Proposal</u>	The construction of a new summer house in the rear garden of 7 Heath Lane, SE3
<u>Applicant's Plan Nos.</u>	E1306-131 REV D; E1306-132 REV D; E1306-133 REV C; E1306-134 REV D; E1306-135 REV C; E1306-136 REV B; E1306-137 REV B; E1306-138 REV A; E1306-139 REV A; E1306-140 REV A ; Design and Access Statement dated July 2015 by Eco Design Consultants; received 7 <sup>th</sup> September 2015; E1306-245; E1306-130 REV E received 1 <sup>st</sup> October 2015; 55702-02 REV E; Site Specific Arboricultural Method Statement by Landscape Planning Limited (dated 15 September 2015); Bat Scoping Survey by Landscape Planning Ltd (dated 21 <sup>st</sup> January 2016) received 21 <sup>st</sup> January 2016
<u>Background Papers</u>	(1) Case File LE/685/7/TP (2) Core Strategy (2011) (3) Development Management Local Plan (2014) (4) The London Plan (2015)
<u>Designation</u>	PTAL 2 Blackheath Conservation Area Area of Special Character
<u>Screening</u>	N/A

**1.0 Property/Site Description**

- 1.1 The application site is a large two-storey, detached dwelling house on the western side of Heath Lane. The property benefits from a substantial rear garden of approximately 2,100sqm in area.
- 1.2 There is a detached single storey ancillary building located in the front garden close to the front elevation of the main dwelling, which appears to be in use as a

garage/storage space. The property is currently in use as a single-family dwelling house.

- 1.3 The site is U-shaped, being wider at the front and rear and reducing in width in the middle. To the north is No's 5 and 6 Heath Lane, to the rear (west) are No's 26-30 Pagoda Gardens and to the south is No. 8 Heath Lane. The surrounding area is characterised by detached properties with large gardens, containing many trees which give the area an open character. The rear garden of the subject site contains a number of mature trees.
- 1.4 The site is located within the Blackheath Conservation Area, but is not a listed building. The site is also located within an area of special interest.

## **2.0 Planning History**

- 2.1 DC/14/90195 – The construction of a replacement garage with storage area in the front garden of 7 Heath Lane SE3. Application permitted 05.05.2015.
- 2.2 DC/13/84323 – The construction of a part one/part two storey extension plus basement to the rear of 7 Heath Lane SE3 and the construction of a garage in the front garden. Application permitted 24.12.2013.
- 2.3 DC/13/84487 – Demolition of existing pool structures and the construction of a single storey swimming pool building to the rear of 7 Heath Lane SE3. Application permitted 29.11.2013.
- 2.4 DC/13/84488 – Demolition of existing pool structures, removal of 4 no. Trees and erection of swimming pool building. Application withdrawn.
- 2.5 DC/13/84324 – Demolition of rear staircase extension and erection of two storey rear extension. Removal of existing carport and erection of replacement garage/carport. Application withdrawn.

## **3.0 Current Planning Applications**

### The Proposals

- 3.1 The current planning application seeks permission for the construction of a outbuilding, which the applicants refer to as a new summer house, in the rear garden of 7 Heath Lane, SE3.
- 3.2 It is proposed to construct a single storey building within the rear garden of the subject site, adjacent to the north side boundary. The building would provide 80sqm of internal floorspace and be occupied by a games and activities space with sauna, WC, shower and storage rooms, which would be ancillary to the main dwelling.
- 3.3 The building would have a maximum width of 10.6 metres and a depth of 10.4 metres, with a flat roof at a maximum height of 3.5 metres. Due to a slight change in levels the building would be lower into the ground at the front and therefore only measure 3 metres in height. The building would be finished in timber cladding and metal panels to give the building a contemporary appearance.

- 3.4 Bi-folding doors are proposed for the southern corner, four windows varying in size for the north-western elevation and a high level window to the northern elevation.
- 3.5 The construction of the structure would result in the loss of four trees. The four trees are proposed to be removed to allow for building access to the site, it is proposed to replant these trees elsewhere on site.

#### Supporting Documents

3.6 The applicant has submitted the following supporting documents:

- Site Specific Arboricultural Method Statement
- Design and Access Statement
- Bat Scoping Survey

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

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

- 4.3 Four objections were received as a result of the consultation undertaken. The objectors raised the following concerns:
- The summerhouse would be built on old woodland which is one of the last surviving such copse in the whole of the Blackheath Conservation Area;
  - The ancient wood and holly copse that the summerhouse would be constructed on is teeming with unusual wildlife and as such the development would be of harmful to the environment of the area;
  - It would overlook 26-30 Pagoda Gardens resulting in a substantial loss of privacy;
  - The proximity of the development to the boundary wall with Pagoda gardens could result in noise and disturbance for residents;
  - The proposed building would be very large and the size is inappropriate for the woodland setting;
  - The building would be a visual eyesore given its setting;
  - A Land Registry Plan search by Solicitors revealed that the land marked as the oak and holly copse at the rear of No 7 Heath Lane is subject to old restrictive covenants preventing building on the land;

- If permission were to be granted conditions should be imposed that (1) the building should not be used as a dwelling or for sleeping in; (2) no removal of any holly trees or bushes that may currently not be the subject of tree protection orders; and (3) no planting of a garden that involves the removal of any of the remainder of the woodland copse being disturbed;
- Due to the location within a Conservation Area any tree removal is prohibited due to a blanket TPO on all trees;
- The building will result in loss of outlook for the homes of Pagoda Gardens; and
- Bats are seen foraging along the backs of the Pagoda Gardens in the copse of trees, a full ecological survey should be undertaken as they are protected under European law. Owls are also using the trees in the area.

#### Consultee Comments

4.4 Following consultation no objections were raised from the Council's Ecology, Tree and Conservation Officers.

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

#### London Plan Supplementary Planning Guidance (SPG)

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

Sustainable Design and Construction (2006)

#### London Plan Best Practice Guidance

#### 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 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 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 25	Landscaping and trees
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)

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) Ecology, Trees and Landscaping
- d) Impact on Adjoining Properties

### Principle of Development

6.2 The floor plan of the proposed summerhouse shows that it would be predominately used as a games space with a table tennis table, hot tub and sauna. A small storage room, shower and WC are also proposed. The floor plans indicate that the area would be an ancillary space to the main dwelling and would not be used as a separate residential dwelling. However, it should be noted that the size of the space and its connection to water, sewerage and electricity could enable it to be used as a habitable space.



- 6.3 As the use is considered to be ancillary to the use of the main dwelling, the use of the land for this purpose is acceptable. If permission were to be granted it would be appropriate to include a condition on any permission that prevents the use of the space as a separate dwelling without planning permission first being secured.

#### Design

- 6.4 Core Strategy Policy 15 relates to high quality design and 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 relates to urban design and local character and states that the Council will require all development proposals to attain a high standard of design, which applies to new buildings and for alterations and extensions to existing buildings. In addition, development proposals will need to be compatible with and/or complement the urban typologies and address design and environment issues of the area. It is expected that new urban forms contribute to local distinctiveness such as plot widths, building features and uses, roofscape, open space and views, panoramas and vistas including those identified in the London Plan, taking all available opportunities for enhancement. New development should have a height, scale and mass which should relate to the urban typology of the area, with a scale and alignment that responds appropriately to the existing street including its building frontages.
- 6.6 DM Policy 36 relates to 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 36 states that the Council will not grant planning permission where new development or alterations and extensions to existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.
- 6.7 The application seeks permission for the erection of a detached building to be used as an ancillary summerhouse within the rear garden of 7 Heath Lane. The height and scale of the building are considered to be proportionate for the site in which it is set, occupying a footprint of approximately 90sqm, which constitutes 4% of the total garden area. As a single storey building with a flat roof the building would be subordinate to the main property and subservient within the garden overall.
- 6.8 The materials proposed along with the design of the building would provide a contemporary addition to the site. The proposed use of timber cladding with and metal panels for the external walls is considered appropriate in the garden setting and the proposed aluminium framed windows and doors are also considered to complement the overall design of the building
- 6.9 The summerhouse is located on the top of a hill within the rear garden of the subject site that has a high number of established trees. Planning permission was granted on 29 November 2013 (ref: DC/13/84487) for demolition of the existing pool structures and the construction of a new single storey swimming pool building to the rear of the subject site. The approved building had a floor area of

approximately 174sqm. There has been a material change in planning policy since the time that permission was granted for the building as the Development Management Local Plan was adopted on 26 November 2014. However, it is considered that this permission still forms a material consideration when assessing the application. The summerhouse has a significantly reduced building footprint when compared to the approved pool house and therefore will have a less dominant impact on the garden area.

#### Impact on the Conservation Area

- 6.10 The surrounding area is characterised by large plots, large detached dwellings and a high number of established trees. The summerhouse would be located within the rear garden of the subject site on the top of a hill where there is a cluster of trees.
- 6.11 The development would result in a large structure located within the rear garden of the subject site and the loss of four trees. This area is characterised by woodland and open space. The removal of the additional trees is considered necessary for building works access and also to rationalise the number of trees on site, focusing on retaining high quality trees.
- 6.12 Consideration must be given to the impact of the construction of a structure within the rear garden and the impact on the open character of the area. The size of the rear garden is substantial, and the proposed summerhouse would not occupy a significant portion of it. Whilst the scale of the structure is larger than those usually associated with summerhouses or rear outbuilding, its single storey nature ensures it is not a dominant addition to the garden of No. 7 Heath Lane. In addition, the Council's Conservation Officer raised no objection to the proposal and advised that the works would not impact upon the character of the conservation area as it would not be visible from any public viewpoint.
- 6.13 The summerhouse is to be located on a hill within the rear garden, which increases its visibility within the surrounding area. However, this hill contains a number of established trees within its perimeter that ensures the new structure is predominately screened from view. The loss of four trees, along with a number of other trees approved under separate consents is not considered to jeopardise the success of natural screening and a replanting plan is also a requirement that is to be included as a condition.
- 6.14 The summerhouse would not be visible from any public vantage point. Its box design is simple and the use of contemporary materials ensures that the structure has a lightweight appearance. The use of timber and metal cladding is welcomed as these contemporary materials ensure the structure appears as a modern addition to the site, in addition the use of these materials blend in with the surrounding environment which is characterised by greens and browns of the surrounding woodland.
- 6.15 The summer house is set away from the main house by 36 metres and it is not considered to impact on the setting of the main dwelling at No. 7 Heath Lane.
- 6.16 In conclusion, the bulk, scale, massing and design of the structure is considered to be acceptable given the significant size of the rear garden of the site. The loss of the trees is not considered to unacceptably harm the character or appearance of the rear garden setting or surrounding Conservation Area.

## Ecology, Trees and Landscaping

- 6.17 DM Policy 25 relates to Landscaping and trees and states that applicants for all major development and, where appropriate, non-major development (and always when there is a Tree Preservation Order in place) will be required to:
- a. submit an Arboricultural Survey carried out by an appropriate, competent person, in line with BS5837
  - b. retain existing trees for the most part and in the event of tree removal, replacement planting will normally be required. New and replacement tree planting must use an appropriate species that reflects the existing biodiversity in the borough.
- 6.18 The SPD on Residential Standards provides addition guidance with regard to landscaping and trees and states that careful evaluation should be made of all existing trees on the proposed development site. Ideally, all existing trees considered being of sufficient quality, or which make an important contribution to the street scene or the character of a Conservation Area, should be retained in new development. Where it is agreed that trees may be removed, then replacement planting should take place within the development area. Attractive or ecologically important existing natural features of a site should be retained where possible – these may include small areas of woodland, natural ponds, large or specimen trees or groups of trees. Trees in Conservation Areas will usually be retained where possible.
- 6.19 There are no Tree Preservation Orders relating to the site, however the trees are protected from removal and other certain works without consent by virtue of the Conservation Area Designation.
- 6.20 The development would result in the loss of four trees. The trees are required to be removed to allow for the construction of the summerhouse and also allow the high quality healthy trees to flourish on site. It is proposed to replant four trees to replace those lost. The trees to be lost and their quality are detailed below:
- T6 – Hawthorn of average form, shape and condition
  - T7 – Hawthorn of average form, shape and condition
  - T8 – Hawthorn of average form, shape and condition
  - T12 – Oak which has been previously ‘topped’ at 10m. Truck epicormic growth on main trunk to 4m. Cavities and hollows between root buttress’s. Crown lifted recently.
- 6.21 These trees do not form part of the established woodland to the rear of the site and it is not considered that their removal would harm the character of the rear garden setting or the ecological value of the area. Furthermore, the four trees which are to be removed are some of the smaller in the rear garden and it is considered that a condition requiring replacement trees of equal quality will successfully mitigate their loss.

- 6.22 Overall, the loss of trees within the rear garden of the subject site, would not result in significant harm to the character or appearance of the application site or wider conservation area nor unacceptably impact on the ecological value of the area.
- 6.23 A bat survey was conducted and the survey report submitted to the Council. It concluded that bats are unlikely to be present at the site and further surveys and mitigation are not necessary. The Council holds no evidence to dispute these findings and Officers have reviewed the information and sought advice from the Council's Ecology Manager who having also reviewed the information submitted and the site has raised no objection. Whilst it is noted that residents have seen bats in the area, the mere present of bats in itself does not mean the site is a roost or foraging site that would be put at risk by this development. The report also confirmed that there is no potential for roosting bats within the four trees proposed to be removed, identified as T6, T7, T8 and T12. Having given this matter full consideration in light of the information submitted the proposal is therefore considered to be acceptable.

#### Impact on Adjoining Properties

- 6.24 One of the Core Planning Principles identified at paragraph 17 of the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 6.25 The closest residential properties to the summerhouse are No. 6 Heath Lane and No's 26-30 Pagoda Gardens. The summerhouse is proposed to be situated in the rear garden of No. 7 Heath Lane. To the northeast is No. 6 Heath Lane. The summerhouse is setback at a minimum of 1.4 metres from the boundary of this site, and is located 26 metres from the rear of the dwelling at No. 6 Heath Lane. To the northwest are No's 26-30 Pagoda Gardens, the summerhouse would be located a minimum of 14 metres from the boundary of these properties and 24 metres from the rear building line of the terrace row.
- 6.26 With regards to daylight and sunlight, the proposed building is set away a minimum of 24 metres from any adjoining residential dwelling. As such, it is not considered that given the building's single storey nature would result in any loss of daylight or sunlight for any adjoining residential properties. These separation distances also ensure no adjoining property experiences an increased sense of enclosure.
- 6.27 Objections have been raised to the proposal on the grounds of loss of privacy, increased overlooking and loss of outlook. Concerns have been raised regarding the impact on No's 26-30 Pagoda Gardens. The summerhouse would be located 14 metres from the rear gardens of No's 26-30 Pagoda Gardens. The summerhouse would be located on a hill which increases its visibility, however due to the significant separation distance between the summerhouse and the rear gardens of No's 26-30 Pagoda Gardens it is not considered that any significant loss of privacy or outlook would occur.
- 6.28 The summerhouse is located in close proximity to the rear garden of No. 6 Heath Lane, but given the substantial size of the rear garden of this property it is not considered that any loss of outlook from the rear garden of the site would be harmful to the enjoyment of this private outdoor amenity space.

- 6.29 With regard to privacy and overlooking, a high level window is proposed for the north-eastern elevation which overlooks the rear garden of No. 6 Heath Lane. It is considered that as this window is high level only that no unacceptable overlooking would occur to the detriment of the privacy of the residents of No. 6 Heath Lane.
- 6.30 Three small windows and a wide window are proposed for the northwestern elevation. These windows would have views towards the rear gardens of No's 26-30 Pagoda Gardens. The new windows would be located at a minimum of 15 metres from the rear gardens of these properties. The location of the summerhouse on a hill increases the potential risk of overlooking but given the separation distances between these properties and the summerhouse's location within an area that will retain a large number of trees that will provide screening between the two properties, it is not considered that any unacceptable loss of privacy would occur to these properties.
- 6.31 Sliding doors and a window located to the southern and southeastern elevations of the summerhouse would afford views into the rear garden of the application site and as such is not considered to result in any loss of privacy to any adjoining residential property.
- 6.32 In conclusion, the proposed summerhouse would not result in any unacceptable loss of daylight, sunlight or outlook, increase in sense of enclosure, or loss of privacy for any adjoining residential property.

## **7.0 Community Infrastructure Levy**

- 7.1 The above development is not CIL liable.

## **8.0 Equalities Considerations**

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

## **9.0 Conclusion**

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

9.2 In this case, the development does not conflict with the relevant policies of the development plan. Therefore officers consider the development to be acceptable and recommend the Lewisham Planning Committee to **GRANT** permission.

## 10.0 **RECOMMENDATION**

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

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

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

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

E1306-131 REV D; E1306-132 REV D; E1306-133 REV C; E1306-134 REV D; E1306-135 REV C; E1306-136 REV B; E1306-137 REV B; E1306-138 REV A; E1306-139 REV A; E1306-140 REV A ; Design and Access Statement dated July 2015 by Eco Design Consultants; received 7<sup>th</sup> September 2015; E1306-245; E1306-130 REV E received 1<sup>st</sup> October 2015; 55702-02 REV E; Site Specific Arboricultural Method Statement by Landscape Planning Limited (dated 15 September 2015); Bat Scoping Survey by Landscape Planning Ltd (dated 21<sup>st</sup> January 2016) received 21<sup>st</sup> 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 a detailed schedule and specification of all external materials, including windows, external doors and roof coverings to be used on the building 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 and Policy 16 Conservation Areas 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.

- (4) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roof on the building hereby approved shall be as set out in the application and no development or the formation of any

structure 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 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (5) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the residential accommodation hereby approved shall only be used for purposes ancillary to the residential use of the dwelling house known as 7 Heath Lane 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 (2004).

- (6) Four replacement trees shall be planted within 12 months of the removal of the original trees indicated on drawing no: 55702-02 REV E within the grounds of 7 Heath Lane. Full details of the size, species and planting details of the replacement trees shall be submitted to, and approved by, the Local Planning Authority before replanting occurs. All new planting shall be of suitable stock, adequately staked and tied. If within a period of two years from the date of planting, a tree (or any replacement) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted in the same place, or in accordance with any variation for which the Local Planning Authority has given their prior written consent.

Reason: To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and policies DM 25 Landscaping and trees and 30 Urban design and local character of the Development Management Local Plan (November 2014).

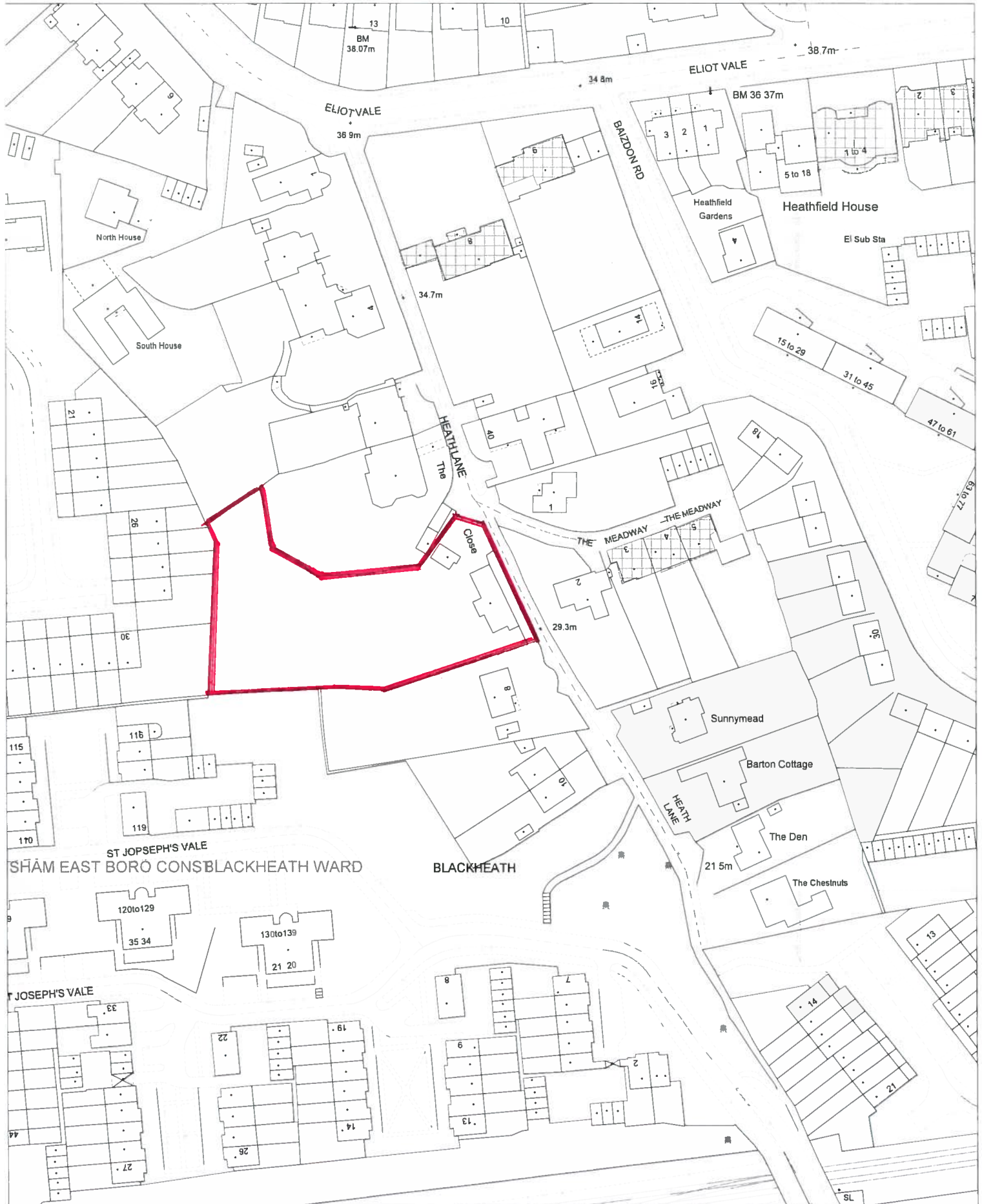
## **INFORMATIVES**

- (1) Positive and Proactive Statement: The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (2) The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.

- (3) 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.



# 7 Heath Lane



SHAM EAST BORO CONS BLACKHEATH WARD

BLACKHEATH

JOSEPH'S VALE

ST JOSEPH'S VALE

**This page is intentionally left blank**

Committee	PLANNING COMMITTEE B	
Report Title	Raymont Hall, 57-63 Wickham Road, SE4 1LX	
Ward	Brockley	
Contributors	Karl Fetterplace	
Class	PART 1	Date: 3 March 2016

Reg. Nos. DC/15/94338

Application dated 04/11/15

Applicant Gerald Eve on behalf of Campus Living Villages

Proposal The construction of a two storey extension, forming the 4th and 5th floors to the main block fronting Wickham Road and demolition of existing single storey garden building and replacement with two storey garden building to create 40 new student accommodation rooms at Raymont Hall, Wickham Road SE4, together with the demolition of the external stair link, alterations to the front elevation, the provision of cycle storage spaces, photovoltaic panels and associated landscaping.

Applicant's Plan Nos. 1617\_DWG\_B\_BS\_001\_P3, 1617\_DWG\_B\_BS\_200\_P2, 1617\_DWG\_B\_BS\_201\_P2, 1617\_DWG\_B\_BS\_202\_P2, 1617\_DWG\_B\_BS\_203\_P2, 1617\_DWG\_B\_BS\_204\_P2, 1617\_DWG\_B\_BS\_205\_P2, 1617\_DWG\_B\_BS\_206\_P2, 1617\_DWG\_B\_BS\_220\_P2, 1617\_DWG\_B\_BS\_221\_P2, 1617\_DWG\_B\_BS\_222\_P2, 1617\_DWG\_B\_00\_100\_P4, 1617\_DWG\_B\_00\_201\_P2, 1617\_DWG\_B\_00\_202\_P4, 1617\_DWG\_B\_00\_203\_P3, 1617\_DWG\_B\_00\_204\_P4, 1617\_DWG\_B\_00\_205\_P4, 1617\_DWG\_B\_00\_206\_P4, 1617\_DWG\_B\_00\_207\_P2, 1617\_DWG\_B\_00\_220\_P3, 1617\_DWG\_B\_00\_221\_P5, 1617\_DWG\_B\_00\_222\_P3, 1617\_DWG\_B\_00\_401\_P3, 1617\_DWG\_B\_00\_402\_P3, 1617\_DWG\_B\_00\_403\_P3, 1617\_DWG\_B\_00\_404\_P3, 1617\_DWG\_B\_00\_405\_P4, 1617\_DWG\_B\_00\_409\_P3, 1617\_DWG\_B\_21\_500\_P2, 1617\_DWG\_B\_21\_520\_P3, 1617\_DWG\_B\_21\_521\_P3, 1617\_DWG\_B\_21\_522\_P3, 1617\_DWG\_B\_21\_523\_P3, BD 0133 SD 101 R00, BD 0133 SD 104 R01, BD 0133 SD 801 R03, Tree Survey & Arboricultural Impact Assessment (October 2015, Greengage), Energy Feasibility Assessment (September 2015, Hulley & Kirkwood), Sustainability Monitoring Form, Daylight and Sunlight Report (August 2015, eb7), Bat Re-Entry & Activity Survey Report (August 2015, Greengage), Archaeological Desk Based Assessment (August 2015, Archaeology Collective), Heritage Statement (October 2015, Heritage Collective), Design & Access Statement

(October 2015, Hawkins\Brown), Goldsmiths, University of London GA0/JOR/J7522 (November 2015, Gerald Eve), Vision Statement received 4 November 2015;  
1617\_SK\_160112\_SL01\_Cycle Store, Revised front elevation CGI received 13 January 2016;  
1617\_DWG\_B\_00\_406\_P4, 1617\_DWG\_B\_00\_407\_P4, 1617\_DWG\_B\_00\_408\_P4 received 9 February 2016;  
1617\_DWG\_B\_00\_221\_P5 received 10 February 2016.

Background Papers

- (1) DE/85/59/TP
- (2) Core Strategy (2011)
- (3) Development Management Local Plan (2014)
- (4) The London Plan (2015)

Designation

PTAL 3  
Brockley Conservation Area  
Brockley Conservation Area Article 4(2) Direction  
Not a Listed Building  
Unclassified

Screening

N/A

## **1.0 Property/Site Description**

- 1.1 This property is known as Raymont Hall and is part of the Goldsmiths University campus (although it is located separately to the main campus which is approximately a 20 minute walk to the north on Lewisham Way near to the junction with New Cross Road). The address of the site is 57-63 Wickham Road and it is located on the corner of Glensdale Road.
- 1.2 The site incorporates three student buildings: The Manse, Edgecombe (both dating from c.1900) and Raymont Hall (dating from c.1965). Edgecombe and The Manse are converted houses with traditional solid brick walls, and pitched slate roofs. Raymont Hall is a purpose built part 3 storey, part 5 storey brick built block with uPVC windows and a flat roof. Edgecombe House and Raymont Hall are connected via a single storey building and link stair cases at first and second floor. The buildings surround a communal courtyard that includes a single storey outbuilding to the rear of The Manse, which is proposed to be demolished and replaced. No car parking is provided on site.
- 1.3 The site provides 140 bedrooms – 110 in the main Raymont Hall building, 14 in Edgecombe and 16 in The Manse. The surrounding area generally consists of large period residential properties, with the exception of some unit blocks, generally between four and seven storeys. Jasmine House, a six storey block of flats, lies to the south of the site.
- 1.4 The site is located in the Brockley Conservation Area and is subject to the Brockley Conservation Area Article 4(2) Direction. The site is not listed or in the immediate vicinity of a listed building.

## **2.0 Planning History**

- 2.1 Planning permission was granted in 1960 for the erection of a hall of residence to accommodate 96 students on the sites of no. 59-63 Wickham Road.
- 2.2 In 1961, 1966, 1972 and 1973 permission was granted for the erection for a limited period only, of a single storey corridor and wash up room in connection with the Raymont Hall of residence. The last permission limited the period for the retention of the building until 31st December 1974, on or before, the expiration of which, the building was to be removed.
- 2.3 In 1975 planning permission was granted for alterations and the erection of a part single, part three storey link block, comprising a walkway kitchen and server on the ground floor and walkways at first and second floor levels, between Edgecombe and Raymont Halls of Residence

## **3.0 Current Planning Application**

### The Proposal

- 3.1 This application is for the construction of a two storey extension, forming the 4th and 5th floors to the main block fronting Wickham Road and demolition of existing single storey garden building and replacement with two storey garden building to create 40 new student accommodation rooms at Raymont Hall, Wickham Road SE4, together with the demolition of the external stair link, alterations to the front

elevation, the provision of cycle storage spaces, photovoltaic panels and associated landscaping.

- 3.2 For clarification, the proposed development would provide 36 additional units, Twenty-four new rooms would be provided in the new garden block. Eighteen new units would be added to main Raymont Building. Two units would be lost in the Edgecombe building and four in the Manse building. This would take the total no. of beds at this facility from 140 to 176. This proposal would add a Gross Internal Area (GIA) of 532sqm of student accommodation to the existing 3,576sqm, to achieve a total of 4,108sqm.
- 3.3 The new two storey garden building would replace the existing single storey outbuilding that was previously used as a teaching block to the rear of The Manse, which is proposed to be demolished. This is proposed to be clad in dark stained timber (Siberian Larch) for both the garden building and extension with anodised aluminium trim to the parapet, to match the proposed two storey roof extension to the 1960s block. The footprint of the building would match that of the existing building, with the height of the new building proposed as 6.24m. This building would have a green roof with photovoltaic panels, projecting a maximum of approximately 0.5m above the parapet.
- 3.4 The roof extension would be clad in dark charred timber, with anodised aluminium trim to the parapet. PV panels would be placed on the roof, projecting approximately 0.15m above the parapet, but set back approximately 1.5m, however the layout shown is indicative. The windows in both the extension and the new garden building are proposed to be an inset timber frame/anodised aluminium composite system with perforated mesh ventilated panels.
- 3.5 The first and second floor level openings on the southern elevation of the Edgecombe building are proposed to be made good due to the demolition of the external stair link. This would include three new windows at ground floor level. Twenty new cycle storage spaces are proposed where the link is currently located. The cycle storage would sit behind a dark charred timber panelled gate, to match the materials of the roof extension and new garden building.
- 3.6 The wall between the Manse and Edgecombe is proposed to be altered to allow access between the two buildings, which is currently only possible by walking back out to the street.
- 3.7 The existing refuse arrangement is proposed to be retained - refuse vehicles would park on Wickham Road and access the existing refuse store at the front of the site. The current hedge screening of this would be improved. No car parking spaces are proposed.
- 3.8 All trees in good condition are proposed to be retained, with the exception of two trees located in the courtyard are proposed to be removed, to the south of the southern elevation of the existing garden building.
- 3.9 The following supporting documents have been submitted with this application:
  - Landscape Drawings
  - Design and Access Statement

- Planning Statement
- Arboricultural Report
- Energy Feasibility Assessment
- Daylight and Sunlight Report
- Heritage Impact Assessment
- Bat Survey
- Archaeological Statement

#### **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 The applicant attended a number of pre-application meetings (ref: PRE/15/02027) with planning and urban design officers in June and July prior to the submission of the application.
- 4.3 Public consultation events were held by the applicant at Raymont Hall on 14 October and 30 November 2015. These were attended by the Brockley Conservation Society and Brockley Conservation of Trees Society. The applicant has stated that no feedback was received from these parties on the night.
- 4.4 The Society objected following the lodgement of the application and its comments are summarised below.
- 4.5 Site notices were displayed and neighbouring properties including the Brockley Ward Councillors were consulted. Eight objections and two sets of comments were received from local residents. The addresses of the objectors are:
- 32 Harefield Road
  - 34 Harefield Road
  - 36 Harefield Road
  - 42 Ellerdale Street
  - 49 Wickham Road
  - 83B Manor Avenue
  - 53 Wickham Road – objections were also raised by this occupier at the public consultation event held by the applicant prior to lodgement of the application, regarding the extent of overlooking into the garden and to the increase in student numbers at the site.

- Ground Floor Flat, 20 Wickham Road

4.6 The Councils Environmental Sustainability, Conservation, Surveying, Environmental Health, Policy, Highways, Tree, Legal, Section 106/CIL and Urban Design teams were consulted.

4.7 Thames Water, Transport for London and Historic England were also consulted.

Written responses (comments) received from residents

4.8 The issues raised in the comments are summarised below:

- There would be construction impacts
- Concerns have been raised about the impacts on existing trees
- New tree planting would be preferable
- The indicative landscape plan does not contain sufficient detail

Written responses (objections) received from residents

4.9 The issues raised in the objections are summarised below:

- Additional noise would be created.
- The first floor windows of the garden building would overlook adjoining properties.
- The design and materials of the development is of poor quality and out of character with neighbouring buildings and the conservation area.
- The scale and massing of the proposal is excessive.
- Overnight street parking would be reduced.
- Two substantial trees would be adversely affected by the new garden block.
- The height of the garden block would result in a loss of visual amenity to nearby properties.
- The proposed garden building should not be allowed in a rear garden.
- Light pollution would adversely impact on nearby occupiers.
- The quality of accommodation space is not considered adequate
- Given that the boundary walls would be demolished, the original iron work between the piers of the Victorian villas should be reinstated.

Brockley Society

4.10 The issues raised in the objection are summarised below:



- 4.11 No objection is raised to the principle of the two storey extension, but objection is raised to the visual and aesthetic means of achieving this, on the grounds that:
- the form and massing adopted introduce an alien and non-conforming solution which makes no attempt to blend in with the predominant 1960s style of the existing hall and adjoining blocks and
  - thereby does not learn from the indigenous design principles inherently required in the Conservation Area as set out in the Brockley CA SPD of January 2006 and which approach per chance is in direct contrast to the applicant's parallel application elevationally for Surrey House, Lewisham Way (DC/15/94339) and
  - does not align harmoniously with the vertical rhythm of the extant window openings and surrounds below
  - uses inappropriate angled/squint window forms which have no architectural relationship with the adjoining buildings and which thereby sets an unwelcome precedent within the CA
  - detracts from the dominant urban streetscape of Wickham Road
  - proposes dark and gloomy cladding materials which have no precedent in Wickham Road.

4.12 Concerns have been raised about the garden building, as follows:

- the increased height and massing contravenes DM Policy 33 on back garden developments re the impact on the rear garden of the adjoining Red House in terms of overlooking, overshadowing, reduced privacy, increased noise and loss of amenity
- the attempted use of angled/squint windows which would further exacerbate these issues rather than reduce and complement as is claimed along with
- the use of dark and gloomy cladding materials which are inappropriate in this location.

#### Transport for London

4.13 The application will give rise to any adverse impacts on the strategic transport network. The 20 cycle parking spaces provided will be in accordance with London Plan (2015) Policy and these should be secured by condition.

4.14 TfL considers that the proposal would benefit from the installation of a 'wheeling ramp' on the entrance stairs adjacent to the bike store as this would provide a more convenient and direct option for the majority of cyclists than the pedestrian ramps. Details of wheeling ramps can be found in Section 7.5.3 of the London Cycle Design Standards (2014) and it is recommended that this is secured by condition.

#### Thames Water

- 4.15 Thames Water does not object to the proposal on the basis of sewerage or water infrastructure capacity. Additional comments provided by Thames Water are proposed to be included as an informative.

#### Historic England

- 4.16 It is concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and that no further assessment or conditions are necessary.
- 4.17 Copies of letters are available to Members.

### **5.0 Policy Context**

#### Introduction

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

A local finance consideration means:

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

#### National Planning Policy Framework

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

relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

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

London Plan (March 2015)

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

Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.8 Housing choice  
Policy 3.18 Education facilities  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.13 Sustainable drainage  
Policy 5.18 Construction, excavation and demolition waste  
Policy 6.3 Assessing effects of development on transport capacity  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.13 Parking  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Sustainable Design and Construction (2006)

Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy  
Spatial Policy 5 Areas of Stability and Managed Change  
Core Strategy Policy 7 Climate change and adapting to the effects  
Core Strategy Policy 8 Sustainable design and construction and energy efficiency  
Core Strategy Policy 14 Sustainable movement and transport  
Core Strategy Policy 15 High quality design for Lewisham

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

### Development Management Local Plan

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

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 8	Student housing
DM Policy 22	Sustainable design and construction
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations and extensions to existing buildings including residential extensions
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

### Brockley Conservation Area Supplementary Planning Document

5.10 This document provides a description of the Brockley Conservation Area, and details appropriate changes to buildings and guidance on development in the mews.

## **6.0 Planning Considerations**

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

- a) Principle of development
- b) Design, scale, impact on the existing buildings and conservation area
- c) Quality of accommodation
- d) Transport and servicing
- e) Impact on adjoining properties
- f) Sustainability and energy
- g) Ecology
- h) Landscaping
- i) Impact on trees

j) Archaeological Impacts

Principle of Development

- 6.2 The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay.
- 6.3 Paragraph 3.52 of the London Plan states that London's universities make a significant contribution to its economy and labour market and that it is important that their attractiveness and potential growth are not compromised by inadequate provision for new student accommodation. The paragraph recognises that there is uncertainty over future growth in the London student population and its accommodation needs, but estimates that there could be a requirement for some 20,000 – 31,000 places over the 10 years to 2025. The paragraph goes on to recognise the value of purpose built student housing which may also tend to reduce pressure on other elements of the housing stock currently occupied by students, especially in the private rented sector. Policy 3.8 'Housing Choice' therefore encourages boroughs to work with higher and further education establishments to meet a demonstrable need for student housing without compromising capacity for conventional homes.
- 6.4 DM Policy 1 states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 6.5 DM Policy 8 Student Housing of the Development Management Local Plan (DMLP) states that the Council will support proposals for student housing provided that the development:
- a) will not involve the loss of permanent self-contained homes;
  - b) will not involve the loss of designated employment land
  - c) will not involve the loss of leisure or community space
  - d) will not prejudice the Council's ability to meet its annual London Plan housing target for additional self-contained homes
  - e) has an identified end user affiliated with an educational institution or student housing management company
  - f) is well served by public transport and is accessible to a range of town centre, leisure and community services
  - g) provides a high quality living environment and includes a range of unit sizes and layouts, with and without shared facilities, to meet the requirements of the educational institutions it will serve;
  - h) demonstrates that it is suitable for year round occupation and that it has long term adaptability and sustainability, including adequate and suitable cycle parking

- i) contributes to creating a mixed and inclusive community
- j) does not cause unreasonable harm to residential amenity or the surrounding area and
- k) provides 10% wheelchair accessible rooms fully fitted from occupation.

- 6.6 DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas states that planning permission will not be granted unless the proposed development is of the highest design quality and relates successfully and is sensitive to the existing design quality of the streetscape. This includes the spaces between buildings which may be as important as the character of the buildings themselves, and the size and proportions of adjacent buildings. In this case, the site already contains a large building in the garden and its replacement with student accommodation as part of an existing Halls of Residence raises no objections in principle.
- 6.7 The proposal is being developed by a student housing provider on an existing student housing site. The proposals would not result in the loss of self-contained homes or of leisure or community facilities and would not prejudice the Council's ability to meet its housing targets as the Council is not currently relying on windfall sites to achieve its targets (and the site is not allocated to housing). A range of unit types and sizes would be developed. The site is within twenty minutes walking distance of the Goldsmiths campus and has a moderate level of transport connection.
- 6.8 Extensions to the main building are considered acceptable in principle, and there is no objection to the demolition of the link building, as this does not make a positive contribution to the site or surrounding conservation area.
- 6.9 The new purpose built accommodation would help to free up the private rented housing sector and family sized housing typically rented by students. The proposals are linked to a specific institution and involve the refurbishment and expansion of existing student accommodation sites and would therefore not prejudice housing and affordable housing delivery in accordance with Policy 3.8 and supporting paragraphs of the London Plan.
- 6.10 Therefore provided that the proposal meets the requirements of the DM Policy 8 in relation to design, quality of accommodation, residential amenity and wheelchair accessibility (which are dealt with in the sections below), the site is considered to be well located for a development of this type and the principle of student housing is considered to be acceptable.

Design, scale, impact on the existing buildings and conservation area

- 6.11 The NPPF states that good design is indivisible from good planning and that design is a key aspect of sustainable development. Paragraph 63 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.

- 6.12 London Plan Policy 7.4 states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. High quality design requires that the development, amongst other things, is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area.
- 6.13 London Plan Policy 7.8 states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 6.14 Policy 15 'High quality design for Lewisham' of the Core Strategy states that the Council will apply policy guidance to ensure highest quality design and the protection or enhancement of the natural environment. This is echoed in DM Policy 30 Urban design and local character.
- 6.15 Core Strategy Policy 16 states that the Council will ensure that the value and significance of the borough's heritage assets and their settings, conservation areas, listed buildings, archaeological remains, registered historic parks and gardens and other non designated assets such as locally listed buildings, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice.
- 6.16 DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens states that the Council, having paid special attention to the special interest of its Conservation Areas, and the desirability of preserving and or enhancing their character and or appearance, will not grant planning permission where alterations and extensions to existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.

#### Garden Building

- 6.17 There is an existing large, but single storey structure located on the site, this would be replaced by a new two storey building on the same footprint. During the course of pre-application discussions, options were explored for a replacement building to provide student accommodation, which included partially sinking a building, or dividing the building. These options were not considered acceptable given associated access issues and impacts on design and existing trees.
- 6.18 Officers consider the principle of a two storey, flat roof building in this particular location to be acceptable, although in the garden, would be relatively screened from surrounding view points and would be clearly seen in context of the existing student housing campus. The massing of the building, although larger than the existing building is not considered to appear overly dominant in the rear garden, nor obtrusive in form in the locality given its position and external cladding.
- 6.19 The new garden building would be very marginally visible from Harefield Road, however this does not raise any objection, particularly when also considering that a high quality design is proposed. A Heritage Statement has also been prepared

that supports the proposal from a conservation perspective. It is considered that the proposal is acceptable from a conservation perspective.

- 6.20 The building would be set in an almost identical location to the existing structure. The existing building is set back 3.6m from the boundary to the east, whereas the new building would be set back 1.4m. However, the existing building is set in 3m from the boundary to the north with the Red House, whereas the new building would be set in 3.3m. The decreased setback to the eastern boundary is considered acceptable given that measures have been proposed to mitigate against impacts on neighbouring amenity. Further, existing trees located along the boundary would be retained and therefore provide an element of screening.
- 6.21 The elevations are to be clad in a dark charred timber, which is considered to echo the garden surroundings and therefore be more appropriate than say a traditional brick structure. The elevations are punctured by a regular pattern of windows, with a different treatment on each elevation. Those on the southern elevation facing the shared garden are finished flush with the elevation and would provide a level of animation within the garden.
- 6.22 The windows on the northern elevation facing the Red House have been designed as a series of pop out windows to avoid overlooking. These angular structures are clad in a matching material to the elevation and are considered to be acceptable in design, whilst minimising the impact upon neighbouring amenity. This is discussed in further detail below.
- 6.23 The garden block would have a living roof, this is supported from an ecological perspective but would also help to mitigate the visual impact of the building when viewed from upper level windows for example. Details of the living roof would be required by condition.
- 6.24 Officers consider the garden block to be of an acceptable scale and mass with a high standard of design which would make a positive contribution to the site and replace a poor quality building.

#### Roof Extension and demolition of link building

- 6.25 The demolition of the existing link block is considered acceptable, as it does not make any positive contribution to the streetscape and the proposed treatment of this area, to provide new cycle storage and route through the site is considered a positive improvement on the existing. This area would be secured by a timber gate which would measure 3.1m, although acknowledged that this is taller than a traditional gate or fence, it would align with the floor to ceiling heights of the Raymont Hall block and Edgecombe, and therefore provide a subtle visual link between the two buildings. The height of the gate would also mean that the cycle storage behind is completely screened from the public realm, this is supported.
- 6.26 Following the demolition of the link building and ground floor kitchen, the Edgecombe flank elevation (previous internal and now becoming external) would be exposed and would need remedial work and a new windows would be inserted along the flank. This raises no objections and the proposed timber gate has been set back from the front elevation to ensure that whilst providing a visual link, both the Raymont building and Edgecombe re-gain some visual distinctiveness, which in turn is considered to emphasise the detached nature of each building which is typical of the Brockley Conservation Area and therefore acceptable.



- 6.27 The Raymont Hall building is a relatively modern building and marks a departure from the prominent Victorian buildings in the area. The proposed modern extension helps to distinguish the addition from the existing building and is considered a high quality use of modern materials and a well designed contemporary addition, rather than attempting to copy the existing building which is not considered to be appropriate. It is considered that the proposed development would not have an adverse impact on the Edgecombe and Manse buildings on site, nor the buildings in the surrounding conservation area, but would aid their visual distinctiveness by not repeating a pastiche architectural form.
- 6.28 In addition to the ground floor works and demolition of the link building, it is proposed to extend Raymont Hall by two storeys to create a 4<sup>th</sup> and 5<sup>th</sup> floor. It is noted that objections have been received that relate to the design, massing and height of the proposed extension, however, the extension is considered to be of an acceptable scale, which remains set below the maximum height of the existing 6 storey element of Raymont Hall. Whilst it is a conservation area, there are blocks of 5-6 storeys in the surrounding area in addition to that of the main Raymont building and therefore an extension of this scale is considered acceptable.
- 6.29 Urban design officers were also involved in the pre-application meetings and are satisfied that the proposal represents an adequate response to the surrounding context whilst differentiating the proposed extension and new building from the remainder of the Raymont Hall complex. The proportions of the windows in the extension reflect that of the existing main building, whilst not offending the character of the surrounding conservation area.
- 6.30 Following a request from officers, the agent provided clarification that the CGI provided of the roof extension had since been modified to reflect the proposed drawings. This amended CGI was then provided to officers. This now accurately shows that the existing parapet is proposed to be removed to allow for the construction of the extension. Officers had indicated a preference for this to be retained, however, the applicant has stated that they are restricted by the existing floor to floor heights and given modern building regulations require thicker wall and floor build-ups to achieve acoustics and heatloss targets. An attempt to reinstate the parapet could produce a patchwork effect of new brickwork, with reduced room and window sizes jeopardising the quality of the scheme overall. Officers consider that this is acceptable.
- 6.31 The windows are proposed to be a timber frame/anodised aluminium composite window system with perforate ventilation panel. The windows on the front of the roof extension would be projecting and angled and reflect the alignment of the windows on the floors below. This is considered appropriate as it acts to break up its massing, despite the objections received. The windows on the rear would be inset slightly from their openings.
- 6.32 Officers stated that the glazed window to the side of the Edgecombe building should be flush with no ventilation grills. All of these details have been considered in the final design solution.
- 6.33 Objection was also received stating that the materials are not appropriate, however, material choice has been subject of extensive discussions with officers who consider the proposed palette to be appropriate for the setting, and complementary to the existing buildings. In order to ensure that final material

choices are of the highest quality, a material samples condition is proposed to ensure that the high quality design as envisaged is delivered.

- 6.34 The proposed removal of a section of the brick wall between Edgecombe and The Manse is considered suitable as the wall has been modified in the past and the area proposed to be removed is of more modern brick, which therefore does not accord with the original structure. This therefore raises no objections.
- 6.35 It was discussed that further detail should be considered for the screening of the refused storage and the gate between Edgecombe and the main building and additional planting should be considered to the ground floor windows in the main building to provide screening from the proposed ramp.
- 6.36 Overall, it is considered that the proposals represent a high standard of design which would make a positive contribution to the existing buildings and wider Brockley Conservation area.

#### Quality of accommodation

- 6.37 There are no specific standards for student accommodation. DM Policy 8 'Student Housing' requires accommodation to provide a high quality living environment and include a range of unit sizes and layouts, with and without shared facilities, to meet the requirements of the educational institutions it would serve.
- 6.38 Twenty of the rooms proposed in the new garden would have an area of 12.5sqm, with four having an area of 15sqm and have an ensuite shower room, bed, desk and storage space. While the proposed student rooms are small, it is considered that they would meet the needs of the students they would accommodate. The small size of the units would be mitigated by access to good quality communal facilities, as the units would have access to two dual aspect social space areas on each floor of the garden block.
- 6.39 The majority of the new rooms in the extension would have an area of 12sqm, having an ensuite shower room, bed, desk and storage space. While the proposed student rooms are small, it is considered that they would meet the needs of the students they would accommodate. Again, the small size of the units would be mitigated by access to good quality communal facilities, as the units would have access to two dual aspect social space areas in close proximity to this area of the building. The buildings are being refurbished, which does not require planning permission, but would also act to improve the overall quality of accommodation.
- 6.40 The objection with regard to standard of accommodation in terms of daylight & sunlight is acknowledged, however, this design has been devised to attempt to minimise impacts on overlooking of adjoining properties and therefore there must be some level of compromise on the amount of light these rooms would receive. Further, the Daylight & Sunlight Assessment states that all rooms included within the report would be fully compliant with BRE criteria.

#### *Wheelchair housing/accessibility*

- 6.41 There is currently no level access to any of the buildings on this site. No wheelchair accessible rooms or lifts are proposed on this site, however, the existing access is proposed to be upgraded. Level access is proposed to be

provided to the front of the building through a new ramp, in turn allowing level access to all buildings from the courtyard, except the Raymont main building, which has level access from the front. The details of this ramp are proposed to be conditioned. It is considered that this proposal has sought to improve accessibility as far as possible given the constraints of the existing buildings. The applicant has stated that the new building would comply with the Building Regulations in terms of accessibility. It is considered acceptable in this instance that no wheelchair accessible rooms are provided on site, given the travel distances from the garden block to the access and general changing levels across the site. It is noted that a separate planning application for the redevelopment of Surrey House (ref number) includes new wheelchair accessible units and is a generally more accessible location for the Goldsmiths campus.

- 6.42 No disabled parking spaces are proposed, however this is not possible within the constraints of the existing site. However, some parking is available directly adjacent to the site on Wickham, Glensdale and Harefield Roads and it is therefore considered that wheelchair users would be able to park on the street with a permit if required. The proposal is therefore considered adequate from a disabled parking perspective acceptable.

#### Transport and servicing

- 6.43 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, if safe and suitable access to the site can be achieved for all people and if improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

#### *Car Parking*

- 6.44 This site has a PTAL rating of 3 and therefore the residents of the proposed rooms would have moderate public transport access. The non-provision of car parking with this application is considered appropriate and in accordance with Core Strategy Policy 14, DM Policy 29 Car parking and Policy 6.13 Parking of the London Plan. The site is within approximately 20 minutes walk of the main Goldsmiths University campus. Regarding the objections received from residents that there would be additional impacts on parking due to more cars, it is noted that no car parking spaces are proposed and 20 additional cycle spaces are proposed. Additionally, Goldsmiths does not permit students to bring cars with them to their accommodation. As such it is considered that the proposals would be of a limited impact upon the local highway.

#### *Cycle Parking*

- 6.45 The London Plan does not contain strict guidance on cycle parking spaces, however, with other student accommodation schemes, the Council has sought a minimum of 1 space per 2 new units as a minimum. Storage is proposed for 20 bicycles at ground level, in the space vacated by the demolished link block. This

would be screened by a timber gate, the details of which have been provided and officers are satisfied with. Provision has been made for this to be double stacked potentially in the future. The 8 existing cycle spaces at the front of the main building are proposed to be retained.

- 6.46 Regarding the TfL comment that the proposal would benefit from the installation of a 'wheeling ramp' on the entrance stairs, it is considered that the pedestrian ramp provides an adequate means of access for cyclists to the cycle store. Further, the proposed new ramp is an improvement on the existing arrangement and cyclists could conceivably carry their bikes up the stairs if not using the ramp, as there would be only be 0.8m to climb via four steps.
- 6.47 Given that a net increase of 36 units is proposed, this is considered adequate and is otherwise consistent with London Plan Policy 6.3 and Core Strategy Policy 14 Sustainable movement and transport. Further, this would improve the existing ratio of cycle parking spaces to rooms. A condition is proposed to be included to ensure that this is provided, if the scheme is approved.

#### *Refuse Storage & Servicing*

- 6.48 The existing arrangement is that refuse vehicles can park on Wickham Road and access the existing refuse store through the entrance courtyard. This is proposed to remain and is considered acceptable in principle.

#### *Construction Traffic*

- 6.49 The proposed condition that requires a Construction Management Plan would include a section on construction traffic and therefore this would be adequately considered prior to construction commencing.

#### Impact on Adjoining Properties

- 6.50 DM Policy 8 Student Housing states that the Council will support proposals for student housing provided that the development does not cause unreasonable harm to residential amenity or the surrounding area.

#### *Construction Impacts*

- 6.51 With regard to resident objections about construction impacts, it is acknowledged that there would be impacts on the surrounding area. Therefore, a condition is proposed to ensure that a Construction Management Plan (CMP) is provided to and approved by Council prior to works commencing. A CMP would ensure, amongst other things, that there are no unreasonably adverse impacts on neighbouring properties with regard to noise and vibration, dust and traffic. Further to this, a condition would be included to regulate the hours of delivery trucks during construction so that any impacts are kept to a minimum.

#### *Noise*

- 6.52 Regarding residents objections about noise impacts and light pollution, it is acknowledged that additional noise and light pollution would be created as a result of this development, however given that the campus currently has 140 rooms, as a proportion of this, 36 new rooms would not result in an unreasonable increase in noise and light pollution over and above that which might already

occur. To a degree, this is considered an expected outcome of inner city living, particularly given that there is an existing student residence in operation. Having said this, the applicant has stated that each resident receives and signs a document as part of their rental agreement entitled "Rules of The Village" which sets out expected standards of behaviour. This document covers topics such as compliance with a site-specific noise policy and strict rules on visitors and guests. Failure to comply with the rules may lead to disciplinary action which can escalate up to being asked to leave. Therefore it is considered that adequate measures are in place to address these potential impacts. Additionally, no new external plant equipment is proposed.

- 6.53 24/7 on site support and security is proposed, through a staff managed reception during the day and provision of a security guard overnight. The management suite would be located adjacent to the ground floor reception.

#### *Daylight & Sunlight*

- 6.54 A Daylight and Sunlight Assessment has been provided that demonstrates that the proposed development would have an impact on the neighbouring buildings in terms of daylight and sunlight. However, the amount to which they are affected is not considered unreasonably adverse. Therefore, the proposal is considered satisfactory from this perspective.

#### *Privacy*

- 6.55 For the new garden building, a projecting window type that offers oblique views to students facing away from the neighbouring building would be used on the northern elevation of the first floor of the new garden building to mitigate overlooking impacts. Likewise, a louvred window is proposed on the eastern elevation. Whilst some overlooking could occur into the rear garden of the Red House at 53 Wickham Road, having its nearest window approximately 15m from the proposed building, this window design would prevent overlooking into the dwelling itself and the potential overlooking into part of the rear garden would not be so unreasonably adverse as to warrant refusal, and it is considered that in this context general views across gardens is to be expected as if the case where gardens back onto each other. Further, the retention of the mature trees would assist in this regard by providing screening. With regard to the dwelling to the rear of the garden building, at 32 Harefield Road, only oblique viewing angles would be possible from the windows on the rear elevation of no. 32, the closes of which is approximately 11m away. There are two windows on the eastern elevation, however relatively, one is high and the other is small and therefore the overlooking impacts on these windows would be minimised. The ground floor windows are partially blocked by trees and fences and as such would not result in overlooking of adjacent properties.
- 6.56 It is not expected that there would be unreasonably adverse impacts on overlooking from the windows of the roof extension, given that they face onto the street and the dwellings on the opposite side of Wickham Road are approximately 45m away. It is therefore considered that this issue has been adequately addressed.
- 6.57 Overall, this proposal is therefore considered to have an acceptable impact on neighbouring amenity.

## Sustainability and Energy

- 6.58 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be consistent with the Government's zero carbon buildings policy and adopt nationally described standards.
- 6.59 London Plan and Core Strategy Policies advocate the need for sustainable development, All new development should address climate change and reduce carbon emissions. For major development proposals there are a number of London Plan requirements in respect of energy assessments, reduction of carbon emissions, sustainable design and construction, decentralised and renewable energy. Major developments are expected to prepare an energy strategy based upon the Mayor's energy hierarchy, adopting lean, clean, green principles. Major development proposals are expected to achieve a minimum carbon reduction saving of 19% above 2013 Part L Building Regulations, which equates to a Code for Sustainable Homes Level 4 rating.
- 6.60 The focus of the renovation of the existing areas from a sustainability perspective is to improve elements of the building fabric and improve the efficiency of building services, through the modification of windows and roofs to upgrade the existing U-Values. Other measures proposed include energy efficient lighting, including sensor lighting and PV panels. The proposed energy efficiency measures would exceed those required by the Building Regulations. This would be expected to provide a reduction in CO2 of 10% of the total emissions.
- 6.61 Several energy saving measures are proposed, including a gas fired CHP sized to meet the majority of the building domestic hot water demand and 50sqm of roof mounted Photo-Voltaic (PV) panels.
- 6.62 The roof extension would not meet the 35% reduction goal, having a total cumulative savings of only 14.29%. However, officers recognise the limited size of the extension and added complications when extending/ adapting an existing structure, therefore the efforts to reduce carbon dioxide emissions is welcomed.
- 6.63 For the new garden building, the report confirms that the proposal would achieve the London Plan and LB Lewisham policy requirement of a carbon dioxide emissions saving >19% relative to the 2013 Building Regulations. The estimated carbon dioxide emissions saving is set out in the report as 45.88%. On the whole, it is therefore considered that the proposal would perform acceptably from a sustainability point of view.
- 6.64 Regarding sustainable urban drainage systems, an element of permeability is proposed through the retention of some soft landscaping area. This is considered adequate, given that there is some existing hardstand surfaces in the rear courtyard.

## Ecology

- 6.65 A Bat Re-entry & Activity Survey report has been submitted, which states that there is no evidence of the use of space on the site by bats. Low levels of bat activity were observed on site, however no roosting activity was observed. The report recommends that new lighting should be sensitively designed to avoid impacting on the foraging and commuting resource that the site currently provides,

along with enhancement measures to increase the biodiversity value of the site, including a living roof and bat boxes. The report finds that if the recommended measures are followed, there would be a net gain in biodiversity. The Ecological Regeneration team has stated that the Bat survey is acceptable and requested a condition that the recommendations in the report are implemented in full. Such a condition is proposed. An informative has also been proposed to request that the applicant formally submit the bat records to the GreenSpace Information for Greater London (regional record centre) as per the Chartered Institute for Ecology and Environmental Management code of professional conduct, in accordance with the advice of the Ecological Regeneration team.

- 6.66 The Ecological Regeneration team has also provided comment on the proposed living roof, welcoming its inclusion but requesting that it be a plug planted system on a variable depth of substrate (70-150mm) as per the London Plan recommendations for a living roof. The proposal includes 100mm of substrate, which is not considered to be deep enough. The Ecological Regeneration team has also requested that there is a guarantee of establishment and/or maintenance contract so that the roof can be handed to the managing agent as a fully established and healthy roof, with a minimum defects and liability period of 15 months. It is therefore proposed that it be conditioned that the roof have a variable substrate depth that is averaged at 133mm and that the applicant submit details regarding the living roof prior to first occupation of the development. An informative is proposed that addresses the defects and liability period. Therefore, the proposal is considered acceptable from an ecology perspective.

#### Landscaping

- 6.67 To ensure high quality landscaping, Development Management Policy 25 requires major developments to submit a Landscape Scheme which should describe the site features that are to be retained and a method for ensuring their provision, management and maintenance.
- 6.68 Seating is proposed to be provided in the existing courtyard, along with a mix of hard and soft landscaping surfaces, which is welcomed. However, it is considered that sustainable urban drainage can be achieved, as the majority of the existing soft landscaped areas are proposed to be maintained. Landscaping is also proposed to the new front entrance, in order to improve the streetscape, including strengthening of the hedge that screens the existing bin store and a new ramp. A condition is proposed to seek detailed drawings of the proposed front ramp. The grounds would be maintained by Village Management. The species proposed for the soft landscaping are considered to be acceptable. The proposal is considered acceptable from a landscaping perspective which would in turn make a positive contribution to the conservation area.

#### Impact on trees

- 6.69 Two moderate/good quality trees located in the rear courtyard to the south of the existing garden building are proposed to be removed. Nine low quality trees and one dead tree are also proposed to be removed. To compensate for the loss of these trees it is proposed to plant five semi-mature native trees along Glensdale Road. It is considered that this is appropriate as it would not harm the arboricultural value of the site and would make a positive contribution to the streetscene.

- 6.70 A condition is proposed to ensure that the trees that are proposed for retention are protected through a Tree Protection Plan.

### Archaeological Impacts

- 6.71 The site is located to the south of an archaeological priority area. An Archaeological Desk Based Assessment has been prepared. This report concludes that the site has a low potential for activity prior to the late 18<sup>th</sup> century, as impacts would have derived from the development of the area from this time onwards, including the cutting of foundations for several phases of building, as well as any associated service trenches. The report concludes that a watching brief be carried out on intrusive groundworks to ensure that there are no adverse impacts on archaeology. Historic England has stated that the proposal is unlikely to have a significant effect on archaeological assets and that no further assessment or conditions are necessary. Therefore, the proposal is considered appropriate from an archaeological perspective.

## **7.0 Local Finance Considerations**

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

## **8.0 Community Infrastructure Levy**

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

## **9.0 Equalities Considerations**

- 9.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.



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

9.4 In this matter there is no impact on equality.

## **10.0 Conclusion**

10.1 The Local Planning Authority has considered the particular circumstances of the application against relevant planning policy set out in the Development Management Local Plan (2014), the Core Strategy (2011) The London Plan (2015, as amended) and the National Planning Policy Framework (2012).

10.2 The proposal would make a positive contribution to the Borough by providing additional student accommodation for Goldsmiths College. It is acceptable from a design and massing perspective and is appropriate in the context of the character of the existing Raymont Hall complex and the surrounding Brockley Conservation area. The standard of accommodation is considered adequate and it is not expected that there would be any unreasonably adverse impacts on neighbouring occupiers. The imposition of a number of conditions would ensure that other necessary matters are adequately addressed.

## **11.0 RECOMMENDATION**

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

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

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

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

1617\_DWG\_B\_BS\_001\_P3, 1617\_DWG\_B\_BS\_200\_P2,  
1617\_DWG\_B\_BS\_201\_P2, 1617\_DWG\_B\_BS\_202\_P2,  
1617\_DWG\_B\_BS\_203\_P2, 1617\_DWG\_B\_BS\_204\_P2,  
1617\_DWG\_B\_BS\_205\_P2, 1617\_DWG\_B\_BS\_206\_P2,  
1617\_DWG\_B\_BS\_220\_P2, 1617\_DWG\_B\_BS\_221\_P2,  
1617\_DWG\_B\_BS\_222\_P2, 1617\_DWG\_B\_00\_100\_P4,  
1617\_DWG\_B\_00\_201\_P2, 1617\_DWG\_B\_00\_202\_P4,  
1617\_DWG\_B\_00\_203\_P3, 1617\_DWG\_B\_00\_204\_P4,  
1617\_DWG\_B\_00\_205\_P4, 1617\_DWG\_B\_00\_206\_P4,  
1617\_DWG\_B\_00\_207\_P2, 1617\_DWG\_B\_00\_220\_P3,  
1617\_DWG\_B\_00\_221\_P5, 1617\_DWG\_B\_00\_222\_P3,  
1617\_DWG\_B\_00\_401\_P3, 1617\_DWG\_B\_00\_402\_P3,  
1617\_DWG\_B\_00\_403\_P3, 1617\_DWG\_B\_00\_404\_P3,  
1617\_DWG\_B\_00\_405\_P4, 1617\_DWG\_B\_00\_409\_P3,  
1617\_DWG\_B\_21\_500\_P2, 1617\_DWG\_B\_21\_520\_P3,  
1617\_DWG\_B\_21\_521\_P3, 1617\_DWG\_B\_21\_522\_P3,  
1617\_DWG\_B\_21\_523\_P3, BD 0133 SD 101 R00, BD 0133 SD 104 R01,  
BD 0133 SD 801 R03, Tree Survey & Arboricultural Impact Assessment

(October 2015, Greengage), Energy Feasibility Assessment (September 2015, Hulley & Kirkwood), Sustainability Monitoring Form, Daylight and Sunlight Report (August 2015, eb7), Bat Re-Entry & Activity Survey Report (August 2015, Greengage), Archaeological Desk Based Assessment (August 2015, Archaeology Collective), Heritage Statement (October 2015, Heritage Collective), Design & Access Statement (October 2015, Hawkins\Brown), Goldsmiths, University of London GA0/JOR/J7522 (November 2015, Gerald Eve), Vision Statement received 4 November 2015; 1617\_SK\_160112\_SL01\_Cycle Store, Revised front elevation CGI received 13 January 2016; 1617\_DWG\_B\_00\_406\_P4, 1617\_DWG\_B\_00\_407\_P4, 1617\_DWG\_B\_00\_408\_P4 received 9 February 2016; 1617\_DWG\_B\_00\_221\_P5 received 10 February 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 relates activity.
    - (iii) Measures to deal with safe pedestrian movement.
  - (e) Security Management (to minimise risks to unauthorised personnel).
  - (f) Details of the training of site operatives to follow the Construction Management Plan requirements.

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

- (4) No development shall commence on site until a detailed schedule and specifications & samples of all external materials to be used on the building(s) have been submitted to and approved in writing by the local

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

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

(5) (a) A minimum of **20** secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.

(b) Prior to above ground works, full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.

(c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

(6) (a) Notwithstanding the details hereby approved, no development shall commence for any phase of the development until detailed plans at a scale of 1:20 showing the front ramp and railings have been submitted to and approved in writing by the local planning authority.

(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.

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

**Reason:** To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30

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

- (8) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the front elevation of the two storey extension to the Main Raymont Hall 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).

- (9) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater goods, shall be fixed on the front elevation of the two storey extension to the Main Raymont Hall 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).

- (10) 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 on the main building and the flat roof on the new garden building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

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

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

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National

Planning Policy Framework and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- (12) None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority.

**Reason:** To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and policies DM 25 Landscaping and trees and 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (13) (a) The development shall be constructed with a biodiversity living roof, as a plug planted system on a variable depth of substrate, averaged at 133mm and maintained thereafter.

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

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

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

- (14) All demolition and construction works shall be carried out in complete accordance with the approved Bat Re-Entry & Activity Survey Report dated August 2015 by Greengage received 4th November 2015.

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

## **INFORMATIVES**

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. Only minor changes were required in order for the

application to accord with the Development Plan. These were made by the applicant following positive discussions.

- B. The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- C. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/my services/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- D. 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.
- E. In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.
- F. The applicant be advised that the details to be submitted pursuant to this permission should have regard to the principles of energy and natural resource efficiency through their design, orientation, density and location, in compliance with Policy 8 Sustainable design and construction and energy efficiency of the adopted Core Strategy (June 2011).
- G. The applicant is requested to formally submit the bat records to the GreenSpace Information for Greater London (regional record centre) as per the Chartered Institute for Ecology and Environmental Management code of professional conduct.
- H. The applicant is advised that once the living roof is established, the minimum defects and liability period following establishment should 15 months.
- I. **Pre-commencement conditions:**

The pre-commencement conditions imposed are to protect the amenity of neighbouring properties, the function of the surrounding highway network,

deliver high quality design, ensure adequate provision for cycle parking and safeguard the health and safety of trees.

**J. Thames Water Comments:**

Waste – Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

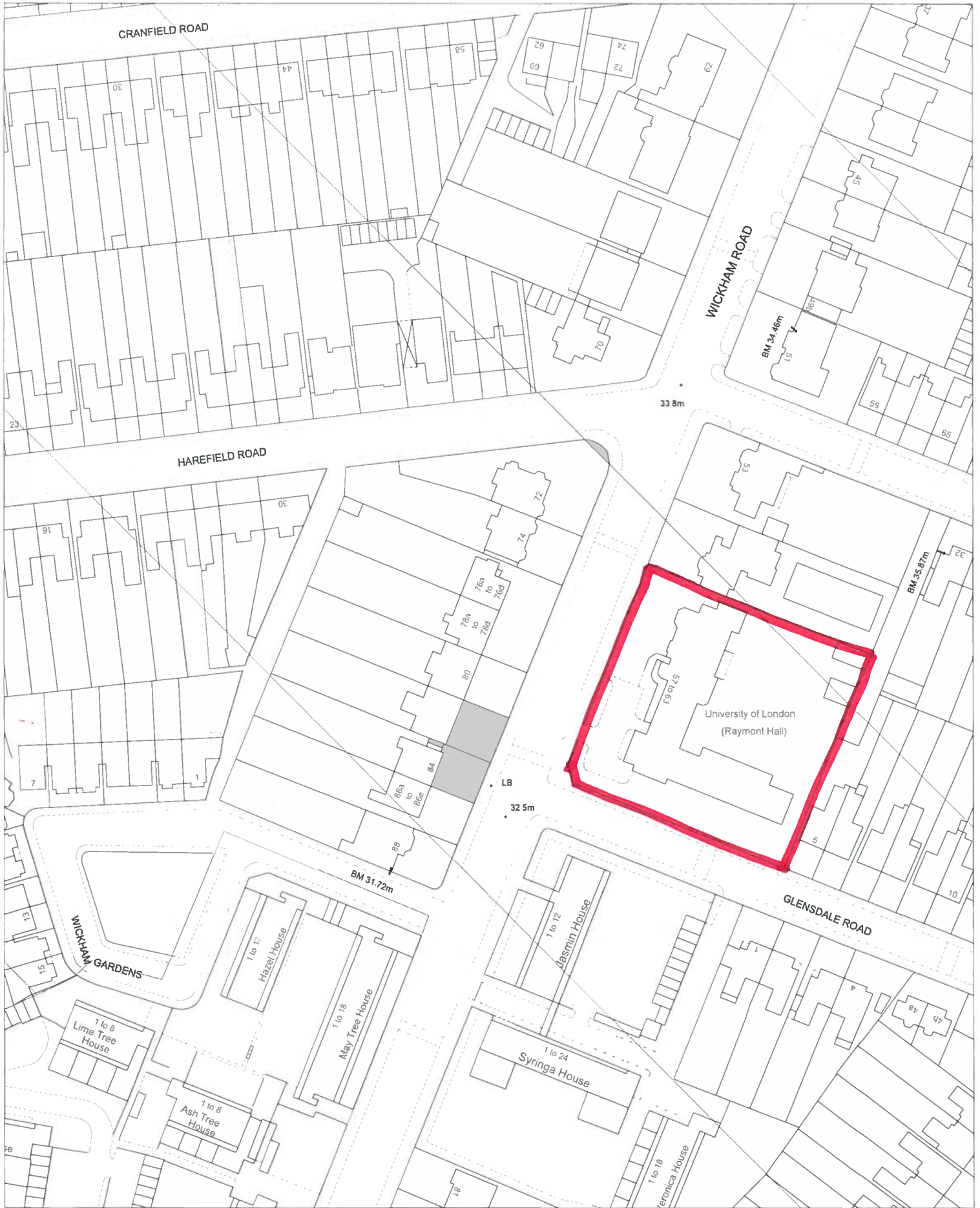
With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water - Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**This page is intentionally left blank**



# Raymont Hall



**This page is intentionally left blank**

Committee	PLANNING COMMITTEE B	
Report Title	Surrey House, Lewisham Way, SE14 6PB	
Ward	Brockley	
Contributors	Karl Fetterplace	
Class	PART 1	Date: 3 March 2016

Reg. Nos. DC/15/94339

Application dated 04/11/15

Applicant Gerald Eve on behalf of Campus Living Villages

Proposal The demolition of the existing single storey link block and replacement with four storey block above to provide a new link and site entrance to create 35 new student accommodation rooms at Surrey House, Lewisham Way SE14, together with alterations to the front elevation, re-landscaping of the courtyard and provision of photovoltaic panels and cycle storage spaces.

Applicant's Plan Nos. 1617\_DWG\_A\_BS\_001\_P3, 1617\_DWG\_A\_BS\_200\_P2, 1617\_DWG\_A\_BS\_201\_P2, 1617\_DWG\_A\_BS\_202\_P2, 1617\_DWG\_A\_BS\_203\_P2, 1617\_DWG\_A\_BS\_204\_P2, 1617\_DWG\_A\_BS\_205\_P2, 1617\_DWG\_A\_BS\_220\_P2, 1617\_DWG\_A\_BS\_221\_P2, 1617\_DWG\_A\_BS\_222\_P2, 1617\_DWG\_A\_00\_100\_P4, 1617\_DWG\_A\_00\_201\_P3, 1617\_DWG\_A\_00\_202\_P4, 1617\_DWG\_A\_00\_203\_P4, 1617\_DWG\_A\_00\_204\_P4, 1617\_DWG\_A\_00\_205\_P4, 1617\_DWG\_A\_00\_206\_P2, 1617\_DWG\_A\_00\_220\_P3, 1617\_DWG\_A\_00\_221\_P3, 1617\_DWG\_A\_00\_400\_P3, 1617\_DWG\_A\_00\_401\_P3, 1617\_DWG\_A\_00\_402\_P3, 1617\_DWG\_A\_00\_403\_P3, 1617\_DWG\_A\_00\_404\_P3, 1617\_DWG\_A\_00\_405\_P3, 1617\_DWG\_A\_00\_406\_P3, 1617\_DWG\_A\_21\_500\_P4, 1617\_DWG\_A\_10\_119\_P2, 1617\_DWG\_A\_10\_121\_P1, 1617\_DWG\_A\_10\_123\_P2, 1617\_DWG\_A\_10\_124\_P2, 1617\_DWG\_A\_10\_125\_P2, BD 0133 SD 102 R00, BD 0133 SD 105 R00, BD 0133 SD 802 R01, Energy Feasibility Assessment (September 2015, Hulley & Kirkwood), Sustainability Monitoring Form, Design & Access Statement (October 2015, Hawkins\Brown), Goldsmiths, University of London GA0/JOR/J7522 (November 2015, Gerald Eve), Vision Statement received 4 November 2015; Tree Survey & Arboricultural Impact Assessment (January 2016, Greengage) received 29<sup>th</sup> January 2016.

Background Papers

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

Designation PTAL 6a  
Not in a Conservation Area  
Not a Listed Building  
A Road

Screening N/A

## **1.0 Property/Site Description**

- 1.1 This property is known as Surrey House and is part of the Goldsmiths University campus (although it is located separately to the main campus which is on Lewisham Way near to the junction with New Cross Road). The site in question is located on the corner of Lewisham Way and Shardeloes Road and provides 158 bedrooms over three buildings.
- 1.2 The site incorporates a large five storey former house dating from the late 1800s facing onto Lewisham Way with a more modern four storey 1960s extension fronting Shardeloes Road which is linked to the original house with a garden between the two and a single storey orangery. The link block is single storey and forms the entrance to the site but otherwise has no openings to Shardeloes Road. The Annexe building was constructed in 2000 and is located to the rear of the main buildings. The buildings are in use as a halls of residence with ancillary rooms such as kitchens. The site is not in a Conservation Area.

## **2.0 Planning History**

- 2.1 There have been various applications for the alteration, extension and change of use of the building to a student halls since 1954 but there is no recent planning history of any particular relevance to the current proposal, apart from the pre-app discussions noted below.

## **3.0 Current Planning Application**

### The Proposal

- 3.1 This application seeks the demolition of the existing single storey link block and its replacement with a four storey block above to provide a new link and site entrance to create 35 new student accommodation rooms at Surrey House, Lewisham Way SE14, together with alterations to the front elevation, re-landscaping of the courtyard and provision of photovoltaic panels and 20 additional cycle storage spaces.
- 3.2 For clarification, the proposed development would provide 36 additional units. Thirty-five new rooms would be provided in the new Surrey Building, a net total of 33 new rooms due to the replacement of 2 existing rooms. Seven new units would be added to the Surrey Old House Building and the number of units in the main building would be reduced by 4, resulting a net gain of 36 units. This would take the total no. of beds at this facility from 158 to 194. Five rooms on the lower ground floor and ground floor of the old Surrey House building would be wheelchair accessible. The new units would comply with the Building Regulations in terms of accessibility.
- 3.3 This proposal would add a Gross Internal Area (GIA) of 824sqm of student accommodation to the existing 4,198sqm, to achieve a total of 5,022sqm. The new site entrance would include a new reception area.
- 3.4 The new block would have a glazed entrance on Shardeloes Road, with the three storey block cantilevered over the ground floor link block by 1m. Planting would be provided in front of the ground floor windows within this 1m setback. Level access would be provided via a new ramp. The existing refuse arrangement is proposed

to be retained - refuse vehicles would park on Shardeloes Road and access the existing refuse store towards the rear of the site. No car parking spaces are proposed.

- 3.5 The depth of new building would be approximately 10.7m an increase over the existing 6m depth. The height of the new link building would be 13.05.
- 3.6 The ground floor brick would be a dark silver, to respond to the main building, whereas the three storeys above are designed to respond to the bricks in the old Surrey House building, through the use of a light silver brick.
- 3.7 The windows are proposed to be an inset timber frame/anodised aluminium composite system with perforated mesh ventilated panels.
- 3.8 Two trees located in the courtyard are proposed to be removed, one in the northern corner of the courtyard and one in the western corner.
- 3.9 The following supporting documents have been submitted with this application:
  - Landscape Drawings
  - Design and Access Statement
  - Planning Statement
  - Arboricultural Report
  - Energy Feasibility Assessment

#### **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 The applicant attended a number of pre-application meetings with planning and urban design officers in June and July prior to the submission of the application.
- 4.3 Site notices were displayed and neighbouring properties including the Brockley Ward Councillors were consulted. Five objections and one set of comments were received from local residents. The addresses of the objectors are:
  - 5 Brindley Street
  - 10 Brindley Street
  - 13 Brindley Street
  - 74A Lewisham Way
  - 86B Lewisham Way
- 4.4 The address of the commenter is 11 Shardeloes Road.

4.5 The Councils Environmental Sustainability, Surveying, Environmental Health, Policy, Highways, Tree, Legal, Section 106/CIL and Urban Design teams were consulted.

4.6 Thames Water and Transport for London were also consulted and their responses are outlined below.

Written responses (comments) received from residents

4.7 The issues raised in the comments are summarised below:

- There would be construction impacts
- Trees might be removed on Shardeloes Road and in the courtyard and if so, can replacement trees be planted.

Written responses (objections) received from residents

4.8 The issues raised in the objections are summarised below:

- There would be construction impacts, particularly on Brindley Street.
- Additional noise would be created.
- Additional waste (including sewerage) would be created & therefore more frequent collection would occur, causing disruption.
- There would be additional impacts on the road network due to more cars.
- The amount of light would be reduced to rear gardens and units fronting Lewisham Way.
- The amount of light would be reduced to Brindley Street.
- The design, massing and height of the proposed extension is excessive and should reflect the main building rather than the period building (old Surrey House).
- The materials should be in keeping with the current brick block on Shardeloes Road.
- No notification was received from the developer prior to receiving the letter from Council regarding the planning application.

Note: Regarding this, it is optional for developers to notify the public of a proposal prior to submitting a planning application. For a scheme of this size, this is not considered essential. The applicant has stated that it was not possible to carry out wider public consultation in advance of submission of this application, however Council has been provided with a copy of the letter the applicant sent to nearby occupiers shortly after the applications were submitted to Council. The applicant has also stated that residents were provided with a pamphlet that summarises this and another current Goldsmiths development at Raymont Hall, Brockley and invited to attend a Q&A session. No discussions were had regarding this proposal.

## Transport for London

- 4.9 TfL does not consider that the proposal will generate any adverse impacts on the strategic transport network. It is noted that the site is located on the A20 which forms part of the Transport for London Road Network (TLRN) for which TfL are the highway authority. However, as the works will predominantly be located on the sites frontage along Shardeloes Road, no adverse impacts on the TLRN are anticipated. The proposed cycle parking is considered to be in accordance with London Plan (2015) Policy and should be secured by condition.

## Thames Water

- 4.10 Thames Water has not objected to the proposal on the basis of sewerage or water infrastructure capacity. Additional comments provided by Thames Water are proposed to be included as an informative and the comment regarding the need for a piling operations plan is proposed to be included as a condition.

## **5.0 Policy Context**

### Introduction

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

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

A local finance consideration means:

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

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

### National Planning Policy Framework

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



paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that ‘...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)’.

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

#### London Plan (March 2015)

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

Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.8 Housing choice  
Policy 3.18 Education facilities  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.13 Sustainable drainage  
Policy 5.18 Construction, excavation and demolition waste  
Policy 6.3 Assessing effects of development on transport capacity  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.13 Parking  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 8.3 Community infrastructure levy

#### London Plan Supplementary Planning Guidance (SPG)

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

Sustainable Design and Construction (2006)

#### Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy  
Spatial Policy 2 Regeneration and Growth Areas  
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

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

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 8	Student housing
DM Policy 22	Sustainable design and construction
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations and extensions to existing buildings including residential extensions

## **6.0 Planning Considerations**

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

- a) Principle of development
- b) Design, scale and impact on the existing buildings
- c) Quality of accommodation
- d) Transport and servicing
- e) Impact on adjoining properties
- f) Sustainability and energy
- g) Landscaping
- h) Impact on trees

### Principle of Development

6.2 The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay.

6.3 Paragraph 3.52 of the London Plan states that London's universities make a significant contribution to its economy and labour market and that it is important that their attractiveness and potential growth are not compromised by inadequate provision for new student accommodation. The paragraph recognises that there is uncertainty over future growth in the London student population and its

accommodation needs, but estimates that there could be a requirement for some 20,000 – 31,000 places over the 10 years to 2025. The paragraph goes on to recognise the value of purpose built student housing which may also tend to reduce pressure on other elements of the housing stock currently occupied by students, especially in the private rented sector. Policy 3.8 'Housing Choice' therefore encourages boroughs to work with higher and further education establishments to meet a demonstrable need for student housing without compromising capacity for conventional homes.

- 6.4 DM Policy 1 states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 6.5 DM Policy 8 Student Housing of the Development Management Local Plan (DMLP) states that the Council will support proposals for student housing provided that the development:
- a) will not involve the loss of permanent self-contained homes;
  - b) will not involve the loss of designated employment land
  - c) will not involve the loss of leisure or community space
  - d) will not prejudice the Council's ability to meet its annual London Plan housing target for additional self-contained homes
  - e) has an identified end user affiliated with an educational institution or student housing management company
  - f) is well served by public transport and is accessible to a range of town centre, leisure and community services
  - g) provides a high quality living environment and includes a range of unit sizes and layouts, with and without shared facilities, to meet the requirements of the educational institutions it will serve;
  - h) demonstrates that it is suitable for year round occupation and that it has long term adaptability and sustainability, including adequate and suitable cycle parking
  - i) contributes to creating a mixed and inclusive community
  - j) does not cause unreasonable harm to residential amenity or the surrounding area and
  - k) provides 10% wheelchair accessible rooms fully fitted from occupation.
- 6.6 The existing link building does not make a positive contribution to the complex or surrounding area and therefore its demolition is not objected to, particularly since it is proposed to be replaced with a new building that better reflects the design of the Surrey House complex and surrounding area.
- 6.7 The proposal is being developed by a student housing provider. The proposals would not result in the loss of self-contained homes or of leisure or community facilities and would not prejudice the Council's ability to meet its housing targets

as the Council is not currently relying on windfall sites to achieve its targets (and the site is not allocated to housing). A range of unit types and sizes would be developed. The site is well connected in terms of public transport, being in close proximity to New Cross and New Cross Gate Stations and a number of bus routes.

- 6.8 This new accommodation would be suitable for 'year round occupation'. The new purpose built accommodation would therefore also help to free up the private rented housing sector and family sized housing typically rented by students. The proposals are linked to a specific institution and involve the refurbishment and expansion of existing student accommodation sites and would therefore not prejudice housing and affordable housing delivery in accordance with Policy 3.8 and supporting paragraphs of the London Plan.
- 6.9 Therefore provided that the proposal meets the requirements of the DM Policy 8 in relation to design, quality of accommodation, residential amenity and wheelchair accessibility (which are dealt with in the sections below), the site is considered to be well located for a development of this type and the principle of student housing is considered to be acceptable.
- 6.10 The other aspects considered in relation to the principle of development are listed above this section and include design, quality of accommodation and impacts on neighbouring occupiers, among other things, which are discussed under the relevant headings in this report.

#### Design, scale and impact on the existing buildings

- 6.11 The NPPF states that good design is indivisible from good planning and that design is a key aspect of sustainable development. Paragraph 63 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.
- 6.12 London Plan Policy 7.4 states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. High quality design requires that the development, amongst other things, is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area.
- 6.13 Policy 15 'High quality design for Lewisham' of the Core Strategy states that the Council will apply policy guidance to ensure highest quality design and the protection or enhancement of the natural environment. This is echoed in DM Policy 30 Urban design and local character.
- 6.14 There are no objections to the demolition of the existing link below which is considered to make little positive contribution to the street scene.

#### *Height and Massing*

- 6.15 The area surrounding the subject site is a predominantly residential area that contains 2-3 storey dwellings, although larger buildings are present on Lewisham Way. Regarding the objection from neighbouring occupiers that the design, massing and height of the proposed extension is excessive and should reflect the main building rather than the period building (old Surrey House), it is noted that the proposed link block would be just less than one storey higher than the existing main building, and in turn is set half a storey lower than old Surrey House. It is considered that this height, the proposed building would retain the existing hierarchy across the site, where the old Surrey House stands prominent on the corner. It is noted that the form of the link block was modified during pre-application negotiations to reduce the impacts on the courtyard and streetscene and is now considered acceptable.. This has been achieved by the setting in of the ground floor to create a more generous pavement for pedestrians, the upper floors would cantilever over the ground floor creating a canopy and is considered to be an acceptable response to the street. The link building would retain acceptable separation (at upper floors) between Old Surrey House and the Main Building and is not considered to appear cramped or an overdevelopment of the site.
- 6.16 The proposed new link block and entrance is considered a positive improvement and would activate the street frontage. The rooms facing the street, of which there are only two, have been setback to allow for privacy. Landscaping is also proposed to enhance the streetscape. This is discussed further in the landscaping section of this report.

#### *Detailed Design*

- 6.17 In terms of materiality, as described above, the elevations are formed from two main brick types a dark silver grey brick base with a lighter silver grey cladding the upper floors, punctuated with large areas of glazing. The windows are recessed into the elevation by a full brick and the cantilever soffit is to be clad in aluminium. The elevations are considered to be well ordered and simple in arrangement. It is through the use of materials and subtle detailing that interest is articulated.
- 6.18 The Design and Access Statement provides typical images of brick types and windows which is supported, however, it is recommended that a condition is secured which requires details and samples to be approved. Although it is noted that an objection has been received stating the bricks should match the existing building, this is not considered to be an appropriate design response given the scale and architecture of the link block proposed.
- 6.19 It is considered that through design discussions with Officers that have taken place during the pre application process a high level of architectural quality has been achieved for the proposal. The detailed plans that have been submitted demonstrate that a quality design is achievable and are therefore considered to be sufficient to justify the scale and height of the proposal. Officers consider that the proposed development has maximised the potential of the site and the scale of building achievable in this location and subject to the quality of the detailing and design being adequately secured through conditions, it is considered that the Development would be a high quality addition to the borough.

### Quality of accommodation

- 6.20 There are no specific standards for student accommodation. DM Policy 8 'Student Housing' requires accommodation to provide a high quality living environment and include a range of unit sizes and layouts, with and without shared facilities, to meet the requirements of the educational institutions it will serve.
- 6.21 The studio units range in size from 17sqm to 37sqm (for the wheelchair compliant units) and comprise an en-suite bathroom and an open plan bedroom/kitchenette that contains a single bed, a desk, storage space and a kitchen area.
- 6.22 The remaining new units would average 12sqm and have an ensuite shower room, bed, desk and storage space. While the proposed student rooms are small, it is considered that they would meet the needs of the students and that the size of the units would be mitigated by access to good quality communal facilities, as two social space areas are to be provided on each floor and further social space is provided in the Orangery. There would also be landscaped external amenity space in the courtyard. The bedrooms are considered to have adequate access to sunlight and daylight and are considered to be acceptable.

### *Wheelchair housing/accessibility*

- 6.23 The application proposes 5 rooms that are adaptable to wheelchair standards, which, as a ratio based on the additional units meets the 10% requirement of DM Policy 8. The wheelchair accessible units would be located at the basement level and ground floor level of the old Surrey House building. A new ramp is proposed between the new link block and the Surrey Old House, therefore making these rooms on the lower ground floor and ground floor of the old Surrey House building wheelchair accessible. A lift would be provided in the new link building. Level access is already provided to the orangery, which houses social space. It is considered that this proposal has sought to improve accessibility as far as possible given the constraints of the existing buildings. The applicant has stated that the new building would comply with the Building Regulations in terms of accessibility.
- 6.24 No disabled parking spaces are proposed, however this is not possible within the constraints of the existing site. However, some parking is available directly adjacent to the site on Shardeloes Road and it is therefore considered that wheelchair users would be able to park on the street with a permit if required. The proposal is therefore considered adequate from a disabled parking perspective acceptable.

### Transport and servicing

- 6.25 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, if safe and suitable access to the site can be achieved for all people and if improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

### *Car Parking*

- 6.26 This site has a PTAL rating of 6A and therefore the residents of the proposed rooms would have excellent public transport access and the non-provision of car parking with this application is considered appropriate and in accordance with Core Strategy Policy 14, DM Policy 29 Car parking and Policy 6.13 Parking of the London Plan. The site is also in close proximity to the main Goldsmiths University campus. Regarding the objections received from residents that there would be additional impacts on the road network due to more cars, it is noted that no car parking spaces are proposed and 20 additional cycle spaces are proposed. Additionally, Goldsmiths does not permit students to bring cars with them to their accommodation. Therefore, Council has done its utmost to ensure that there would be minimal additional impacts on the road network.

### *Cycle Parking*

- 6.27 The London Plan does not contain strict guidance on cycle parking spaces, however, with other student accommodation schemes, the Council has sought a minimum of 1 space per 2 new units as a minimum. Storage is proposed for 20 bicycles at ground level, just inside one of the entrances to the new ground floor of the link building. Given that a net increase of 36 units is proposed, this is considered adequate and is otherwise consistent with London Plan Policy 6.3 and Core Strategy Policy 14 Sustainable movement and transport. Further, this would improve the existing ratio of cycle parking spaces to rooms. At present, storage is provided through an informal arrangement on the elevated area next to the Orangery, which is proposed to be retained. A condition is proposed to be included to ensure that this is provided, if the scheme is approved.

### *Refuse Storage & Servicing*

- 6.28 The existing arrangement is that refuse vehicles can park on Shardeloes Road and access the existing refuse store towards the rear of the site. This is proposed to remain and is considered acceptable in principle. Regarding the resident comment that additional waste (including sewerage) would be created & therefore more frequent collection would occur, causing disruption, Thames Water has stated that it does not have any objection to the proposal from a wastewater infrastructure perspective. As abovementioned, it is proposed to use the existing refuse storage area for the additional rooms. It has not been clarified whether more frequent refuse collection would occur, however if it were to be the case, this would not be expected to have an unreasonably adverse impact on residents.

### *Construction Traffic*

- 6.29 The proposed condition that requires a Construction Management Plan would include a section on construction traffic and therefore this would be adequately considered prior to construction commencing.

### Impact on Adjoining Properties

- 6.30 DM Policy 8 Student Housing states that the Council will support proposals for student housing provided that the development does not cause unreasonable harm to residential amenity or the surrounding area.

### *Construction Impacts*

- 6.31 With regard to resident objections about construction impacts, there would be impacts on the surrounding area, which could include Brindley Street. Therefore, a condition is proposed to ensure that a Construction Management Plan (CMP) is provided to and approved by Council prior to works commencing. The specifics of this would need to be considered at this time and therefore it cannot be assured that there would be no access to construction work taking place from Brindley Street. However, a CMP would ensure, amongst other things, that there are no unreasonably adverse impacts on neighbouring properties with regard to noise and vibration, dust and traffic. Further to this, a condition would be included to regulate the hours of delivery trucks during construction so that any impacts are kept to a minimum.

### *Noise*

- 6.32 Regarding residents objections about noise impacts, it is acknowledged that additional noise would be created as a result of this development, however given that the campus currently has 158 rooms, as a proportion of this, 36 new rooms would not result in an unreasonable increase in noise over and above that which might already occur. To a degree, this is considered an expected outcome of inner city living, particularly given that there is an existing student residence in operation. Having said this, the applicant has stated that each resident receives and signs a document as part of their rental agreement entitled "Rules of The Village" which sets out expected standards of behaviour. This document covers topics such as compliance with a site-specific noise policy and strict rules on visitors and guests. Failure to comply with the rules may lead to disciplinary action which can escalate up to being asked to leave. Therefore it is considered that adequate measures are in place to address these potential impacts. Additionally, no new external plant equipment is proposed. The applicant has stated that all new mechanical plant would be suitably positioned, enclosed and attenuated to ensure there is no additional acoustic impact on the site boundary.
- 6.33 24/7 on site support and security is proposed, through a staff managed reception during the day and provision of a security guard overnight. The management suite would be located adjacent to the ground floor reception.

### *Daylight & Sunlight*

- 6.34 Regarding the resident objection that the amount of light would be reduced to rear gardens and units fronting Lewisham Way, it is acknowledged that there would be some impacts on these rear gardens from the proposed four storey building, however, given that it would be limited only to part of the afternoon, it is not considered to be unreasonably adverse. For the majority of the day, these properties would not be impacted from overshadowing or loss of daylight or sunlight.
- 6.35 Neighbouring occupiers also stated that the amount of light would be reduced to Brindley Street. However, given that the proposed extension would not come between the sun and Brindley Street, it is not considered that it would have unreasonably adverse impacts on daylight and sunlight). Further, the distance to the closest neighbouring properties to the north and south would be approximately



16m and 20m respectively and for a building of the proposed height and scale, daylight and sunlight impacts on these properties are not expected to be an issue.

### *Privacy*

- 6.36 There is the potential for overlooking to occur from the windows in the upper floors of the proposed building, however, this would predominantly be into the existing courtyard, which would assist with passive surveillance. The distance to the rear gardens of properties on Lewisham Way is approximately 20m, which is considered acceptable. It is noted that no nearby occupiers have objected to this aspect of this development.
- 6.37 Overall, this proposal is therefore considered to have an acceptable impact on neighbouring amenity.

### Sustainability and Energy

- 6.38 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be consistent with the Government's zero carbon buildings policy and adopt nationally described standards.
- 6.39 London Plan and Core Strategy Policies advocate the need for sustainable development, All new development should address climate change and reduce carbon emissions. For major development proposals there are a number of London Plan requirements in respect of energy assessments, reduction of carbon emissions, sustainable design and construction, decentralised and renewable energy. Major developments are expected to prepare an energy strategy based upon the Mayor's energy hierarchy, adopting lean, clean, green en principles. Major development proposals are expected to achieve a minimum carbon reduction saving of 19% above 2013 Part L Building Regulations, which equates to a Code for Sustainable Homes Level 4 rating.
- 6.40 The focus of the renovation of the existing areas from a sustainability perspective is to improve elements of the building fabric and improve the efficiency of building services, through the modification of windows and roofs to upgrade the existing U-Values. Other measures proposed include energy efficient lighting, including sensor lighting; the installation of high efficiency ventilation plant with variable speed drives; and the replacement of the existing heating system with a zoned system. The proposed energy efficiency measures would exceed those required by the Building Regulations. This would be expected to provide a reduction in CO2 of 10% of the total emissions.
- 6.41 Several energy saving measures are proposed, including a gas fired CHP sized to meet the majority of the building domestic hot water demand and 50sqm of roof mounted Photo-Voltaic (PV) panels.
- 6.42 Through the use of the above measures, the report confirms that the proposal would achieve the London Plan and LB Lewisham policy requirement of a carbon dioxide emissions saving >19% relative to the 2013 Building Regulations. The estimated carbon dioxide emissions saving is set out in the report as 45.88% with the actual carbon dioxide emissions after the energy strategy has been applied given as 16.06 tonnes/annum, which exceeds the requirement of 12.25 tonnes/annum.

- 6.43 It is considered that the proposal would perform acceptably from a sustainability point of view.
- 6.44 Regarding sustainable urban drainage systems, an element of permeability is proposed through the retention of some soft landscaping area. This is considered adequate, given that there is some existing hardstand surfaces in the rear courtyard.

#### Landscaping

- 6.45 To ensure high quality landscaping, Development Management Policy 25 requires major developments to submit a Landscape Scheme which should describe the site features that are to be retained and a method for ensuring their provision, management and maintenance.
- 6.46 Seating is proposed to be provided in the existing courtyard, along with a mix of hard and soft landscaping surfaces, which is welcomed. The main paving material would be of high quality in situ concrete, which falls to the soft landscaped areas, in order to achieve sustainable urban drainage. Landscaping is also proposed to the new front entrance, in order to improve the streetscape. The grounds would be maintained by Village Management. The species proposed for the soft landscaping are considered to be acceptable.

#### Impact on trees

- 6.47 There are no TPOs at, or in the vicinity of, this property. Two trees located in the courtyard are proposed to be removed, one in the northern corner of the courtyard and one in the western corner. The former has been identified as having a physiological defect that could be fatal if unmanaged. To compensate for the loss of these two trees it is proposed to plant two semi-mature '*Grayswood Ghost*' trees, which would be of a similar quality. It is considered that this is appropriate as it would not harm the arboricultural value of the site.
- 6.48 The trees that are proposed for retention, including the three trees on the pavement adjacent to Shardeloes Road, would need protection to ensure this occurs. A condition is therefore proposed to address this through the submission of a Tree Protection Plan.

### **7.0 Local Finance Considerations**

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

## **8.0 Community Infrastructure Levy**

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

## **9.0 Equalities Considerations**

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

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

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

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

9.4 In this matter there is no impact on equality.

## **10.0 Conclusion**

10.1 The Local Planning Authority has considered the particular circumstances of the application against relevant planning policy set out in the Development Management Local Plan (2014), the Core Strategy (2011) The London Plan (2015, as amended) and the National Planning Policy Framework (2012).

10.2 The proposal would make a positive contribution to the Borough by providing additional student accommodation for Goldsmiths College. It is acceptable from a design and massing perspective that is appropriate in the context the character of the existing Surrey House complex and the surrounding area. The standard of accommodation is considered adequate and it is not expected that there would be any unreasonably adverse impacts on neighbouring occupiers. The imposition of a number of conditions would ensure that other necessary matters are adequately addressed.

## **11.0 RECOMMENDATION**

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

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

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

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

1617\_DWG\_A\_BS\_001\_P3, 1617\_DWG\_A\_BS\_200\_P2,  
1617\_DWG\_A\_BS\_201\_P2, 1617\_DWG\_A\_BS\_202\_P2,  
1617\_DWG\_A\_BS\_203\_P2, 1617\_DWG\_A\_BS\_204\_P2,  
1617\_DWG\_A\_BS\_205\_P2, 1617\_DWG\_A\_BS\_220\_P2,  
1617\_DWG\_A\_BS\_221\_P2, 1617\_DWG\_A\_BS\_222\_P2,  
1617\_DWG\_A\_00\_100\_P4, 1617\_DWG\_A\_00\_201\_P3,  
1617\_DWG\_A\_00\_202\_P4, 1617\_DWG\_A\_00\_203\_P4,  
1617\_DWG\_A\_00\_204\_P4, 1617\_DWG\_A\_00\_205\_P4,  
1617\_DWG\_A\_00\_206\_P2, 1617\_DWG\_A\_00\_220\_P3,  
1617\_DWG\_A\_00\_221\_P3, 1617\_DWG\_A\_00\_400\_P3,  
1617\_DWG\_A\_00\_401\_P3, 1617\_DWG\_A\_00\_402\_P3,  
1617\_DWG\_A\_00\_403\_P3, 1617\_DWG\_A\_00\_404\_P3,  
1617\_DWG\_A\_00\_405\_P3, 1617\_DWG\_A\_00\_406\_P3,  
1617\_DWG\_A\_21\_500\_P4, 1617\_DWG\_A\_10\_119\_P2,  
1617\_DWG\_A\_10\_121\_P1, 1617\_DWG\_A\_10\_123\_P2,  
1617\_DWG\_A\_10\_124\_P2, 1617\_DWG\_A\_10\_125\_P2, BD 0133 SD 102  
R00, BD 0133 SD 105 R00, BD 0133 SD 802 R01, Energy Feasibility  
Assessment (September 2015, Hulley & Kirkwood), Sustainability  
Monitoring Form, Design & Access Statement (October 2015,  
Hawkins\Brown), Goldsmiths, University of London GA0/JOR/J7522  
(November 2015, Gerald Eve), Vision Statement received 4 November  
2015; Tree Survey & Arboricultural Impact Assessment (January 2016,  
Greengage) received 29th 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) No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority in consultation with Thames Water.

(b) Details of any such operations must be submitted to and approved in writing by the local planning authority (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) prior to commencement of development on site and shall be accompanied by details of the relevant penetrative methods.

(c) Any such work shall be carried out only in accordance with the details approved under part (b).

**Reason:** To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network and Development Management Local Plan (November 2014) DM Policy 28 Contaminated land.

- (5) No development shall commence on site until a detailed schedule and specifications & samples of all external materials to be used on the building, including the underside of the front projection, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (6) (a) A minimum of 20 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.

(b) Prior to above ground works, full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.

(c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

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

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

- (8) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on any 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).

- (9) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater goods, shall be fixed on any elevation 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).

- (10) 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 roof on the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality

design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014).

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

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

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

- (12) None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority.

**Reason:** To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and policies DM 25 Landscaping and trees and 30 Urban design and local character of the Development Management Local Plan (November 2014).

## **INFORMATIVES**

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. Only minor changes were required in order for the application to accord with the Development Plan. These were made by the applicant following positive discussions.
- B. The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- C. 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>

- D. 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.
- E. In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.
- F. The applicant be advised that the details to be submitted pursuant to this permission should have regard to the principles of energy and natural resource efficiency through their design, orientation, density and location, in compliance with Policy 8 Sustainable design and construction and energy efficiency of the adopted Core Strategy (June 2011).

G. **Pre-commencement conditions:**

The pre-commencement conditions imposed are to protect the amenity of neighbouring properties, the function of the surrounding highway network, prevent pollution of controlled waters, deliver high quality design, ensure adequate provision for cycle parking and safeguard the health and safety of trees.

H. **Thames Water Comments:**

Waste - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

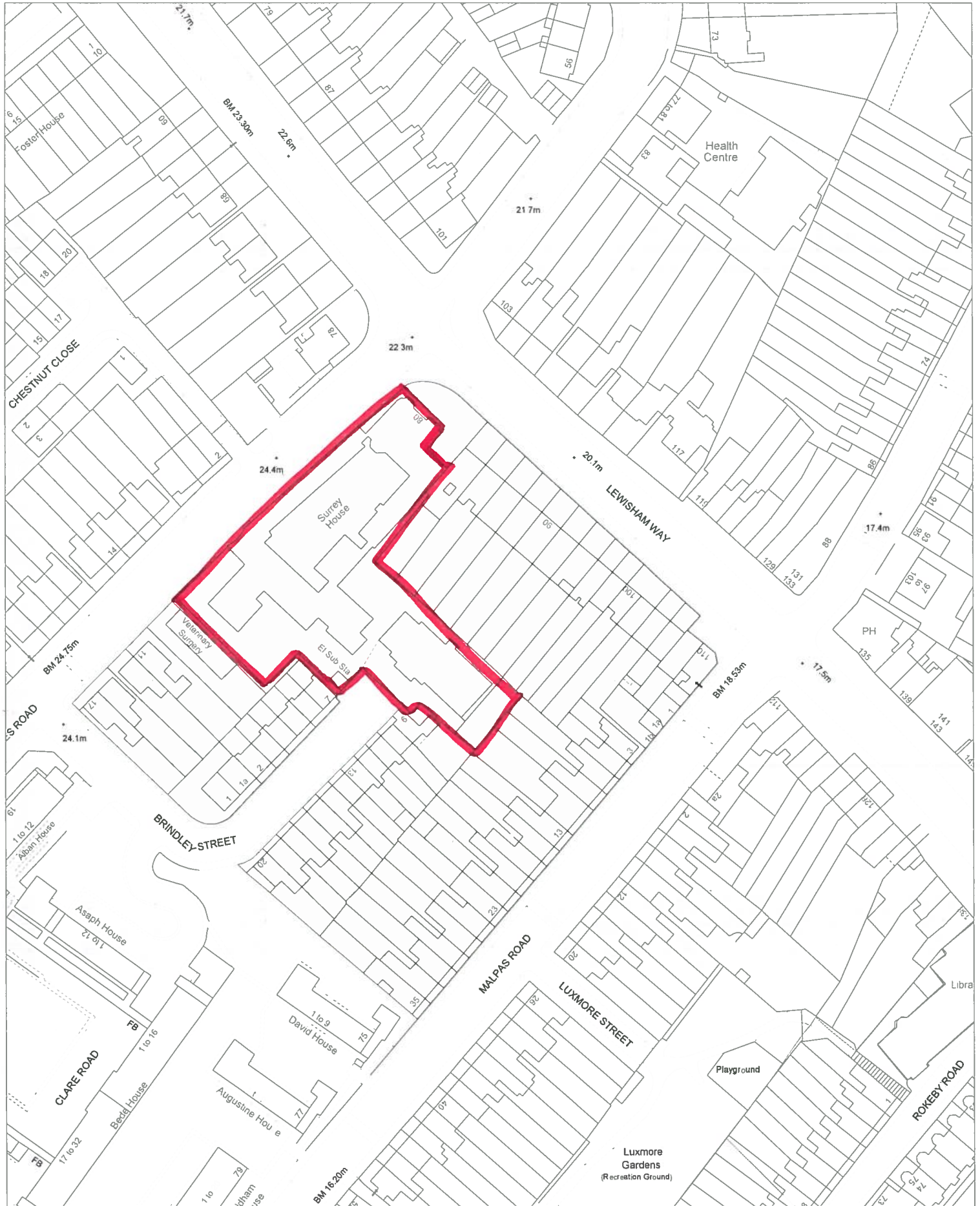


Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

Water - Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**This page is intentionally left blank**

# Surrey House



**This page is intentionally left blank**