

PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 31 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:**

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

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, 22 March 2016**

**For further information please contact:
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	PLANNING COMMITTEE (A)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 31 MARCH 2016

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

(1) Personal interests

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

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

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

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

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

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

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

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

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

(6) Sensitive information

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

(7) Exempt categories

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

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

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Committee	PLANNING COMMITTEE (A)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 31 MARCH 2016

MINUTES

To approve the minutes of the meeting of Planning Committee (A) held on the 18th February 2016.

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Committee	PLANNING COMMITTEE A	
Report Title	Dacre Arms, 11 Kingswood Place, London, SE13 5BU	
Ward	Blackheath	
Contributors	Andrew Harris/Karl Fetterplace	
Class	PART 1	31 March 2016

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

1.0 Property/Site Description

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

2.0 Planning History

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

3.0 Current Planning Applications

The Proposal

- 3.1 Retrospective planning permission is sought for a small rear outbuilding of some 21sqm internal floorspace which is intended to function as a servery for food and drink passed to the clientele of the public house sitting in the rear garden. The second aspect of the proposal seeks retrospective planning permission for the retention of a seating area with a deck bounded by a dwarf wall and railings to a total height of 1.36m directly in front of the building, abutting the back edge of the footway.
- 3.2 The applicant has clarified that no table would be proposed in the front garden and that no music would be played in the beer garden. The applicant proposes to use the servery from 12:00-19:30 Sunday-Thursday and 12:00-21:00 Friday-Saturday.

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors. A public notice was displayed and an advertisement placed in the local newspaper offering a 21 day period for comments to be made.
- 4.3 During the assessment of the application, it became apparent that it was intended that the servery would be used for serving drinks as well as food. In order to ensure the public were correctly informed of the proposal and that the application reflects what the applicant seeks, the public were reconsulted.

Written Responses received from Local Residents and Organisations – Initial Consultation

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

Letter of Support – 23 Lee Court, Lee High Road

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

Objection 1 – 64 Belmont Park

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

Objection 2 – 80 Belmont Park

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

Objection 3 – 4 Kingswood Place

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

Objection 4 – 10 Kingswood Place

- 4.9 Objection 4 included a petition on the basis of excess noise, parking, design and the use of the amenity space at the front of the building. This consisted of 33 signatures. These 33 signatures came from 19 different addresses. Of these 19 addresses, 9 individual objections were also received. Photographs of the works to the front and rear were also submitted. Photographs have also been taken by officers of these works during a site visit.

Objection 5 – 1 Kingswood Place

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

Objection 6 – 60 Belmont Park

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

Objection 7

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

Written Responses received from Local Residents and Organisations – Second Consultation

- 4.13 The second consultation received 18 responses (one comment, 12 objections and 5 letters of support). Of these, 6 objections were from people who had not objected to the original application (41 Belmont Park, 82 Belmont Park, 7 Kingswood Place, 3 Kingswood Place, the Blackheath Society and 54 Belmont Park). In total, 19 objections have now been received from 13 different people.

Objection 1 – 64 Belmont Park

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

Objection 2 – 80 Belmont Park

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

Objection 3 – 4 Kingswood Place

- 4.16 Objection maintained but no new issues raised.

Objection 4 – 10 Kingswood Place

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

Objection 5 – 1 Kingswood Place

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

Objection 6 - 60 Belmont Park

- 4.19 No new issues raised.

Objection 7 – 41 Belmont Park

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

Objection 8 – 82 Belmont Park

- 4.21 Objection raised on the grounds of noise disturbance.

Objection 9 - 7 Kingswood Place

- 4.21 Objection raised on the grounds of noise disturbance, particularly music.

Objection 10 - 3 Kingswood Place

- 4.22 Objection raised on the grounds of noise disturbance at both the front and rear and that the hours suggested for the use of the servery are too lenient and may not be adhered to. Allowing retrospective permission would encourage further ignorance of regulations. The seating area to the front is not in keeping with local character.

Objection 11 - Blackheath Society

- 4.23 The front seating area is insensitively constructed and detracts from the character of Kingswood Place and the Blackheath Conservation Area. The use of wooden decking is inappropriate. The use of stock bricks for the low wall supporting the railings is doubtless intended to echo those used in the adjoining houses, although introduces a discordant element when viewed in conjunction with the predominantly red brick of which the pub itself is constructed.
- 4.24 The addition of the servery changes the nature and character of the pub as a whole and would need to be considered carefully in the context of licensing and highways policies. From a strictly planning perspective, we see this as an overbearing structure and note the use of entirely inappropriate materials (plastic cladding) on the wall fronting St Margaret's Passage and what appears to be plastic at the top of the wall facing Kingswood Place.
- 4.25 There would be noise and disruption associated with the front seating area. This is clearly recognised by the operators of the pub in their posting of notices requesting customers not to make excessive noise and to respect the neighbours, which is bound to be ineffective.

Objection 12 - 54 Belmont Park

- 4.26 Objection raised on grounds of increased noise, unsuitability of the development for the neighbourhood and likely increase in customers wishing to park nearby.

Support 1 - 62 Manor Park

- 4.27 The pub is a community asset and the additions would help improve the experience of using the pub.

Support 2 - Flat 7, Beacon House St Albans

- 4.28 The pub is important as a community asset.

Support 3 - 12 Hardy Avenue Dartford

- 4.29 The pub is important as a community asset. Having a bar in the garden would not change the character of the pub, as there has always been a large amount of seating there.

Support 4 - 56 Belmont park

- 4.30 The pub is important as a community asset. The servery would facilitate events in the summer months and previous functions on the premises have not caused excessive noise or anti-social behaviour. The new works would not cause undue pressure on parking.

Support 5 - 92 Oaklands Ave

- 4.31 This pub is a community asset and is not typically a scene for significant nights out, being a quieter community pub. This will not change with an outdoor bar, which would reduce time to be served when the weather allows the garden to be in use.

Comment 1 – 46B Belmont Park

- 4.32 The new servery and front seating area would constitute a change of use and very little information was given to local residents either formally or informally. The new front table would be in sight of the Montessori School. The term “servery” may be a misnomer. Objection was also raised that the development is out of character with the conservation area and additional noise will be created.
- 4.33 Due to the number of objections received, a local meeting was held on 16 March 2016 at the Crypt at St Margarets Church, Lee. The minutes of the meeting are attached as an appendix to this report.
- 4.34 With regard to the objections raised to inadequate consultation, it is noted that the Council’s consultation exceeded the minimum statutory requirements and those required by the Council’s adopted Statement of Community Involvement. Further, a local meeting was held.

Written Responses received from Statutory Agencies

- 4.35 No responses received.

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- the provisions of the development plan, so far as material to the application,
 - any local finance considerations, so far as material to the application, and
 - any other material considerations.
 - A local finance consideration means:
 - a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
 - sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that ‘if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise’. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

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

London Plan (March 2015)

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

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

Core Strategy

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

Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

Development Management Local Plan

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

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

DM Policy 20 Public houses
DM Policy 26 Noise and vibration

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

LDF Evidence Base: Pubs in Lewisham (2013)

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

Blackheath Conservation Area Appraisal and Supplementary Planning Document (2007)

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

6.0 Planning Considerations

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

- Principle of development
- Design and impact on the listed building and conservation area
- Noise and impact on adjoining properties
- Car Parking

Principle of Development

- 6.2 The NPPF (National Planning Policy Framework, 2012) (paragraph 70) identifies public houses as a community facility that contributes to enhancing the sustainability of communities and residential environments. As such, pubs should be safeguarded and retained for the benefit of the community use and planning policies and decisions should guard against their unnecessary loss.
- 6.3 The council prepared a report 'Pubs in Lewisham: an evidence based study' (2013) which draws together information about public houses in Lewisham and the UK and provides the evidence base for this policy. The report shows that there are currently 92 pubs in the borough, down from 115 in 2006. Planning decisions in line with the NPPF should therefore be preventative of this loss and flexible towards development which will prevent further closure of public houses in the borough.
- 6.4 Outlined in the Viability Report is that the retention of public houses can be ensured by:

- *‘adding a kitchen and serving food or improving the existing food offer;...*
 - *...hiring rooms out or otherwise providing a venue for local meetings, community groups, businesses, youth groups, children’s day nurseries.*
- 6.5 In line with the above policy, the proposals contribute to ensuring the viability of the pub, which has value as a public meeting place and it is recommended that the development is regularised.
- 6.6 The external works to the front garden in principle are acceptable, subject to design considerations. It is noted that planning permission is only required for the structures erected, which include the deck, bricks and railings. The applicant has agreed to remove the table that has been placed in this area.
- 6.7 It is noted that the owners have prohibited the use of this front area for smoking out of courtesy for the neighbours.
- 6.8 The hours of operation of the pub are 12:00 until 23:00 Monday to Saturday and 12:00 until 22:30 on Sundays. Between these hours customers are able to sit/drink outside which is dictated by the licensing of the Public House. Any change to this would require a separate licensing application. At this point, considerations can be made regarding issues raised at the local meeting, such as any noise complaints that have been received, areas where smoking is permitted, the months of use of the servery and the possibility of a good neighbour agreement being drafted.
- 6.9 The applicant indicated that the proposed hours of operation of the servery would be from approximately 14:00 until 20:00 on Fridays and Saturdays, as well as occasionally on Sunday afternoons, only in the warmer months and weather permitting. It was discussed and agreed upon at the local meeting that the hours of use of the servery would be 12:00-19:30 Sunday-Thursday and 12:00-21:00 Friday-Saturday. The operation of the servery would be for food and drink. Therefore, there would be the potential for this to intensify the use of the beer garden, which could result in an increase in noise that could have an impact on neighbouring amenity. This matter has been assessed in further detail under the heading “noise and impact on adjoining properties”.

Design and impact on the locally listed building and conservation area

- 6.11 Planning law requires the Council to pay special attention, when exercising its planning functions, to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 6.12 Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 6.13 Paragraph 57 sets out that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

- 6.14 Paragraph 64 is clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.15 Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.
- 6.16 Policy 7.4 of the London Plan (2015) advises that development should have regard to the form, function and structure of an area, place or street. Particularly given the Conservation Area status of this location, the way the design fits with the existing and original buildings is important.
- 6.17 Policy 7.8 of the London Plan (2015) states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 6.18 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.19 Core Strategy Policy 16 states that the Council will ensure that the value and significance of the borough's heritage assets and their settings, conservation areas, listed buildings, archaeological remains, registered historic parks and gardens and other non designated assets such as locally listed buildings, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice.
- 6.20 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations and extensions to existing buildings. The retention and refurbishment of existing buildings that make a positive contribution to the environment will be encouraged and should influence the character of new development and a sense of place.
- 6.21 DM Policy 31 Alterations and extensions to existing buildings states that development proposals for alterations and extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.22 DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens concerned with development in Conservation areas reiterates policies contained in the National Framework and the London Plan. Specifically the council is concerned with special characteristics of the area i.e. building spaces, settings, plot coverage, scale, form, and materials.

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

Noise and Impact on Adjoining Properties

- 6.28 DM Policy 26 seeks to reduce excessive noise or vibration which can be detrimental to human health and well-being and can impact negatively on natural habitats.
- 6.29 DM Policy 31 seeks to protect amenity where alterations are proposed to an existing building. When seeking permission for extensions/alterations to existing buildings, development proposals must be able to demonstrate that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, overlooking, loss of privacy and general noise/disturbance.
- 6.30 With regard to the submissions received from nearby occupiers, in new development for drinking establishments and public houses, noise would be a likely consideration and the appropriate mitigation measures should be adhered to. The Dacre Arms Pub is a historic building and its use is not new to the street.
- 6.31 The amenity space is not a new addition to the Public House and it has always been made available for the customers of the Dacre Arms. It is noted that the amenity space to the rear of the public house has been decreased as a result of the garden bar and therefore overall there is a decrease in the outdoor amenity space of the pub. Therefore, there is the potential that noise impact would generally be reduced from the former arrangement, however it is acknowledged that there is the potential for increased noise impacts during events that this servery would facilitate. However, it is not considered unreasonable that a public house would hold events in its beer garden, weather permitting, at certain times of the year and there will always be some level of impact on the amenity of occupiers that have a public house nearby.
- a. 6.32 It is recognised that the sale of drink from the servery has the potential to increase the impact on neighbouring amenity. For this reason, the operational

hours of the servery would be restricted via a condition. The hours in which sale of drinks from the servery is permitted is proposed to be restricted to between 12:00 and 21:00 on Fridays and Saturdays and 12:00 and 19:30 on all other days. These hours were discussed and agreed upon at the local meeting. It was discussed at the local meeting that the proposed condition for the hours of use of the servery could also include a restriction to the summer months or warmer months of the year. Officers have considered this, but do not believe that it would be reasonable or necessary to restrict the use to certain times of the year by a planning condition. As the structure is considered to be acceptable in other respects, the time of year of its use does not alter this. This matter could be further considered in a licensing application. At the local meeting, the applicant agreed to remove the table from the front garden. Commitment was given that there would not be any music or speakers in the garden and a condition has been proposed in this respect.

- 6.33 There would not be any adverse impacts in terms of daylight/sunlight, overlooking or overshadowing on neighbouring properties.
- 6.34 In response to the objection comments raised in respect of the Kingswood Hall and its operations, which may be particularly vulnerable to drunk and antisocial behaviour, it is important to objectively assess the difference between the pub as existing and as pre-existing. The floorspace of the public house and therefore capacity is not materially different to the pre-existing situation. The erection of the outbuilding has in fact reduced the external amenity space to the rear and it is not considered that it would have an unreasonably adverse impact on amenity. The current occupiers have prohibited the use of the front garden for smoking to try to maintain customers in the rear amenity space. Although the beer garden may be used more as a result of the servery, it would be operated in a similar way to existing and is proposed to be conditioned, as previously noted.
- 6.35 Kingswood Hall is significantly stepped back from Kingswood Place and the Dacre Arms Public House so that it is highly unlikely that there would be any incidents involving the two uses and antisocial behaviour. Notably both uses are established, there is no evidence to suggest there would be a substantial increase in the number of customers at the Dacre Arms therefore, there is little evidence to suggest there would be a significant increase in antisocial behaviour to warrant a refusal to this retrospective planning application.

Car Parking

- 6.36 With reference to the neighbour submissions, it was raised that there would be an increase in car parking and traffic due to the development of the outside 'servery'. Materially, the floorspace of the public house is actually reduced and therefore the maximum capacity is reduced. With this in mind, there would be no increase in the impact of car parking resulting from the development or material increase in traffic.
- 6.37 The outbuilding to the rear has a GIA of 21sqm. The PTAL rating of this site is 4 therefore in line with the London Plan 2015 standards of parking for hotel and leisure uses, provision should be limited to operational need. No parking is proposed with this application which is acceptable.

7.0 Equalities Considerations

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

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

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

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

7.4 In this matter there is no impact on equality.

8.0 Conclusion

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

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

9.0 RECOMMENDATION

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

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

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

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

2. a) Notwithstanding the details hereby approved, within 3 months of the date of this permission, detailed plans at 1:20 shall be submitted to and approved by the local planning authority showing the materials proposed for the western wall of the outbuilding facing St Margaret’s Passage, the roof treatment & covering and fascia board, as well as a detailed plan showing the intersection between the roof and outer walls.

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

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design

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

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

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 17 Restaurants and cafes (A3 uses), and drinking establishments (A4 uses) of the Development Management Local Plan (November 2014).

4. No music or amplified sound system shall be used or generated in the beer garden.

Reason: To safeguard the amenities of the adjoining premises and the area generally 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).

INFORMATIVES

1. The applicant is advised that the use of uPVC Fascia and wall panelling are not likely to be an acceptable building material to be used upon frontages visible to the public realm within conservation areas.
2. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.

Note of Local Meeting
Dacre Arms, 11 Kingswood Place, London SE13 5BU



7.00pm, 16th March 2016
The Crypt, St Margaret's Church

Application details

Reference: DC/15/92746

Proposal: Retrospective planning application for the retention of an outbuilding forming a servery for food and drink to the rear at Dacre Arms, 11 Kingswood Place, SE13, together with the provision of a seating area to the front using dwarf bricks, walls and metal railings (**Amended Description**)

Attendance

Councillor Kevin Bonavia (KB)
Lauraine Pearson, Applicant (LP)
Michael Forrester, Planning Officer (MF)
Karl Fetterplace, Planning Officer (KF)
35 local residents (signed attendance sheet)

Note of Meeting

Introduction

Councillor Bonavia explained the reason for holding a meeting and that it was an opportunity for those attending to listen to the applicant speak on the proposal, seek clarification on elements of the proposal and provide comments on points of concern. He confirmed that the application would be considered by the Planning Committee.

Officers explained the process to this point and moving forward and stated that the meeting would be minuted and appended to the committee meeting report and any new concerns raised would be considered in the committee report.

Applicant's Presentation

Lauraine Pearson provided an overview of the proposal. The main points were as follows:

- The rear servery is proposed to be used occasionally in the summer months for events to alleviate pressure on bar and the works to the front garden would aim to attract customers to the pub. There are no wholesale proposed changes to the Dacre Arms

- The works are in keeping with character of the area and are considered an improvement to the Dacre Arms

Q & A Session

Q: The bar would serve drinks, but would there be any music played in the beer garden?

LP: There would not be any music or speakers in the garden, as is the case now.

A Commitment was given to this.

Q: Lewisham planners and licensing officers have confirmed an application would be required to vary the existing pub licence.

LP: This would be made following planning application.

Q: Why is the application retrospective? Why was it not lodged prior to works being undertaken?

LP: There was originally a building in the beer garden that was used as a storeroom. This was demolished and replaced with another storeroom, thought was then given to part of the building being used as a servery and provision was made for this.

Planners clarified although this was an application for retrospective works, it was considered under the usual process and policies and that the railings and bricks in the front garden are the works that require permission, not the table.

Q: The hours of use of the servery in the condition proposed by officers (12:00-19:30 Sunday-Thursday and 12:00-21:00 Friday-Saturday) differs from what the committee report states that the applicant proposed (14:00-20:00 on Fridays and Saturdays).

Officers clarified that the hours proposed by the applicant were considered in the proposed condition regarding the hours of use of the servery.

LP: The intention is to use the area for the warmer months only. This is difficult to define and would be based on the weather. The times in the proposed condition would be suitable.

KB: The applicant is asked to consider which months they intend the servery to be used for.

Q: Have noise complaints been received about the Dacre? If the outdoor area is already being used and if there haven't been issues already then why would this be an issue going forward?

KB: None received by me.

Officers were not aware of any complaints.

KB: Any complaints received would also be considered in any future licensing application.

Q: What would be the difference between having a servery in the rear garden and the garden the way it is used now?

LP: None.

Q: Why is the outside seating area considered acceptable from a design perspective?

KF: The pub is in a conservation area & conservation officers have been consulted and in conjunction with planning officers have found this to be acceptable.

KB: Clarification was provided that this is an officer recommendation that is to be further considered by committee members.

Q: Has a viability assessment been undertaken for the pub?

KF: A viability assessment is not required in this instance.

Q: Could a condition be included stating that there should be no amplified music played in the beer garden?

Officers clarified that a condition can be considered regarding amplified music.

Q: Is this front area to be used as a smoking area?

LP: There is a non-smoking sign out the front, customers are asked to smoke in the beer garden.

KB: Clarification was provided that a planning condition cannot be included regarding this, but it could be considered in any future licensing application.

Q: Could planning officers consider that a good neighbour agreement be drafted, similar to the Hare and Billet in Blackheath?

Objection is raised to bench outside the pub, could it be removed? The table leads to more noise being created than might otherwise be created if it weren't there and houses/gardens are overlooked from it.

LP: A good neighbour agreement could be a consideration in a licencing application.

MF: The intensification of the use cannot be considered for the front garden as the table does not require planning permission, but is considered in relation to the beer garden as the servery building requires planning permission.

KB: The pub owners have agreed to act in a neighbourly manner.

Q: In relation to events, would there not be some music? Would this be applied for at a later date?

LP: No and no. The only music would come from inside the pub.

Q: The works to the front unbalance the building. Stocks bricks have been used, but these don't match the pub, therefore there is discord. The bench changes the nature of the frontage of pub, although it is acknowledged that this is not a planning issue.

KB: Noted and earlier response provided re: officers considering design to be acceptable.

Q: Some residents were of the opinion that additional traffic would be created by events, however some also were not.

KB: This is a general issue that is existing, but it has been considered as part of this application.

KF: This has been considered in the report, although it is noted that the beer garden can already be used for events without the servery structure.

KB: In the interests of good neighbourliness, the publicans could speak to the Church regarding this.

LP: Discussions have previously been had between the pub and the church regarding parking, but no arrangement could be agreed.

KB: I will raise this as an issue with the church.

Conclusion

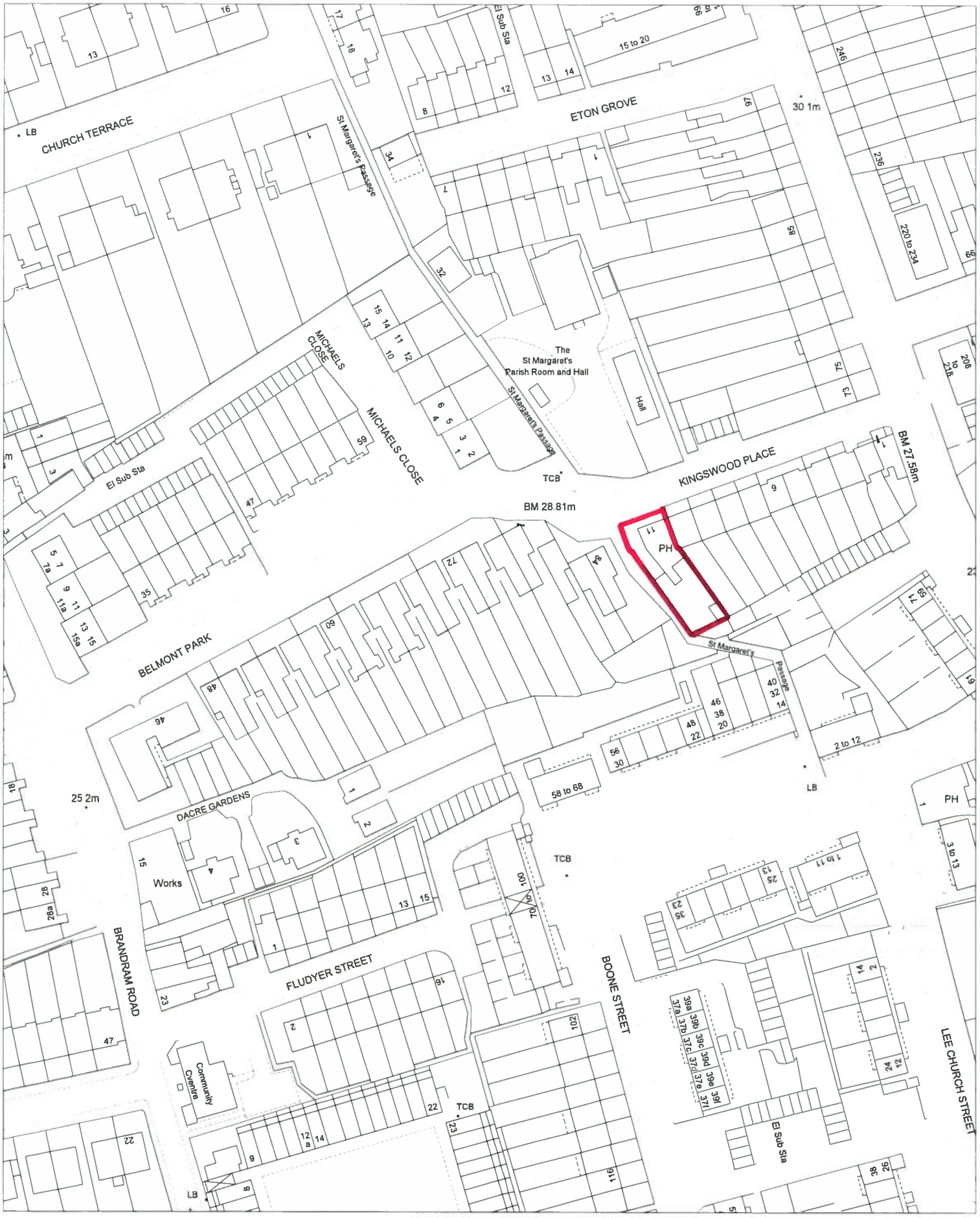
KB: Closing remarks – the report will be amended to take account of issues raised/offers made – officers to confirm with applicant what offers will be made and the minutes will be appended to report. In summary:

- The hours proposed to be conditioned by officers were agreed upon (12:00-19:30 Sunday-Thursday and 12:00-21:00 Friday-Saturday).
- The applicant is asked to consider which months they intended the servery to be used for. A wider definition should be considered and then stuck to.
- The applicant stated that the use of the front table area could be restricted to 19:30 throughout the week.
- A Commitment was given that there would not be any music or speakers in the garden. Amplified music can be considered as a planning condition and the applicants are happy with this.
- Councillor Bonavia to discuss potential parking arrangements between the Dacre Arms and the Church, with the Church.

Meeting closed at 8.15pm.

There was an informal discussion until 8:30pm, during which the applicant agreed to remove the table from the front garden.

11 Kingswood Place, SE13



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Committee	PLANNING COMMITTEE (A)	
Report Title	Land Behind 26-32 George Lane, SE13	
Ward	Catford	
Contributors	Geoff Whittington	
Class	Part 1	31 March 2016

Reg. Nos. DC/15/90510

Application dated 12 January 2015, revised 17 June 2015 and 27 January 2016

Applicant Mr Josh Chadd

Proposal The demolition of the existing buildings on land to the rear of 26-32 George Lane SE6 and the construction of 4 part single/ part two-storey three bedroom houses and a single-storey three bedroom house with courtyard gardens, and a single storey, one bedroom dwelling with courtyard fronting George Lane, together with associated landscaping, car parking, cycle store, refuse collection point and communal garden.

Applicant's Plan Nos. SP-01 PL1; EX-01 PL1; EX-02 PL1; GA-01 PL5; GA-02 PL3; GA-03 PL3; GA-04 PL1; GA-05 PL3; GA-06 PL1; GA-17 PL4; GA-19 PL1; GA-20 PL2; GA-21 PL2; LTH-01 PL2; 3D-01 PL1; 3D-01 PL2; 3D-03 PL1; Design & Access Statement; Sustainability Statement; Lifetime Homes; Tree Report; Planning Statement; Energy Statement; Ecology received 17 June 2015

3D-03 PL1 (north-east view); 3D-03 PL1 (south-west view); GA-01 PL6; Report on Inspection (John Heyler); Structural Appraisal of Existing Buildings (Bridges) received 27 January 2016.

Background Papers (1) Case File LE/904/G/TP
(2) Local Development Framework Documents
(3) The London Plan (2015)

Designation (1) Local Open Space Deficiency
(2) Area of Archaeological Priority
(3) PTAL 3
(4) Locally Listed Building

1.0 **Property/Site Description**

1.1 The application site is located in George Lane, which runs east from its junction with Rushey Green/ Lewisham High Street in Catford, approximately 40 metres

east of the junction with Aldworth Grove. The L-shaped site lies on the south side of George Lane and comprises two elements.

- 1.2 The first is the commercial yard between 32 and 34 George Lane fronting George Lane. The yard contains former workshop buildings that are mainly single-storey, with a two-storey section located directly on the eastern boundary, behind the rear building line of the adjoining residential property at 34 George Lane.
- 1.3 The second part of the site is 'land-locked' garden land, located behind 26-30 George Lane, which was formerly a densely overgrown plot that included vegetation and a number of trees, until it was largely cleared in March 2015.
- 1.4 The workshop buildings once formed part of the curtilage with nos. 30-32 George Lane, which is a locally listed semi-detached pair of residential properties. At the time of the local listing, the workshop buildings were part of number 32 and are therefore being considered as locally listed buildings. In 2004, the land was subdivided due to a change of ownership.
- 1.5 George Lane and Davenport Road are generally residential, characterised by terraced dwelling-houses. There is some commercial activity at the western end of George Lane.
- 1.6 Immediately to the west of the application site is the rear garden of 26a George Lane, whilst adjoining that to the west is the Calabash Centre, which is a single-storey community building of substantial depth that lies some 6.7 metres away from the western-side site boundary.
- 1.7 The application site is located within a designated Local Open Space Deficiency, and an Area of Archaeological Priority. The site is not within a conservation area, and there are no Article 4(2) Directions.
- 1.8 The immediate area is a designated CPZ. The site has a PTAL rating of 3 on a scale of 1-6, where 6 is excellent.

2.0 Planning History

- 2.1 In May 1955, the former LCC granted permission for the carrying out of alterations to an existing building and its use as a store and spray-painting room in connection with the existing use of other buildings in the yard for the repair of architectural metalwork at 32 George Lane.
- 2.2 In March 1977, permission was refused for the use of the yard and buildings at the rear of 32 George Lane for the storage of scaffolding equipment with ancillary offices, together with the erection of a six-foot high brick wall to enclose private open space for the residential property at 32 George Lane. The reason for refusal was that the proposed development would be likely, by reason of noise and general disturbance, to be detrimental to the amenities of the residential locality and the enjoyment of their properties by neighbouring occupiers.
- 2.3 This refusal was then the subject of an appeal to the Department of the Environment, and a local enquiry was held in September 1977. The Inspector reached the conclusion that this was without doubt a predominantly residential area and it was therefore the residential interests that must come first. He concluded that the use of the yard for the storing, loading and unloading of

scaffolding equipment, much of it heavy, onto large lorries must be expected to give rise to noise and vehicle movements seriously disturbing to the peace and quiet which the local householders have a right to expect. He therefore dismissed the appeal in October 1977 (DoE Reference: T/APP/5024/A/77/4046/G6).

- 2.4 In 1982, nos 30-32 George Lane were locally listed, being included on the Council's list of buildings of architectural interest.
- 2.5 In August 2004, planning permission was granted for the alteration and conversion of 32 George Lane to provide two self-contained residential units, including the construction of a two-storey side extension and a single-storey rear extension (DC/04/56962). Other properties on the George Lane frontage have also been the subject of conversion permissions in the past.
- 2.6 In 2013, permission was refused for the demolition of existing buildings on land to the rear of 26-32 George Lane SE13 and the construction of 6 two storey plus roof space three bedroom houses and 1 one storey plus roof space 2 bedroom house, together with the provision of 3 car parking spaces, bin stores and landscaping, for the following reasons:
- 1 The proposed development would result in the loss of employment potential for this site, contrary to Policy 5: Other Employment Locations and emerging policy Option 10 Other Employment Locations of the Local Development Framework - Core Strategy.
 - 2 The proposed residential scheme is considered to constitute unacceptable backland development by reason of creating an independent terrace of housing set behind the existing housing in George Lane, contrary to the existing pattern of development in the area and in conflict with Objective 10: Protect and Enhance Lewisham's Character and Policy 15: High Quality Design for Lewisham of the Local Development Framework – Core Strategy (June 2011) and emerging policy option 32 Infill, Backland, Back Garden and Garden Amenity Area Development of the Development Management Local Plan - Further Options Report (December 2012) and saved policy HSG 8 Backland and Infill Development of the adopted Unitary Development Plan (July 2004).
 - 3 The proposed two and three-storey terraced housing would result in a building of significant bulk and height that would have a detrimental impact on the amenities of residents to the north in properties in George Lane and to the south in properties in Davenport Road, contrary to Objective 10: Protect and Enhance Lewisham's Character and Policy 15: High Quality Design for Lewisham of the Local Development Framework – Core Strategy (June 2011), and emerging policy option 32 Infill, Backland, Back Garden and Garden Amenity Area Development of the of the Development Management Local Plan - Further Options Report (December 2012) and saved policies HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development, HSG 7 Gardens and HSG 8 Backland and Infill Development of the adopted Unitary Development Plan (July 2004).
- 2.7 A subsequent appeal was dismissed, however the Planning Inspector raised no objection to the loss of employment upon the site. (see paras 6.7-6.10)

3.0 Current Planning Application

The Proposal

- 3.1 The application is for the demolition of the existing buildings and the construction of 4 part single/ part-two storey mews style houses (Units 2-5) and a single-storey dwelling (Unit 1) to the rear of 26-32 George Lane.
- 3.2 A single-storey one bedroom dwelling (Unit 6) would front George Lane. Each dwelling would be afforded private external amenity space.
- 3.3 Access into the application site would be via a 3.4 metre wide passageway from George Lane, adjacent to the proposed one bedroom single dwelling.
- 3.4 Units 2-5 would have an initial 7 metre deep 2-storey element, with the upper floors located within the pitched roofs. The dwellings would then fall to a single-storey height, extending approximately 11 metres to the existing rear boundary. The central areas of each dwelling would provide external private gardens, varying in size between 8.8sq.m for the one bedroom dwelling, and between 44 - 63 sq.m for the family units.
- 3.5 These units would be family sized dwellings, each accommodating 3 bedrooms for up to 5 persons.
- 3.6 Unit 1 would be entirely single-storey, located at the western end of the site. Access would be via a gate into the private garden, with entry into the building at the far end of a pathway. The dwelling would provide 3 bedrooms (1 double and 2 singles) for up to 4 persons.
- 3.7 Unit 6 would also be single-storey, located to the western side of the site, adjacent to 34 George Lane. The 1 bedroom, 2 person dwelling would be afforded a small courtyard area.
- 3.8 Proposed facing materials would include Stock Clay bricks and Clay Plain roof tiles. External doors would be of timber, whilst windows are 'to be confirmed'. Timber cladding is suggested to some elevations.
- 3.9 Four car parking spaces are proposed to the area in front of Units 4 and 5, whilst a secure, dry store for up to 12 bicycles would be provided adjacent to the parking bays.
- 3.10 Each dwelling would have sufficient space for individual bin storage, with a bin collection area located to the front of Unit 6.
- 3.11 The remainder of the site would comprise hard and soft landscaping measures, including a designated 'allotment area' for future occupiers.
- 3.12 All dwellings would be market properties for sale or rent.

Supporting Documents

- 3.13 The applicant has submitted a Design and Access Statement, Energy & Sustainability Statements and Ecology Report.

Design and Access Statement:

- 3.14 This report sets out an overview on the design rationale for the proposed development and details and how it relates to the locality. In essence the statement concludes that through the design, materials, landscaping and provision of amenity areas; the development will provide a high quality contemporary but sympathetic development that relates well to its surroundings.

Energy and Sustainability Statements:

- 3.15 This report sets out design parameters in order to achieve the energy and sustainability requirements within the borough. In summary the report concludes that a Code for Sustainable Homes Level 4 can be achieved. Proposed measures would include the construction of a green living roof and the installation of PV panels. The scheme would be 'lean', 'clean' and 'green', with a CO₂ reduction of 35%.

Planning Statement:

- 3.16 This report details the potential impact that the development will have in terms of parking, access and congestion. Overall this report concludes that the site is suitable for residential development and that no material residual impact will result.

Ecology Statement:

- 3.17 The report advises the site remains unchanged from its condition at the time of the 2013 survey and with the exception of a number of mature trees is of low ecological value in terms of habitats and plant species. No evidence of roosting bats was found during either building inspection in 2013 and 2015, and protected animal species issues are restricted to breeding birds, including house sparrow (a Red-listed and London BAP species) and the possible presence of stag beetle (a protected and London BAP species). The presence of breeding birds and potentially stag beetle are not considered to be over-riding constraints to future development.

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. The Environment Agency was also consulted.

Written Responses received from Local Residents and Organisations

- 4.3 30 letters have been received objecting to the proposed development, in addition to 2 petitions signed by 42 residents. The main grounds of objection includes:
- Loss of privacy and overlooking;
 - Ecological concerns;
 - Overshadowing;

- Overbearing;
- Noise during construction;
- Inadequate parking provision;
- Poor design;
- Out of character;
- Adversely affect visual amenity;
- Impact upon southern boundary wall;
- Character and architectural merit of the existing outbuildings;
- Impact upon the existing locally listed buildings.

4.4 Due to the number of objections received, a local meeting was held on 2 June 2015 at the Civic Suite, Catford. In the event, 10 residents attended the meeting. The minutes of the meeting are attached as an appendix to this report.

4.5 Following the intention to report the current scheme to Planning Committee in 2015, a series of letters were received noting the historic interest of the workshop buildings and querying their locally listed status.

Highways and Transportation

4.6 Unobjectionable in Principle

Ecological Officer

4.7 Requested further information in regard to the construction of the proposed green living roofs.

5.0 Policy Context

Introduction

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

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

A local finance consideration means:

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

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

Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

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

Other National Guidance

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

London Plan (March 2015)

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

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.3 Sustainable design and construction
Policy 6.3 Assessing effects of development on transport capacity of the London Plan
Policy 7.1 Lifetime neighbourhoods
Policy 7.4 Local character
Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

- 5.7 The London Plan SPG's relevant to this application are:
Housing (2012)
Sustainable Design and Construction (2006)

Core Strategy

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

Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 5 Other employment locations
Core Strategy Policy 8 Sustainable design and constructions and energy efficiency
Core Strategy Policy 12 Open space and environmental assets
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan

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

The following policies are considered relevant to this application:

DM Policy 1 Presumption in favour of sustainable development
DM Policy 11 Other employment locations
DM Policy 22 Sustainable design and construction
DM Policy 28 Contaminated land
DM Policy 29 Car parking
DM Policy 30 Urban design and local character
DM Policy 32 Housing design, layout and space standards
DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest
DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets

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

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

6.0 Planning Considerations

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

- a) Principle of development, including local listing and ecology;
- b) Design, scale and massing;
- c) Standard of accommodation;
- d) Impact on neighbouring properties;
- e) Car parking/ access;
- f) Refuse storage/ collection;
- g) Landscaping;
- h) Sustainability.

Principle of Development

6.2 The first issue relates to the loss of the existing employment use. The former owners had operated their business buying and selling office furniture to trade since 1978, but during the 2000s, the business experienced a decline and the owners retired in 2013. The applicants consider the existing buildings to be in a state of disrepair, not fit for purpose as a modern storage or employment space.

6.3 The Council's policy relating to the loss of employment on other employment locations is set out in Core Strategy Policy 5 states that the Council will protect the scattering of employment locations throughout the borough outside Strategic Industrial Locations, Local Employment Locations and Mixed Use Employment Locations. Employment land within town centres, which has the potential to contribute to a Major town centre, District Hub, a Local Hub, or other cluster of commercial and business uses, should be recommended for retention in employment use.

6.4 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 The Council's general approach to such sites is that residential or live/work options would not be considered unless the relevant site had been unoccupied for a significant period and extensively marketed for further employment use.

6.6 The previous planning application was refused on grounds relating to the loss of employment land, however this reason was dismissed at the subsequent appeal. The Planning Inspector stated:

6.7 'Furthermore, there are site specific circumstances which indicate that the release of this particular site would not undermine the supply of employment land in the Borough. The existing buildings are currently occupied by a second hand furniture dealer but the total gross internal floor area is circa 238 square metres, which does not, in my view, amount to a substantial loss of floor space.

6.8 'Moreover, the buildings are in a poor state of disrepair and require significant investment for modernisation, which is likely to have some viability implications.

- 6.9 'I find that the development would not, in principle, be totally out-of keeping with the main land use. Accordingly, the proposed development would comply with CS Policy 5 and advice contained in paragraph 22 of the Framework. This is because the appellant has sufficiently shown that site specific conditions indicate that the site should no longer be retained in employment use.
- 6.10 'For all of the above reasons, I conclude that the release of this particular site for residential development would not have a detrimental effect upon the supply of employment land within the Borough.'
- 6.11 In consideration of the Inspectorate's decision, the principle of a wholly residential development is acceptable. However, the Inspector did not acknowledge that nos. 30 and 32 George Lane are locally listed buildings, therefore an assessment of this matter is necessary.

Local Listing:

- 6.12 DM Policy 37 states the Council will seek to retain and enhance locally listed buildings and structures and may use its powers to protect their character, significance and contribution made by their setting where appropriate. It will also resist the demolition of locally listed buildings and expect applicants to give due consideration to retaining and incorporating them in any new development.
- 6.13 Nos 30-32 George lane were locally listed in 1982, being considered of architectural and historic interest. Due to the lack of description at the time of their adoption however, there is ambiguity as to whether the local listing refers only to the pair of semi-detached residential buildings, or if the redundant workshop buildings to the rear were also considered to contribute to the local interest of the site.
- 6.14 At the time of the local listing, the workshop buildings were within the curtilage of no.32. The curtilage was subsequently sub-divided and the land to the rear changed ownership in 2004. Neither sub-division of curtilage nor change of ownership would affect heritage significance or status as locally listed buildings.
- 6.15 Consequently, it is appropriate that officers evaluate the character of the rear buildings, and to determine whether they are of sufficient merit to be considered as non-designated heritage assets.
- 6.16 Officers have concluded that the two-storey building meets the Council's criteria for local listing, as do the attached single-storey wing to the north and the eastern part of the south wing for their group value.
- 6.17 In regard to the western building, it is considered that later alterations have affected its character and architectural integrity as a historic stable/workshop building to such an extent that it no longer contributes to the architectural interest of the yard.
- 6.18 Historic stable buildings or backland workshops have become rare survivals within the borough, most of them having been demolished and redeveloped with housing. The application site is the only known example of a yard that provided stabling for several horses. As a building type, the yard would therefore meet the

criteria for local listing as a rare survival of a stable yard within the local context of Lewisham.

- 6.19 The buildings have some historic interest, giving evidence of both the development history and former uses of the area, and are considered to be well detailed, including the unusual gabled roof for the two-storey building.
- 6.20 The open yard itself is of significance, being an intrinsic element to the former use of the buildings. The review also establishes that the brick boundary wall to the rears of nos. 28-32 George Lane is also of historic and architectural interest.
- 6.21 In regard to nos 30-32 George Lane, it is considered that due to later alterations, these two buildings have lost their integrity and character as early 19th century suburban houses and no longer meet the criteria for inclusion in the Council's local list.

Structural Condition of Workshops:

- 6.22 DM Policy 38 recognises that heritage assets are an irreplaceable resource and that proposals for their demolition will require clear and convincing evidence. The applicant has provided two structural reports of the rear buildings, undertaken by 'Bridges' and 'John Heyler'. Both have arrived at similar conclusions, advising of 'marked movement' in some walls, with temporary propping necessary.
- 6.23 'Bridges' refers to the general disrepair of the buildings, stating the buildings have clearly been amended and altered without due regard to safe practices and building regulations. The foundations of the 2-storey building are relatively shallow, whilst external walls show signs of movement.
- 6.24 The John Heyler report draws attention to the walls of two of the single-storey buildings 'bowing to the extent that their stability is at risk.' Significant works, including underpinning, internal steel frames and rebuilding of brick walls would be required to ensure the structural integrity of the buildings.
- 6.25 The Council's Building Control officers inspected the site in December 2015, and have advised they concur that the structural integrity of the buildings are sub-standard, due to their age and poorly constructed additions.

Planning View:

- 6.26 Officers acknowledge the historic interest of the rear buildings, however in this case given the evidence supplied of the condition of the buildings which has been verified by the Council's Building Control service and the later alterations that have taken place, the principle of demolishing the rear buildings is considered acceptable. It is evident that the condition of the buildings have deteriorated, and are not entirely original, which has been confirmed by Conservation officers. All of the buildings have been altered to varying degrees, and no original windows or doors remain.
- 6.27 The change in brickwork on the flank elevation to the single-storey eastern wing shows that the building had originally a single-pitched roof and that its height was raised at a later date to the ridge height and a flat roof installed. The same change appears to have been carried out to the other single-storey buildings and accounts for the notable difference between the brickwork in the lower parts and

the use of concrete blocks and cement rendered upper parts that support the modern flat roofs.

- 6.28 In regard to the single-storey building along the western boundary, it is considered that the cumulative effect of later changes has eroded its architectural integrity and any architectural interest. This is also applicable to the southern building with the exception of its eastern part.
- 6.29 The replacement roofs have been poorly constructed, and as a consequence, the buildings have suffered significant structural harm, with cracks appearing and bowed external walls.
- 6.30 The applicant had considered retaining the 2-storey building, however the extent of work that would be required to rebuild it would be unviable. It is instead proposed that the original brickwork would be salvaged and reused in the single-storey building (Unit 6) that would front George Lane, subject to a planning condition.
- 6.31 The existing rear wall along the eastern and southern boundaries has been identified as being of architectural and historic merit, and would be retained should permission be granted.
- 6.32 In conclusion, whilst the significance of the workshop buildings and yard are acknowledged, it is also important to consider their poor structural condition and shallow foundations, and the subsequent difficulty to convert them to provide residential accommodation.
- 6.33 The layout of the proposed scheme would be significantly compromised should the existing buildings be retained. It must also be acknowledged that a local listing is different to a Grade I or II listing as it does not protect a building from permitted development, such as demolition.
- 6.34 For these reasons, officers raise no objection toward the principle of demolishing the existing workshop buildings.

Ecology:

- 6.35 The applicants submitted an Ecology Survey (17 March 2015) produced by Applied Ecology Ltd, which concluded that no evidence of roosting bats was found during site inspections in 2013 and 2015.
- 6.36 The section of application site adjacent to the commercial element had until March 2015 comprised overgrown vegetation and trees, providing a green outlook for neighbouring occupiers. The site however has largely been cleared by the developers during the course of the application.
- 6.37 The removal of the trees and site clearance is not a planning consideration in this case. The applicant did not require planning consent to undertake clearance works as the site is not protected under planning regulations, i.e. a Tree Preservation Order.

Design, Layout and Massing

- 6.38 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.
- 6.39 Policy 32 of the Development Management Plan requires that all new residential development be attractive and neighbourly, and meet the functional requirements of future residents.
- 6.40 The applicants have engaged in pre-application discussions with officers to seek advice on what would constitute an acceptable form of development upon the site. Officers provided advice on planning policies, the constraints of the site, design, layout and relationship with surrounding development.
- 6.41 Units 2-5 would incorporate a first floor element within their pitched roofs, measuring a maximum height of 6.5 metres, which is less than the neighbouring dwellings on George Lane and Davenport Road. Three metre spaces would lie between the first floors of each dwelling, thereby serving to reduce the overall massing of the development. These dwellings would be predominantly single-storey, which would extend to the southern boundary.
- 6.42 This is in response to the 2013 scheme, which was refused on grounds including excessive height and massing. The proposed terrace comprised 2-storey plus roofspace dwellings, which were considerably higher than the current proposal. The refused terrace included no gaps in between the dwellings, which contributed to the excessive nature of the backland scheme.
- 6.43 Design officers have advised they consider the reduction in scale and massing of the current scheme to be acceptable, addressing the concerns raised by officers and the Planning Inspector in 2013.
- 6.44 The scheme is considered to have a satisfactory relationship with existing dwellings due to proposed siting and height, which would ensure that the outlook of neighbours would not be significantly harmed.
- 6.45 The proposed dwellings are considered to be well designed, incorporating a contemporary approach that is influenced by the traditional pitched roof housing that is prevalent within the immediate area.
- 6.46 The proposed external materials are considered to be appropriate, contributing positively to the appearance of the development, whilst relating well with the immediate area. All dwellings would use Stock Clay bricks and Clay Plain tiles, which are a combination of orange/ brown in colour. External doors would be of timber, whilst windows are ‘to be confirmed’. Timber cladding is suggested to some elevations, however the nature of the cladding is not clear at this stage.
- 6.47 The single-storey building (Unit 6) fronting George Lane would accommodate a 1 bedroom unit, provided with a small external courtyard. The applicant has advised that original bricks salvaged from the existing 2-storey locally listed building would be reused in the new building. The applicant originally intended at pre-application

stage that Unit 6 would be a 2-storey building, however officers considered that the relationship with the existing terrace was unacceptable.

- 6.48 Unit 1 on the opposite side of the site would also be entirely single-storey, appearing as a simple lightweight structure, attributed to the extent of proposed glazing.
- 6.49 Whilst the external materials are considered acceptable in principle, it is appropriate that a condition be included requesting the formal submission of samples for further officer assessment prior to construction to ensure that the quality shown on the plans would be delivered. It is also recommended that detailed plans that show the living roof, windows, entrances and brick detailing are provided.
- 6.50 This site is located within a suburban area, which is characterised by 2-storey residential buildings, therefore any redevelopment proposal must respect the existing suburban character. Policy 3.4 of The London Plan provides guidance on density. The development would provide six residential units, equating to a density of 169 habitable rooms per hectare, which falls within the density range of 150-250 hr/ha stated in Table 3.2 of the London Plan for areas with a PTAL of 3.
- 6.51 Density forms only part of the considerations toward developments such as this. Guidance states that the Council should make the best use of previously developed land, however such aspirations should not negate the requirement for developments to blend in with the surrounding character.
- 6.52 In summary, the proposed buildings are considered to represent a high quality, modern design, that would respect the character of the surrounding area. The development is appropriate in scale, height and massing, that acknowledges the general form of development within the immediate area, befitting of this location.

Standard of Accommodation

- 6.53 The London Plan Housing SPG sets out guidance to supplement London Plan policies. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.
- 6.54 Table 3.3 of the London Plan and Standard 4.1.1 of the SPG sets out minimum space standards for new development, including unit and room sizes.
- 6.55 The Council's adopted Residential Standards SPD (updated 2012) sets out criteria for new residential units but this document is largely superseded by Core Strategy and London Plan requirements.
- 6.56 On 11 May 2015 the Mayor of London published for consultation Minor Alterations to the London Plan, Housing Standards, which will bring the London Plan in line with the new national housing standards. It is likely to be adopted in Spring 2016.
- 6.57 The Technical housing standards – nationally described space standard March 2015, together with the London Plan Housing Standards and Lewisham's

Residential Standards SPD (2012) sets out the standard of accommodation required from new housing development.

- 6.58 The proposal includes the provision of six self-contained dwelling-houses, comprising 1no. three bedroom four person dwelling, 4no. three bedroom five person dwellings, and 1no. one bedroom two person dwelling.
- 6.59 The family sized 3 bedroom courtyard houses would each measure an internal floor area exceeding 100sq.m, whilst the single-storey dwelling would exceed 50sq.m, in compliance with the minimum floorspace standards of the Technical housing standards.
- 6.60 The proposed layout of each dwelling is considered to be acceptable, with all rooms exceeding the minimum room guidance, in accordance with The London Plan Housing SPG. All habitable rooms would be afforded sufficient outlook and natural light intake, in accordance with DM Policy 32 Housing design, layout and space standards, which seeks to resist single aspect north facing residential units.
- 6.61 The provision of amenity space to each family dwelling is considered acceptable, measuring a minimum 40sq.m, whilst the single-dwelling amenity space would measure 8.8sq.m, in accordance with the London Housing Design Guidance, and DM Policy 32 which requires readily accessible, secure, private and usable external space in new build housing development.
- 6.62 In regard to Unit 6, outlook from the proposed bedroom and living room would be into the 4.6 metre wide courtyard, whilst roof lights would provide additional natural light. Officers are satisfied all habitable rooms would be ensured of sufficient outlook and natural light. Privacy for the future occupiers would not be compromised as high level openings would serve the bedroom and bathroom.
- 6.63 New residential development is no longer required to meet the Lifetimes Home Criteria at planning stage, however this remains a matter to consider. Lifetime Homes Criteria seeks to incorporate a set of principles that should be implicit in good housing design enabling housing that maximizes utility, independence and quality of life. The applicant has advised all units would allow for easy conversion to wheelchair accessible units. This is considered to be acceptable.
- 6.64 The proposed development overall is considered to comply with the London Plan accommodation standards, and by way of layout, circulation space and design, would provide a high quality living environment for future occupiers.

Impact on Neighbouring Amenity

- 6.65 DM Policy 32 states that new residential development must *'provide a satisfactory level of privacy, outlook and natural lighting for both its future residents and for its neighbours.'*
- 6.66 The development has been designed to minimise the level of visual harm to existing occupiers. The highest part of the development would be the 6.5 metre high 2-storey elements serving units 2-5. These would be located approximately 11 metres from the southern boundary, and 22 metres from the rear elevations of the Davenport Road dwellings, whilst the nearest George Lane dwellings would be located approximately 14 metres away.

- 6.67 The front elevations of units 2-5 would incorporate a staircase window, which would angle back to follow the gradient of the roofslope, whilst front facing habitable room windows would be located at ground level.
- 6.68 The upper floors at the rear would include bedroom openings partly set into the roofslope, with frosted lower vertical panes. DM Policy 32 advises there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. A greater separation distance will be required where taller buildings are involved.
- 6.69 Considering there would be a 22 metre distance in this case between the proposed 2-storey elements and existing dwellings at Davenport Road, officers are satisfied the development would be unlikely to result in any significant overlooking, loss of privacy or overbearing impact upon neighbouring occupiers.
- 6.70 The single-storey elements are proposed to be no higher than the existing southern boundary wall, sited 0.5 metres lower than the existing ground level, and therefore would result in no visual harm. Green living roofs would be constructed upon the flat roof areas, which would provide a more natural outlook from the rear facing first floor rooms of the Davenport Road dwellings.
- 6.71 The 2-storey elements would be apparent from within neighbouring dwellings and their gardens, however not to the extent whereby outlook would be significantly impaired. Nevertheless, to further reduce the impact of the development, the applicant has proposed increasing the height of the southern brick boundary wall to the rear of 35-45 Davenport Road by installing 1.6 metre high trellis panels whereby planting may be affixed. The applicants have also offered to purchase and plant Pleached Photinia trees within those Davenport Gardens should the occupiers require them, serving to provide additional screening and seclusion at garden level to the Davenport dwellings. The proposed planting of trees within the Davenport Road gardens falls outside the scope of this application and cannot not be secured by a planning condition.
- 6.72 The daylight/ sunlight plans submitted concludes that the development would result in no overshadowing to neighbouring dwellings due to the proposed siting and height, with shadows indicated in the Davenport Road gardens being from the existing houses.
- 6.73 The existing southern boundary wall to the rear of nos 47-51 Davenport Road measures a height of up to 3.5 metres, forming part of the rear elevation of the existing outbuilding that would be demolished. The applicant has confirmed the entire wall would be retained, whilst the rear elevations of the new dwellings would not adjoin it. This has raised concern from the nearest residents that the demolition and proposed foundation works would compromise the integrity of the wall.
- 6.74 Whilst the structural integrity of the wall falls within the jurisdiction of Building Control, Planning officers requested advice from the applicants regarding how they intended to safeguard the wall during demolition and construction works. They have stated that a 'temporary propping solution' for the demolition and excavation works, and then underpinning and masonry wall design for the permanent construction. Building Control officers support this approach in principle.

- 6.75 During the local meeting, the applicants reconfirmed they would undertake sufficient measures to ensure the boundary wall would be maintained, and would be seeking to visit neighbouring Davenport Road gardens to inspect the wall prior to commencement of works. The submission of a construction management plan prior to the commencement of works is proposed.
- 6.76 Low level external wall mounted lighting would be provided to the new dwellings, therefore it is appropriate to include a condition that ensures such lighting would not harm the amenities of neighbouring occupiers.
- 6.77 In summary, the overall reduction in height and massing of the proposed dwellings has addressed the concerns raised toward the refused scheme, including sense of enclosure and overbearing impact upon neighbouring occupiers. The proposal is considered to have an improved relationship with neighbouring dwellings, and would not result in any significant visual harm.

Parking & Access

- 6.78 Policy 6.13 of The London Plan states; 'The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car-parking provision that can undermine cycling, walking and public transport use.' 'In locations with high PTAL, car-free developments should be promoted.'
- 6.79 Four parking spaces for residents would be provided within the site, with adequate manoeuvring for vehicles. A condition is recommended that all parking and manoeuvring areas are provided prior to first occupation of the units.
- 6.80 The PTAL 3 rating is relatively low, despite the application site lying a short walking distance from Rushey Green and Lewisham High Street, which are well served by public transport.
- 6.81 A car-club operates within the area, which future occupiers may choose to join. A covered cycle store would be located adjacent to the parking bays, accommodating up to 12 bicycles, whilst cycles may also be stored within the individual garden areas.
- 6.82 The 3.2 metre wide passageway into the site is considered to be of sufficient width to allow for an emergency vehicle to gain access.
- 6.83 A drop down bollard is indicated to the front of the accessway, which would be operated by a fob issued to future occupiers.
- 6.84 The Council's Highways & Transportation Officer has raised no objections to the proposed development, and considers it to be in accordance with Core Strategy Policy 14 and Policy 29 of the Development Management Plan.

Refuse Storage/ Collection

- 6.85 In terms of refuse provision, the submitted drawings indicate sufficient space for refuse and recycling bins for each unit. It is not envisaged that a refuse lorry would reverse into the site, therefore a refuse collection area would be located to the front of the site.

6.86 The area would be set behind a 1.4 metre high hedge and close boarded timber fence, which would provide some screening from the public realm. Residents would be expected to collect their empty bins to store outside their property on non-collection days.

6.87 The proposed refuse details and siting are considered acceptable.

Landscaping

6.88 Proposed hard landscaping measures would include permeable paving to the main access into the site and parking bays and pedestrian pathway adjacent to each dwelling.

6.89 A soft landscaped area to the front of Units 2 and 3 is proposed which may be used as a small allotment space for residents, or for amenity purposes. The private courtyards to Units 1-5 would comprise a grassed area and pathway, whilst Unit 6 would be hard landscaped.

6.90 Whilst considered acceptable in principle, conditions will ensure further detailed landscaping plans are submitted, and undertaken prior to first occupation.

Sustainability and Energy

6.91 Relevant policies within the London Plan Core Strategy would need to be addressed in any submission. London Plan Policy 5.2: Minimising Carbon Dioxide Emissions establishes an energy hierarchy based around using less energy, in particular by adopting sustainable design and construction (being 'lean'), supplying energy efficiently, in particular by prioritising decentralised energy generation (being 'clean') and using renewable energy (being 'green').

6.92 In terms of being 'lean', London Plan Policy 5.3: Sustainable Design and Construction encourages minimising energy use, reducing carbon dioxide emissions, effective and sustainable use of water and designing buildings for flexible use throughout their lifetime. Major developments should demonstrate that the proposed heating and cooling systems have been selected to minimise carbon dioxide emissions. In terms of being 'green', a reduction in carbon emissions from onsite renewable energy is expected.

6.93 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes, though residential development is still expected to meet code level in regard to energy performance and water efficiency.

6.94 The scheme would achieve Code Level 4 for Sustainable Homes; a 35.2% energy improvement over Building Regulations Part L 2013 Target Emissions Rate; and an overall 21.41% saving in carbon emissions from renewables.

6.95 Since 1 October 2015, the standard for energy efficiency in new residential development is a 19% reduction in CO₂ emissions over Building Control requirements, which is equivalent to Code Level 4.

- 6.96 In regard to water efficiency, new development is expected to achieve a consumption of 110 litres per person per day, including a 5 litre allowance for external water use. A condition will ensure this is achieved.
- 6.97 Green living roofs are proposed to the flat roofs of all proposed dwellings, which the applicant has confirmed would be a quality extensive roof system that would be plug planted and over-seeded. A condition will request sectional plans be formally submitted, whilst ensuring the roofs are constructed in full prior to first occupation.
- 6.98 Officers are satisfied with the proposed sustainability measures.

7.0 Local Finance Considerations

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

8.0 Community Infrastructure Levy

- 8.1 The proposed development is CIL liable.

9.0 Equalities Considerations

- 9.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.2 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) Foster good relations between people who share a protected characteristic and persons who do not share it.
- 9.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

- 9.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 9.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 9.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>
- 9.7 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

10.0 Conclusion

- 10.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 10.2 The change of use of the established employment land is considered acceptable given the closure of the long standing business and the subsequent redundant nature of the site.
- 10.3 It has not been established whether the workshop buildings to the rear of 30-32 George Lane also form part of the local listing that was issued in 1982. Officers have therefore undertaken an assessment of the architectural merit of the buildings, and have concluded that their demolition would be acceptable, attributed to their structural condition, and the difficulty that would be encountered in converting them for residential use.
- 10.4 The proposed residential development in terms of layout and design has taken into account the sensitivities of the site constraints by ensuring that adverse

impacts on neighbouring properties are not significant, whilst ensuring a high quality design.

10.5 As such, it is considered that the development is in compliance with London Plan, Core Strategy and Development Management Local Plan policies, and therefore permission is recommended, subject to appropriate conditions.

11.0 **RECOMMENDATION**

11.1 **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:

SP-01 PL1; EX-01 PL1; EX-02 PL1; GA-01 PL5; GA-02 PL3; GA-03 PL3; GA-04 PL1; GA-05 PL3; GA-06 PL1; GA-17 PL4; GA-19 PL1; GA-20 PL2; GA-21 PL2; LTH-01 PL2; 3D-01 PL1; 3D-01 PL2; received 17 June 2015

Design & Access statement; Sustainability Statement; Lifetime Home; Planning Statement; Energy Statement.

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

(3) No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include but not be limited to:-

- (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.
- (g) Details of how the southern boundary wall will be protected during the works.

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

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

- (5) No development above ground level shall commence on site until samples and a detailed schedule/ specification of all external materials and finishes to be used on the buildings, including Stock Clay facing bricks and Clay Plain roof tiles, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

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

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

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

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

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

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

- (9) The whole of the car parking area shown on drawing no. GA-01 PL5 hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter.

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

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

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

- (11) The proposed refuse collection point as shown on Plan GA-01 PL5 shall be provided in full prior to occupation of the residential units, and shall thereafter be retained in perpetuity.

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

- (12) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in the elevations of the buildings other than those expressly authorised by this permission.

Reason: To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties in accordance with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (13) No extensions or alterations to the buildings hereby approved, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing

the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

- (14) (a) A minimum of 12 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

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

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

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

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

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

Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (18) No development shall commence on site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority.

Reason: To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (July 2011).

- (19) (a) Notwithstanding the details hereby approved, no development above ground level shall commence until detailed plans at a scale of 1:5 showing window, external door and eaves details 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.

- (20) The proposed southern boundary trellising as shown on Plan GA-05 PL3 shall be provided in full prior to first occupation, and shall thereafter be retained in perpetuity.

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

- (21) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the lower pane of the first floor bedroom windows to be installed in the rear elevations of Units 2, 3, 4 and 5 hereby approved shall be fitted as obscure glazed and fixed shut, and shall be retained in perpetuity.

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

- (22) Prior to commencement of works (including demolition), details shall be submitted to and approved in writing by the local planning authority of measures to salvage the original brickwork of the existing 2-storey workshop building and shall provide details of how they will be incorporated into the new building known as Unit 6 fronting George Lane. The approved works shall be undertaken in full accordance with the details as approved.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of Unit 6 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.

- (23) (a) The residential units hereby approved shall be constructed in order to achieve the following requirements:
- a minimum 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and
 - a reduction in potable water demand to a maximum of 110 litres per person per day
- (b) No development shall commence above ground level until a Design Stage Standard Assessment Procedure (SAP) Assessment and Water Efficiency calculations, prepared by suitably qualified assessors, shall have been submitted to and approved in writing by the local planning authority to demonstrate that the detailed design of each unit is in compliance with part (a).
- (c) Within 3 months of occupation of any of the residential units hereby approved, an As Built SAP Assessment and post-construction stage Water Efficiency Calculations, prepared by suitably qualified assessors, 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).

INFORMATIVES

- (A) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (B) You are advised that the application granted is subject to the Mayoral Community Infrastructure Levy ('the CIL'). More information on the CIL is available at: -

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

(Department of Communities and Local Government) and

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

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

- (D) **Pre-Commencement Conditions:** The applicant is advised that Conditions (3) Construction Management Plan, (4) Living roof, (18) Archaeology and (22) Brick salvaging works, 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 securing quality design; sustainability and overall management to ensure the approved scheme would be delivered as envisaged in the planning submission.

Local Meeting Minutes – 2 June 2015

Panel:

Cllr Helen Klier (Chair) **(Cllr)**
John Smith (planning agent) **(JS)**
Roger Sedgley (architect) **(RS)**
Josh Chad (applicant) **(JC)**
Charlie Chad **(CC)**
Nick Chadd (Builder) **(NC)**
Geoff Whittington (Planning officer) **(GW)**

Attendees:

10 residents present **(OBJ)**

7:32pm

The planning agent outlines scheme, referring to previous proposal and subsequent appeal.

The architect sets out the design rationale, acknowledging the need to ensure the scheme does not result in visual harm to neighbours.

The applicant advises he purchased the site after the appeal decision.

7.41pm

Cllr invites questions from residents.

Resident raises concern toward impact of scheme upon rear boundary wall on the Davenport Road side.

JC: A prop wall will be used during demolition; excavation works will then commence; underpinning of wall.

OBJ: How will you navigate around existing garden structures?

NC: Will seek minimal disturbance. Structural engineers will be employed to provide advise.

Resident shows photographs of existing wall within the site where a hole was formed prior to clearance works for equipment. Raises security concerns.

JC: Security alarmed 24/7 during works – site largely protected by surrounding houses.

OBJ: Former trees provided protection – now they are gone. The way it was all done – all of a sudden – was a surprise to residents.

JC: Ecology Report of 2013 advised the trees were considered to be of low value.

Cllr: Works should have waited until September, as advised by Ecologist.

JC: Did not want to interrupt nesting season. Worked in accordance with regulations whereby a qualified Ecologist was present during works. It was an appropriate time to undertake works. Verified by Council's Ecology officer.

OBJ: Previous application was exceptionally designed. Current plans do not truly represent current streetscene – isn't clear from plans what is being proposed.

OBJ: Outlook won't be the same as tree screen has now gone – is completely different to what was originally proposed. Can see all George Lane dwellings.

Cllr: The retention of the existing boundary wall is paramount. It is unique. Acknowledges the destruction of foliage was done legally – but it is the way it was done.

OBJ: Site clearance was not addressed in proposal.

An objector show more photos of views out into the application site.

OBJ: The Wildlife Crime Officer could not attend meeting tonight. (To applicants) You do not live here so you are not aware of birds within the area. The 2013 Ecology Report advised birds may return to the site to breed. Amenity is a huge residential treasure – assists with general well-being. Security feels compromised.

Cllr: Can screening be replaced?

OBJ: It can't.

OBJ: The clearance works were crass.

OBJ: (Reads passage from planning statement) The trees still had 10-15 years left.

JC: Arboricultural survey states they were not of merit.

OBJ: There were high quality trees that have now been felled.

Cllr: Accepts the developers acted properly regarding clearance works.

OBJ: Opportunity missed regarding neighbour meeting prior to clearance works – did you consider dropping a note through doors to advise residents?

JC: No – adhered to Applied Ecology recommendations.

OBJ: No-one approached us to discuss clearance works.

- NC: Initially only bushes were to be removed.
- OBJ: More than bushes were removed – 7 good trees were felled.
- JC: Northern boundary trees remain.
- Cllr: Suggests mitigation measures – can applicants propose replacement planting.
- JC A green roof is proposed and trees within courtyard areas.
- OBJ: Refers to Planning Statement, which advised of the retention of as many trees as feasible along the site boundaries.
- OBJ: There is a discrepancy in what you do and what you say you do.

8.23

- RS: Does not consider security would be compromised by development – it will actually feel safer.
- Refers to window to window distance exceeding 20 metres.
- OBJ: The proposed green roof will take 5 years to grow.
- [Panel disagrees]
- OBJ: The roof is very different to the previous vegetation in terms of height and level of screening. No screening is proposed.
- OBJ: Reiterates that screening loss has not been sufficiently addressed.
- Cllr: Can the applicant make a gesture to plant trees within the Davenport Road gardens. A visit should also be made to see the existing boundary wall from the neighbour's garden.
- JC: We will visit.
- Cllr: Can the hole in the wall within the site be repaired to ease security concerns.
- OBJ: Can residents suggest ideas for boundary treatment.
- NC: Mindful of proposed planting and planning condition regarding the boundary wall.
- Cllr: Boundary wall must be retained.
- NC: Comfortable with wall being retained. Has worked on historic structures previously. There will be minimal inconvenience during works.

OBJ: Does not share confidence considering how applicants dealt with site clearance.

NC responds and give examples of previous work.

OBJ: Does the scheme meet housing standards – will the sunken element receive sufficient light intake.

RS: Yes it is policy compliant. Am excited by the scheme – light intake would be fantastic and a great place to live.

OBJ: (to the applicants) Will you pay for our party wall surveyor.

JC: We will pick up costs.

OBJ: In regard to the boundary wall, I have spoken to the Victorian Society, who consider the existing 2-storey element should be retained – why can't it.

JC: It is in a state of disrepair, and cannot be used for employment purposes. A structural engineer has advised it would not be suitable for residential use. Would be single-aspect only – is not suitably orientated. Not fit for purpose to achieve a suitable development.

8.38

OBJ: The Bat report suggests the building was intact, sound and dry.

JC: Repeats current condition of building. The site is not designated open land – what do you not like about the proposed design.

OBJ: Would be out of character – scale/ size is a concern.

JC: The proposed density is policy compliant.

RS: Facing materials would be similar to existing dwellings.

OBJ: That is not clearly shown in plans. (shows a photo of Lutwiche Road residential scheme, referring to it as a poor form of backland development.

RS: The scheme cannot be compared with proposal – our scheme is sunken, there is a greater distance with neighbouring dwellings, there are no rear windows and is inward looking.

OBJ: What if new windows are formed.

GW: A planning condition would prevent the formation of any new openings without the benefit of planning permission.

8.47

OBJ: Not questioning the workmanship – the issue is the height in relation to neighbouring properties. The site is not huge. Development is too tall.

RS: It isn't. sufficient distance, sunken and no overlooking.

OBJ: Creating visual harm to Davenport Road occupiers.

RS: That is an exaggeration.

OBJ: No it isn't – height will be noticeable. Davenport gardens are relatively small.

RS refers to section plan and explains distances and height.

CIr: Moving on and to sum up, the boundary wall is sacrosanct, possible tree screening.

OBJ: Is there a contingency plan if anything goes wrong regarding boundary wall.

JC: Refers to party wall procedures, and that Building Control/ equivalent would monitor works.

NC: A bi-weekly newsletter will be sent to neighbours during works.

8.58

Discussion regarding drains and sewage.

OBJ: Timescales of works.

JC: Construction would take approximately 40 weeks.

OBJ: Can the applicant propose suitable screening measures to reduce impact of the scheme.

OBJ: Too many dwellings, over developed, noise, visual impact. Number of birds depleted since clearance works.

OBJ: Need for green spaces in London – health and wellbeing.

RS: Good size gardens on Davenport Road.

OBJ: Six dwellings – 25-27 residents potentially. Lighting concerns.

GW: Confirms any external lighting would be conditioned.

Refuse collection and storage discussed.

JC: Will provide elevation plans that propose screening measures in light of tonights meeting.

OBJ: 3-dimensional plans please.

JC: Will consider providing a CGI.

Meeting closes 9.17

26-32 George Lane, SE13



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Committee	PLANNING COMMITTEE A	
Report Title	LADYWELL ARENA, SILVERMERE ROAD, LONDON, SE6 4QX	
Ward	RUSHEY GREEN	
Contributors	LUKE MANNIX	
Class	PART 1	31 MARCH 2016

<u>Reg. Nos.</u>	DC/15/94586
<u>Application dated</u>	24.11.15 [as revised on 04.02.16]
<u>Applicant</u>	London Borough of Lewisham
<u>Proposal</u>	The installation of a pre-fabricated 100 seater spectator stand at Ladywell Arena, Silvermere Road SE6
<u>Applicant's Plan Nos.</u>	12015/1 Rev A; P2685 A 01; Proposed Block Plan; Planning Statement; Photographs; Site Plan; Tree Survey
<u>Background Papers</u>	(1) LE/893/K/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Metropolitan Open Land Green Corridor Area of Archaeological Priority Flood Zone 2
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application site is the Ladywell Arena, bordered by Silvermere Road to the south and a public footpath to the north, east and west. River Ravensbourne is located to the north and the Hayes Railway Line is to the west.
- 1.2 The site is classified as Metropolitan Open Land (MOL) and includes a football pitch surrounded by a running track, together with athletic field facilities such as long jump, shot put etc. The site also benefits from a clubhouse close to Doggett Road with leisure facilities.
- 1.3 The surrounding context is primarily residential in nature with Ladywell Fields to the north and west over the railway line. To the east beyond the walkway lies the rear boundary of properties on Albacore Crescent. The site is not located in a conservation area and is not a listed building.
- 1.4 The surrounding street network is comprised of unclassified roads as well as Controlled Parking Zones (CPZ). The CPZ restricts parking to residential permit holders with some pay and display parking Monday to Friday. No on-site car parking is available.

- 1.5 The site has a PTAL rating of 2-3, based on a scale of 0-6b with 6b being the highest. It is situated 900m north of Catford Bridge and Catford Station and 900m south of Ladywell Station. In addition, Lewisham High Street is 400m to the east with numerous bus routes. Therefore the access to public transport is considered to be moderate to good.

2.0 Planning History

- 2.1 In 2001 planning permission was granted for the construction of a single storey extension to the front of the existing building at Ladywell Arena, Ladywell Fields, Doggett Road SE6, to provide additional leisure facilities.
- 2.2 Pre-application advice was sought in 2008 for a 50 seat stand at Ladywell Arena. Advice was also sought in 2014 for the provision of two 50 seat stands at the Arena. In both instances, officers advised that an application for planning permission would be required and it would need to demonstrate how the development would support the sporting use of the site and reduce impact on the openness of the MOL.

3.0 Current Planning Applications

The Proposal

- 3.1 Planning permission is sought for the installation of a pre-fabricated 100 seat stand at Ladywell Arena, Silvermere Road.
- 3.2 The proposed stand would be located towards the western boundary of the site, to the side of the long jump sand pit slightly south of the halfway point of the football pitch. The stand would be 16.7m long, 2.3m wide and 2.6m high in total.
- 3.3 The proposed stand would be finished in metal cladding painted pine green (RAL 6028). The rear and top of the stand would be enclosed whilst the front and sides would be open.
- 3.4 The stand would be used in conjunction with the athletic track and football pitches as under cover facilities for spectators to view sporting events. It is understood that the Football Association (FA) has a requirement for covered seated and standing stands in order to clubs to progress in the league hierarchy.

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 Five responses were received from residents on Silvermere Road, Albacore Crescent and Medusa Road. The following concerns were raised:-

- Parking is an issue in the area and it is considered that the increase in patronage from the stands would impact on parking further;
- An increase in noise and loss of privacy would impact on residential amenity to houses backing onto the arena;
- The stand is not considered necessary given the low attendance and it wouldn't be used in community events;
- There would be an increase in litter;
- The accuracy of the tree survey and report was questioned, together with the impact on the trees around the proposed stand; and,
- Questions were raised regarding an increase in lighting and event hours.

4.4 The letters are available to members for viewing.

Written Responses received from Ward Councillors

4.5 Councillor Walsh made a response requesting the application be decided by planning committee.

5.0 Policy Context

Introduction

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

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

A local finance consideration means:

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

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

National Planning Policy Framework

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

Other National Guidance

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

London Plan (March 2015)

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

Policy 3.19 Sports facilities
Policy 6.3 Assessing effects of development on transport capacity
Policy 7.6 Architecture
Policy 7.17 Metropolitan Open Land

Core Strategy

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

Core Strategy Policy 12 Open space and environmental assets
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 30 Urban design and local character

6.0 Planning Considerations

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

- a) Principle of Development and Impact on MOL
- b) Highways and Traffic Issues
- c) Impact on Adjoining Properties
- d) Trees and Flooding

Principle of Development and Impact on MOL

6.2 London Plan policy 7.17 states that MOL should have the strongest protection. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL.

6.3 Policy 7.17 also states that MOL should be given the same protection as Green Belt land. Paragraph 89 of the NPPF outlines that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include the provision of appropriate facilities for outdoor sport, as long as it preserves the openness and does not conflict with the purposes of including land within it.

6.4 In line with the above policies, Core Strategy Policy 12 seeks to protect MOL and Green Corridor land from inappropriate built development to ensure there is no adverse effect on their use.

6.5 It should also be noted that London Plan policy 3.19 states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. However, it goes on to mention that where this is on existing open space, they will need to be considered carefully in light of policies on Green Belt and protecting open space.

6.6 Ladywell Arena is a multiple use sports arena and run on behalf of the Council by Fusion Lifestyle, a leisure contractor. Ladywell Arena is fully equipped with athletic features, with a six lane 400m all weather running track, county league level football facilities on the centre field and also a modern gym within the clubhouse. The stadium is also floodlit to allow training any time of the year. Currently there is no specialised seating area for the arena, with the exception of park benches.

6.7 Kent Athletics Club and Lewisham Borough Football Club have been based at Ladywell Arena for some time. More recently, Forest Hill Park Football Club and S Factor Athletics Club have started utilising the arena. Members of Blackheath & Bromley Harriers Athletic Club also use the facilities.

- 6.8 Local schools use the area for school athletic competitions, football and to promote physical activity and a healthy interest in sport in general. In addition to this, members of the public can use the gym and track facilities within the arena.
- 6.9 On the whole, the site is considered to provide an important role in meeting social and physical needs for Borough residents through its sporting facilities.
- 6.10 It is understood that the current football clubs both play at Step 6 of the National League. A requirement of the FA is that clubs playing at this level must provide certain facilities for spectators, including a minimum 50 seated and 50 standing covered spectator stand. Without this infrastructure, clubs would be relegated in the National League.
- 6.11 The current application has been submitted in response to this requirement, proposing the installation of a 100 seat capacity spectator stand. With this in mind, the stand would primarily be used during football matches.
- 6.12 Taking the above into account, it considered that the proposed application is ancillary and essential to the operation of the sporting facilities pursuant to the MOL policies.
- 6.13 In addition to the development maintaining the openness of MOL, DM Policy 30 and Core Strategy Policy 15 require development to be of the highest design quality, elements such as open spaces that make a positive contribution to the environment should influence the future character of an area and be treated as key elements in the development of a sense of place.
- 6.14 The proposed stand would be located close to the western boundary. It should be noted that the boundary has an existing high wire fence. The stand would measure 16.7m long, 2.3m wide and 2.6m high, however that would slope down to 2.5m at the rear. The stand would be finished in metal cladding to the rear and top. The sides would remain open.
- 6.15 It is acknowledged that the proposed stand would have an impact on the openness of the MOL, given its length and height. However, given the structure would still be lower than the boundary fence and the large nature of the site, it is considered that the size of the stand would not significantly impact on the openness of the MOL to adversely effect its use.
- 6.16 In addition to the above, the colour scheme for the proposed stand would be pine green (RAL 6028). It is considered that this would ensure the stand appropriately integrates within the existing green space and would not significantly detract from this character.
- 6.17 Therefore the design of the proposed spectator stand is not considered to have an adverse impact on the openness of the MOL as it is compatible with the existing character of the green space.
- 6.18 Overall, considering the benefit of enhancing the existing sporting facilities ancillary to the MOL, together with the appropriate integration within the existing character of the site, it is considered that the principle of the development is acceptable.
- 6.19 Notwithstanding this, the remaining material considerations are discussed below.

Highways and Traffic Issues

- 6.20 The Council Core Strategy Policy 14 seeks to promote sustainable movement where appropriate to improve traffic congestion and reduce carbon emissions. This is in line with the London Plan and NPPF.
- 6.21 The site is well placed in terms of public transport, being between the Ladywell Station and Catford Bridge Station and to the west of Lewisham High Street with numerous bus routes. In addition to the public transport, the site is well connected with pedestrian and cycle routes, including the Waterlink Way running through Ladywell Fields to the north and public footpaths surrounding the site.
- 6.22 The surrounding residential streets are CPZs restricting parking to residential permit holders or pay and display during Monday to Friday 9am-7pm. Parking is unrestricted on the weekends and in the evenings.
- 6.23 Ladywell Arena operates seven days a week with gym and athletic training facilities. The football clubs utilising the arena play on Saturday afternoons primarily, with less frequent mid-week games on an evening. The stand is primarily to be used during football match days.
- 6.24 The supporting planning statement states that players tend to arrive in car pools with supporters primarily being locals and therefore predominately walk or take public transport. The current number of supporters are estimated at 35-50 per home game within the statement.
- 6.25 The spectator stand is proposed to prevent the football clubs currently utilising the site from being relegated in the National League and to provide for the existing need of spectators. It is understood that the proposed development would not alter the number of games per week nor the timing of games. Furthermore, the proposal is considered to formalise seating for the spectators and not considered to increase the existing capacity of the arena, taking into account there is seating available and room for standing spectators to view games.
- 6.26 However, it is noted that the proposal may lead to increase spectator numbers as teams progress through the league, including away spectators. Considering that the teams remain at the lower levels of the competition, it is deemed that the increase would be relatively immaterial. Additionally, the increase would be localised to Saturday afternoons during games, which is considered to be a relatively minor length of time for cars to be parked. It is noted that some games would be during weekday evenings however this would be less frequent, nonetheless the length of time would be small. Finally, taking into account the public transport and walking and cycling links, it is considered that the majority of the spectators would continue to travel via sustainable modes of transport.
- 6.27 Therefore, whilst the concerns regarding impacts on parking and traffic congestion are noted, it is considered that the proposed development would not have a significant impact in this respect. Furthermore, it is considered that any impact would be offset by the benefits of the provision of the spectator stand to the sporting use of Ladywell Arena.
- 6.28 The supporting planning statement states that the proposed structure would be installed in parts utilising the adjoining public footpath. This would include a concrete pump to lay the foundations before a crane lifts the structure in two parts

into place. Overall, the timeframe for construction is understood to be restricted to a few days.

- 6.29 During this stage, the adjoining public footpath would be closed and workers would be on hand to direct pedestrians and cyclists to the remaining paths linking to Ladywell Fields.
- 6.30 Given the short construction timeframe and the method of installation, it is considered that the proposed development would not pose a significant threat to pedestrian and cyclists safety during this stage.
- 6.31 In summary, the proposed development is considered to be acceptable in terms of highway and traffic issues.

Impact on Adjoining Properties

- 6.32 Pursuant to London Plan policy 7.6, buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 6.33 The proposed stand is located on the western boundary, approximately 105m from the rear elevation of the nearest dwellings along Albacore Crescent. The stand would also be approximately 88m from the front elevation of dwellings on Silvermere Road.
- 6.34 The ground is currently utilised by two football clubs and athletic clubs from the Lewisham area. It is understood that the arena is open until 10pm on weekdays and 7pm on weekends with floodlight facilities used in conjunction during these hours where necessary.
- 6.35 The proposed stand would predominately benefit the football clubs, which play on Saturday afternoons with some mid-week games in the evening. It is understood that the installation of the stand would not alter this arrangement. With this in mind, it is considered that the proposed stand would not adversely impact on residential amenity in terms of increased lighting from the established level.
- 6.36 It is recognised that the proposed development may lead to an increase in spectators for football matches. However, given the separation from the nearest residential units, together with the majority of games being played in afternoon hours as existing, it is considered that this increase in spectators would not adversely impact on residential amenity in terms of noise.
- 6.37 There is not considered to be any adverse impact in terms of loss of privacy or sunlight/daylight to residential properties given the distance, together with the small height of the structure.
- 6.38 Overall there would be no adverse impact on adjoining properties as a result of the proposed spectator stand.

Trees and Flooding

- 6.39 Ladywell Arena, being within MOL and Green Corridor, is characterised by a number of large, mature trees within the site and along the adjoining footpaths.

These trees are considered to be important to the character of the site and its surroundings and should be protected from adverse impacts.

- 6.40 The proposed stand is located adjacent to the long jump runway. A tree survey map was submitted with the application and based on that information, it would be adjacent to tree 288 as identified on the survey.
- 6.41 The proposed installation would involve closing the public footpath to the west of the site to allow concrete pumps to lay the foundations, followed by a crane to lift the pre-fabricated structures into place.
- 6.42 It is noted that the proposed development has been sited to ensure trees are not felled by the proposed works. However, given the proximity of trees and potential damage during construction works, together with the importance of the trees to the open character of the MOL, it is considered necessary that a Tree Protection Plan (TPP) adopted during the works.
- 6.43 Whilst a TPP has not been submitted, it is considered that this can be secured through a condition. Therefore, it is considered that the proposed development would not adversely impact on the trees around Ladywell Arena.
- 6.44 It is noted that the site is located in Flood zone 2. However, given the openness of the structure and the relatively minor use, it is considered that the proposed stand would not adversely impact on the flooding risk in the area.

7.0 Equalities Considerations

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

8.0 Conclusion

- 8.1 The proposed development is for the installation of a 100 seat supporters stand at Ladywell Arena. This application has been considered in the light of policies set out in the development plan and other material considerations.

- 8.2 The proposed development is considered to be appropriate and ancillary to the existing outdoor sport use of Ladywell Arena. Furthermore, the development is not considered to unacceptably impact on the openness of the MOL. Therefore the principle of the development is acceptable.
- 8.3 The proposed development is considered to not have significant impacts in terms of highway and traffic and would not adversely effect nearby amenities. Additionally, there is not considered to be any adverse impact on trees or flood risk in the area.

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:

12015/1 Rev A; P2685 A 01; Proposed Block Plan; Planning Statement; Photographs; Site Plan; Tree Survey

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 Tree Protection Plan (TPP) has been submitted to and approved by the local planning authority. 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 structure 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 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (4) (a) The development shall be constructed in those materials as submitted, namely: metal cladding painted pine green (RAL 6028) and in full accordance with 12015/1 A and the Planning Statement hereby approved.

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

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

- (5) 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 DM Policy 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) Condition 3 (TPP) requires details to be submitted prior to the commencement of works due to the importance of the existing trees to the character of MOL site and ensuring the construction of the proposed development would not adversely impact on the trees or their root systems.

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Ladywell Arena, SE6



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Committee	PLANNING COMMITTEE A	
Report Title	34 Granville Park, London, SE13 7EA	
Ward	Blackheath	
Contributors	Andrew Harris	
Class	PART 1	31 March 2016

Reg. Nos. DC/15/93983

Application dated 05.10.2015

Applicant Mr Stephen Jenkins on behalf of Mr & Mrs Joris & Kathryn Klaentschi

Proposal The construction of a part single/part two storey extension, together with a single storey side extension to the lower ground and ground floors at 34 Granville Road SE3.

Applicant's Plan Nos. 2598-100 REV A; 2598-102 REV A; 2598-030; 2598-014; 2598-013; 2598-015; 2598-012; 2598-010; 2598-105; 2598-103; 2598-104; 2598-106; 2598-031; Heritage Statement & Design & Access Statement October 2015.

Background Papers

- (1) Case File LE/127/34/TP
- (2) Core Strategy (2011)
- (3) Development Management Local Plan (2014)
- (4) The London Plan (2015)

Designation PTAL 4
Blackheath Conservation Area
Area of Special Character

1.0 Property/Site Description

- 1.1 The application site is a four-storey, including lower ground floor, semi-detached property located on the northwestern side of Granville Park. The application site's lawful use is flats, but the applicant has advised it is currently being used as a single-family dwellinghouse.
- 1.2 The high status, Italianate style Victorian villa is built in London stock brick with stucco detailing to the doors and windows. The design is strictly symmetrical and the size and type of openings express the traditional hierarchy between individual floors that is typical for both the status and period the house was built.
- 1.3 The application site features a two-storey bay window to the rear elevation, as well as a three-storey closet return. To the side elevation is a small shed that has limited visibility from the front elevation.
- 1.4 Hard standing for vehicle parking is located to the front elevation.

- 1.5 The application site is located within the Blackheath Conservation Area, but is not a listed building. The site is also located within an Area of Special Character.
- 1.6 The immediately surrounding area is residential in character comprising of similarly designed semi-detached properties and some more recent flatted developments.

2.0 Planning History

- 2.1 1980 – Formation of an access and a hard standing area in the front garden of No. 34. Application permitted.
- 2.2 1974 – Conversion of the three-storey with semi-basement, semi-detached property at 34 Granville Park, into 1, five-roomed, self-contained maisonette on the lower two floors and 1, four-roomed, self-contained maisonette on the upper two floors, together with the erection of a three-storey staircase extension on the flank wall. Application permitted.

3.0 Current Planning Application

The Proposal

- 3.1 The application seeks permission for the construction of a part single/part two-storey extension, together with a single storey side extension to the lower ground and ground floors. It is also proposed to excavate a terrace area at lower ground floor level to the rear elevation.
- 3.2 It is proposed to construct a full width lower ground floor extension, with a depth of 1.8 metres. It is also proposed to extend the depth of the existing closet return to upper ground floor level by 1.2 metres. The extension to the closet would be finished with a flat roof. The extension would cover up the window cil at first floor level.
- 3.3 It is proposed to insert large sliding doors to the rear elevation of the lower ground floor extension as well as a single door. To the upper ground floor, the extended closet would feature an additional single door. A set of stairs are proposed to the rear of the door to provide access to the garden from the upper ground floor.
- 3.4 It is also proposed to construct a lower ground floor side extension with a depth of 11.8 metres and a setback from the front elevation of 0.3 metres. To the front elevation the side extension would feature a single door and two high level windows are proposed for the flank elevation.
- 3.5 The extensions are proposed to be constructed of brickwork to match existing.
- 3.6 It is also proposed to enlarge the existing rear light well at lower ground floor level to the rear elevation. The enlarged light well would form a paved rear terrace at lower ground floor level with steps providing access to garden level above. The terrace would have an overall area of 30sqm.
- 3.7 It is noted that the house is being converted from flats to re-establish a single family dwelling house, these works are permitted development and do not form part of the considerations in this report.

Supporting Documents

3.8 The applicant has submitted the following supporting documents:

- Heritage Statement & Design & Access Statement dated October 2015 – the Heritage Statement & Design & Access Statement provides a summary of the Blackheath Conservation Area Character Appraisal and Supplementary Planning Document and key characteristics of the Blackheath Conservation Area. The statement also provides a description of the application site and the proposal providing details with regard to the design, materials and access arrangements.

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 Six objections were received as a result of the consultation undertaken. Four objections were received from surrounding residents, one objection was received from the local amenity group, the Blackheath Society and one objection was received from the Amenities Society Panel. The following provides a summary of the objections:

4.4 30 Granville Park

- The altered street view of the proposed side extension contravenes Lewisham's Heritage Statement;
- The Heritage & Design & Access Statement is incorrect in that it states there is no reference to the application property or similar adjacent properties within the Blackheath Character Appraisal and Supplementary Planning Document. This is incorrect and there is reference made to Granville Park within the document.

4.5 32 Granville Park:

- The works would have a negative impact on the view of the property from the street;
- The works do not respect the original design and would result in visual harm;
- The side extension will impact very negatively on the front elevation of the building. The design lacks quality detailing that would relieve the plainness of the addition;
- The side extension achieves very little in terms of additional accommodation and the spaces created could easily be accommodated elsewhere in the building;

- The side extension would reduce light to the side windows and glazed doors of No. 32 Granville Park;
- The style of the new windows in the side elevation are out of character with existing;
- Object to the use of powder-coated aluminium for the new windows and rear door;
- The works are of poor quality;
- The proposed extension to the rear is of significant size and it is not clear what alterations to the landscaping/ garden is proposed;
- No information has been provided with regard to the treatment of the front garden area.

4.6 1C Eliot Park

- It is concerning that this extension is built into garden space;
- The design is not in keeping with the Victorian design on the road;
- An environmental survey should be undertaken to ascertain the effects upon issues such as bat foraging sites as there are active colonies close by;
- The works would have a negative impact on the view of the property from the street;
- The works do not respect the original design and would result in visual harm;
- The side extension will impact very negatively on the front elevation of the building. The design lacks quality detailing that would relieve the plainness of the addition;
- The side extension achieves very little in terms of additional accommodation and the spaces created could easily be accommodated elsewhere in the building;
- The side extension would reduce light to the side windows and glazed doors of No. 32 Granville Park;
- The style of the new windows in the side elevation are out of character with existing;
- Object to the use of powder-coated aluminium for the new windows and rear door;
- The works are of poor quality;
- The proposed extension to the rear is of significant size and it is not clear what alterations to the landscaping/ garden is proposed;

- No information has been provided with regard to the treatment of the front garden area.

4.7 25 Granville Park

- The proposed works would be detrimental to the integrity of the road which is a good example of Victorian architecture;
- The side extension provides little additional accommodation;
- The extension encroaches on the garden;
- The quality of the works is poor;
- Metal framed windows and doors are not appropriate for a Victorian house.

4.8 The Blackheath Society:

- The extension is poor and unsympathetic;
- The absence of detailed plans for the proposed rear elevation makes the application very problematic;
- The design should be reconsidered to ensure that any development complements the existing house and is less intrusive.

4.9 The Amenities Society Panel also objected to the scheme due to its poor and unsympathetic design.

4.10 Copies of representations received 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.

Other National Guidance

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

London Plan (March 2015)

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

Policy 1.1 Delivering the strategic vision and objectives for London
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

Core Strategy

- 5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together 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 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

5.8 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 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
DM Policy 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 (2006/ Update 2012)

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

Blackheath Conservation Area Appraisal (2007)

5.11 This document identifies the special characteristics of the Blackheath conservation area with the intention that these special characteristics are preserved or enhanced. The document provides details on the history of the area, its spatial character, the prevailing and former uses within the area, relationship to surrounding areas, public spaces and trees and natural boundaries, views, vistas and panoramas, areas of distinct character, architectural character and materials and details.

6.0 Planning Considerations

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

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

e) Commentary on Representations Received

Principle of Development

- 6.2 The proposed development would constitute the enlargement of a dwelling house within a residential area and would therefore be acceptable in principle.

Design

- 6.3 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.
- 6.4 Core Strategy Policy 16 relates to conservation areas, heritage assets and the historic environment and states that the Council will ensure that the value and significance of the borough's heritage assets and their settings 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 relates to urban design and local character and states that the Council will require all development proposals to attain a high standard of design. Planning applications will need to demonstrate the quality and durability of building materials and their sensitive use in relation to the context of the development. Materials used should be high quality and either match or complement existing development, and the reasons for the choice of materials should be clearly justified in relation to the existing built context.
- 6.6 DM Policy 31 relates to alterations and extensions to existing buildings including residential extensions. It states that development proposals for alterations and extensions, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, and detailing of the original buildings, including external features such as chimneys, and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context. In addition, new rooms provided by extensions to residential buildings will be required to meet the space standards in DM Policy 32 Housing design, layout and space standards.
- 6.7 Side extensions should normally be set back and down from the main building line to allow for a clear break between existing buildings and the new work in order to maintain architectural subordination to the original building.
- 6.8 Rear extensions will generally not be permitted where any part is higher than the height of the ridge of the main roof, or where the extension is not set back into the roof slope. It also states that extensions will not be permitted where they would adversely affect the architectural integrity of a group of buildings as a whole or cause an incongruous element in terms of the important features of a conservation area.
- 6.9 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 in conservation areas 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.

- 6.10 The residential standards supplementary planning document provides guidance on rear extensions and states that the main issues for consideration when assessing extensions is:
- How the extension relates to the house;
 - The effect on the character of the area – the street scene and the wider area;
 - The physical impact of the effect of the building and the amenity of occupiers of neighbouring property;
 - A suitably sized garden should be maintained.
- 6.11 With regard to materials, the SPD states that bricks and roofing materials used to construct an extension should match those used in the original building. The Council will also support the use of modern materials in appropriate circumstances.
- 6.12 With regard to side extensions the SPD states in order to ensure that a side extension appears subsidiary to the main building a setback may be used which should be followed through to the roof which should be similarly setback. The setback should be at least 300mm, but the depth might need to vary considerably dependent on the nature of the urban form of the street.
- 6.13 It is proposed to construct a single-storey side extension at lower ground floor level. The side extension would be visible from the public realm. The application site sits on a hill with Granville Park below. The side extension would have a width of 2 metres, a depth of 11.8 metres and a height of 2.2 metres when measured from garden level and 3.2 metres when measured from lower ground floor level.
- 6.14 The application site forms part of a semi-detached pair and therefore the extensions/ alterations need to be considered against the symmetry of the semi-detached pair. In this case, given the side extensions limited height, lower ground floor location and the 0.3 metre setback from the front elevation the side extension would appear as a subordinate addition. The extension would not harm the symmetry of the semi-detached pair, nor appear intrusive in the streetscene. The works would retain the spacious character of the street, established by the spaces between dwellings. The side extension would not harm the character or appearance of the application site or wider Conservation Area.
- 6.15 The side extension would have a limited width of 2 metres and a limited height above garden level of 2.2 metres. The host property is a large four-storey property and the small single storey side extension would appear as a subordinate addition when viewed from the front elevation. The extension would retain the spacious character of the street, established by the spaces between dwellings.
- 6.16 The side extension would also be partially screened from view by the brick front boundary wall. Single-storey side extensions are also seen elsewhere on

properties along Granville Park, including No. 30 Granville Park. As such, the extension is not considered to be out of keeping with the surrounding area. Nor would it introduce an incongruous addition to the established street scene.

- 6.17 It is also proposed to construct a single-storey, lower ground floor full width rear extension. The property features a double height bay window to the rear elevation at lower ground/ ground floor as well as a three-storey closet extension. The lower ground floor extension would have a width of 4 metres, a depth of 1.8 metres and a height of 3.2 metres and given the location to the rear would not be visible from the public realm and as such, it would not harm the established street scene. The proposed extension would have a limited projection above garden level and would have a limited depth. It is considered that the rear extension would appear as a clearly subordinate addition and adheres with the above guidance. The extension would also have a reduced impact on the appearance of the host building when viewed from the rear due to its partial subterranean location. The use of facing brickwork to match existing is welcomed.
- 6.18 The use of sliding doors and a modern glazed door within the rear elevation of the lower ground floor extension is also acceptable in this instance. The use of modern fenestration clearly differentiates the extension as a modern addition and is considered to be an appropriate architectural response to the building. The windows would be set in line with those on the upper levels and therefore retain the hierarchy of the rear elevation.
- 6.19 The proposed extension to the side and rear elevation would be simple in design with a flat roof and constructed of brick to match existing. It is considered that this design and material is appropriate in this location and would ensure the extension successfully integrates with the host building. Whilst the use of sliding doors are not a traditional choice for fenestration, the sliding doors would have limited visibility above garden level and would not be visible from any public viewpoint and as such their inclusion in the scheme is not considered to harm the character or appearance of the building or wider conservation area.
- 6.20 A timber door is proposed for the front elevation of the side extension. This would be the only fenestration visible from the public realm. Whilst timber framed windows and doors would be the more traditional choice of fenestration, it is considered that the use of powder-coated aluminium is acceptable as it would be only used within the new extension and not to replace any existing timber framed fenestration on the original building.
- 6.21 It is also proposed to extend the depth of the existing closet return at upper ground floor level to match the extension seen at the adjoining semi-detached property, 36 Granville Park. It is considered, given the context of the site, and a similar existing extension at No. 36 Granville Park that the works would be in keeping with the existing semi-detached pair and would not harm the character or appearance of the application site. The proposed closet extension also adheres to the above guidance with regard to rear extensions.
- 6.22 The loss of the original window cil at first floor level is regrettable, however, it is considered appropriate that the proposed upper ground floor extension mimics that at No. 36 Granville Park to promote a sense of uniformity and taking into account the location at the rear would not be visible from the public realm.

- 6.23 It is also proposed to relocate an existing set of stairs that provide access to the rear garden from upper ground floor level. The stairs would be moved slightly back within the rear garden from their existing position. Balustrade to a height of 1.4 metres would be provided to each side of the stairs. The balustrade would be constructed of frameless glass. The use of frameless glass is acceptable as it would have a limited visual impact on the appearance of the building. The design of the staircase would be similar to existing and would not harm the character or appearance of the building.
- 6.24 It is also proposed to extend the existing rear light well. The works would involve excavating at lower ground floor level for a depth of 3 metres and a width of 6.3 metres. The excavated area would be paved and a set of stairs would provide access up to the rear garden. The works are considered to be acceptable as they would not be visible from any public vantage point. In addition, the paved area does not take up an excessive portion of the garden and the design would be suitable for the rear garden setting.
- 6.25 The subject site benefits from a sizeable rear garden of approximately 137sqm. The works including both the side and rear extensions and paved terrace would result in an additional 56sqm of hard landscaping. It is not considered that these works would take up excessive portions of the rear garden. The host building would still retain a large portion of soft landscaped rear garden available for use by residents.
- 6.26 In conclusion, the bulk, scale and massing of the side and rear extensions are considered to be acceptable. The extensions would appear as subordinate additions to host dwelling and respect existing floor levels. As such, the works are not considered to harm the character or appearance of the application site or surrounding Blackheath conservation area.

Residential Amenity

- 6.27 DM Policy 31 states that new rooms provided by extensions to residential buildings will be required to meet the space standards in DM Policy 32. DM Policy 32 provides guidance on internal space standards for new development and states that the standards in the London Plan should be used to assess whether new housing development provides an appropriate level of residential quality and amenity.
- 6.28 The side extension would provide an entrance lobby as well as a small WC. Both these rooms are provided with a window. The lower ground rear extension creates additional space for the existing family room. This room would be provided with large sliding doors that ensure it would receive adequate ventilation and sunlight, despite its lower ground floor level location. The upper ground floor closet extension provides additional space for an existing utility room.
- 6.29 As such, the new rooms created or extended by the side and rear extensions would provide an appropriate level of amenity for future occupants.

Impact on Adjoining Properties

- 6.30 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.

- 6.31 DM Policy 31 states that residential extensions, roof terraces, balconies, and non-residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens. Residential extensions should retain an accessible and useable private garden that is appropriate in size in relation to the size of the property, and retains 50% of the garden area.
- 6.32 The subject site benefits from a rear garden and the proposed extensions do not have an adverse impact on the accessibility or usability of the garden and at least 50% of the garden area is retained.
- 6.33 The side extension is setback 1.3 metres from the boundary with No. 32 Granville Park. This setback and lower ground floor location of the extension is considered to ensure the proposal would not adversely affect daylight, sunlight, outlook or sense of enclosure for any adjoining property.
- 6.34 A door is proposed for the front elevation of the side extension, whilst two high level windows are proposed for the flank elevation. These flank elevation windows would sit 0.2 metres above garden level and provide light to a WC and entrance hall. As such, it is not considered that these flank windows would result in any unacceptable overlooking or loss of privacy. The door to the front elevation would overlook the street only and would not cause any loss of privacy.
- 6.35 The lower and upper ground floor rear extensions would be built to the boundary with No. 36 Granville Park. The works would not project past an existing two-storey closet extension at No. 36 Granville Park that adjoins the application site. As such, the proposal would have no impact on levels of daylight, sunlight, outlook or sense of enclosure for any adjoining property.
- 6.36 Three new doors are proposed for the rear elevation of the lower ground and upper ground floor rear extension. These doors would overlook the rear garden of the site and would not result in the loss of privacy for any adjoining property.
- 6.37 A set of stairs are also proposed to provide access from the new upper ground floor door to the garden level below. The landing would have a limited depth of 1.4 metres and would not result in any overlooking above which already occurs from the existing rear staircase, which is located in a similar location to the staircase proposed. The landing would also have a limited projection above garden level at 1 metre.
- 6.38 With regard to concerns raised that the works would reduce light to No. 32 Granville Park, the side extension would be set back by a minimum of 1.3 metres from the boundary with No. 32 Granville Road to the north. The side extension would project no more than 1.6 metres above garden level height where it adjoins No. 32 Granville Park. Due to the orientation of the block, the limited height of the extension and the existing overshadowing caused by the four-storey building itself it is not considered that any overshadowing to occur to No. 32 Granville Park would be to a harmful degree
- 6.39 In conclusion, the proposed extensions would not result in any loss of daylight or sunlight, increased sense of enclosure, loss of outlook or reduction in privacy for any adjoining residential property.

Other Matters

- 6.40 Regarding the concern raised that the space created by the side extension is unnecessary, this is not a planning matter. So long as the extension is acceptable with regards to design, and the uses contained within the extension are ancillary to the main dwelling house, it is not a planning concern as to whether the works are necessary or not. In this case, the design of the proposed side extension is acceptable and the uses contained within the extension would be ancillary to the main dwelling house. As such, the side extension and space created by it are acceptable in principle.
- 6.41 Concern has been raised that the applicant should undertaken an environmental survey to ascertain the effects upon issues such as bat foraging sites as there are active colonies close by.
- 6.42 The application site is an urban residential garden, which is not known to the Council to contain bats, as a foraging/roosting site or within a designated protected area (Site of Nature Conservation Importance, Local Nature Reserve (LNR) or Green Corridor). The proposed development would not modify or disturb the eaves or roof space of the existing property nor is within the proximity to woodland or a watercourse and will not adversely impact bats.
- 6.43 Given the scale of the development and that it is located in the garden area closest to the existing property, the potential impact on wildlife habitats is considered minimal. Although the development would require the removal of shrubs and some small trees, these are not of a quality to support the roosting of bats. The remainder of the existing garden will remain as garden land.
- 6.44 Given this and the scale of the development, it would not result in adverse impacts or harm to bats, bat roosts or the natural environment.

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 that planning permission is 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:

2598-100 REV A; 2598-102 REV A; 2598-030; 2598-014; 2598-013; 2598-015; 2598-012; 2598-010; 2598-105; 2598-103; 2598-104; 2598-106; 2598-031; Heritage Statement & Design & Access Statement dated October 2015.

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

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

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

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

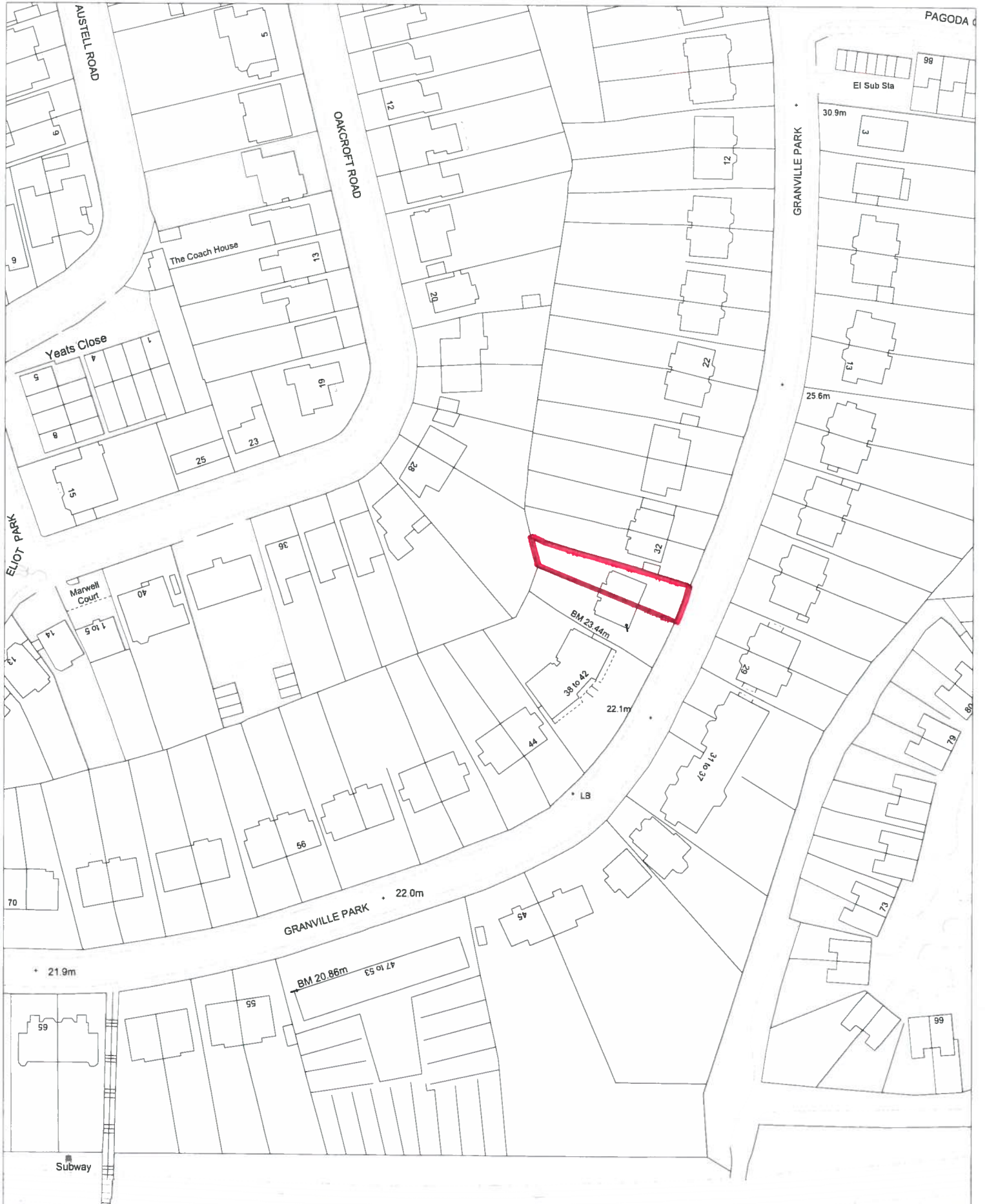
design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014).

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.

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34 Granville Park, SE13



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Committee	PLANNING COMMITTEE A	
Report Title	Sir Francis Drake Primary School	
Ward	Evelyn	
Contributors	Adonica Giborees	
Class	PART 1	31 March 2016

Reg. Nos. DC/15/094990

Application dated 23 December 2015

Applicant Mr D Bannister, LSI Architects LLP

Proposal Proposed development for the expansion of Sir Francis Drake Primary School, comprising the demolition of the existing school accommodation on-site, the construction of a two-storey block accommodating 14 classrooms and other teaching spaces, an assembly/sports hall with dining facilities and studio space, external courtyard, new playground and hard games court, and hard and soft landscaping at Scawen Road, London SE8 5AE

Applicant's Plan Nos. 15132-100 Rev A (received 06 January 2016);
15132-101; 15132-102; 15132-103; 15132-110;
15132-111; 15132-112; 15132-120; 15132-121;
15132-130 (received 29 December 2016);

Design & Access Report (LSI Architects LLP), dated December 2015

- Appendix A: Visualisations (by LSI Architects LLP)
- Appendix B: Planning Drawings
- Appendix C: Air Quality Assessment, dated 22nd December 2015 (by Resource and Environmental Consultants Limited)
- Appendix D: Preliminary Ecological Appraisal, dated January 2014 (by Mott MacDonald)
- Appendix E: Community Infrastructure Levy form
- Appendix F: Construction Method Statement, dated 16th December 2015 (by Kier Group)
- Appendix G: Crime Prevention Report (by LSI Architects LLP)
- Appendix H: Climate-Based Daylight Modelling report, dated 23rd November 2015 (by Kier Group)
- Appendix J: School Travel Plan, dated December 2015 (by Vectos)

- Appendix K: Energy Statement, Rev 02, dated 14/12/2015 (Van Zyl & de Villiers Limited Consulting Engineers)
- Appendix L: Flood Risk Assessment, Rev P4, dated February 2016 (by Fluid Structural Engineers and Technical Designers Limited)
- Appendix M: Phase 1 and 2 Desk Study and Preliminary Investigation Report for a Proposed School Redevelopment, Issue No. 1, dated 07 December 2015 (by Geosphere Environmental Limited)
- Appendix N: Planning Statement, dated December 2015 (by LSI Architects LLP)
- Appendix O: Statement of Community Engagement (by LSI Architects LLP)
- Appendix P: Transport Statement, dated December 2015 (by Vectos)
- Appendix Q: Site Waste Management Strategy (no author)

Background Papers

- (1) Case File DE/191/D/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation

Area of Archaeological Priority, Public Transport Accessibility Level 2 (PTAL 2), Flood Risk Zone 2/3

Screening

The development is considered to fall within Schedule 2, Category 10b (urban development project) of the Environmental Impact Assessment (EIA) Regulations. Consequently, an EIA is not required.

A Scoping Opinion pursuant to Regulation 13 of the Regulations was issued in September 2014.

1.0 Property/Site Description

1.1 The application site is home to Sir Francis Drake Primary School, a 5,100 square metre site containing a number of single-storey school buildings linked by external canopy walkways, and several scattered porta-cabins. The original school building was constructed during the 1960s and consists of flat roof classrooms exposed on several sides. A caretaker's house is located in the north-eastern corner of the site. The playground is predominantly hard surfaces that slope down towards Grinstead Road. There are several trees scattered across the site.

1.2 The boundary of the site is well defined with existing brick walls to the southern end of the site, and metal fencing to the north sections of the eastern and western boundaries. The main access to the school is on Scawen Road to the east, whilst a vehicle access for servicing and deliveries is located on Trundley's Road to the

west. Refuse vehicles and kitchen delivery vehicles presently stop on the single yellow lines on Trundley's Road.

- 1.3 Sir Francis Drake Primary School is presently a 210 pupil, 1-form entry school.
- 1.4 The application site is bound by Scawen Road to the east, Grinstead Road to the south, and Trundley's Road to the west. Abutting the site to the north are Victorian residential properties, whilst across Scawen Road to the east is Deptford Park.
- 1.5 The Southern Railway Line and London Overground line runs roughly in an east-west direction to the south of the site at the junction of Grinstead and Trundley's Roads. Deptford Park Primary School (a 3-form entry school) is located on the opposite side of Deptford Park. Across Grinstead Road to the south of the application site is the Neptune Works site which has been granted planning permission for its redevelopment (see discussion overleaf).
- 1.6 There is a partially covered cycle parking facility which is located to the south of the pedestrian access off Scawen Road. The cycle parking facility includes 5 Sheffield type stands (provides capacity for up to 10 bicycles). There is one on-site car parking space which can be accessed via the gate on Trundley's Road. Staff who currently drive to work park their vehicles in the neighbouring residential streets.
- 1.7 There are a number of bus stops within 10 minutes walking distance of the site, which have regular services to London Bridge, Victoria and Lewisham. The nearest bus stop is on Trundley's Road and the closest mainline station, just over 0.5km from the site, is South Bermondsey. Surrey Quays and New Cross station are the closest Underground stations, which are both just over 0.5km from the site. As part of the new East London Line, a new station is proposed at Surrey Canal Road.
- 1.8 The site is not located within a conservation area, nor is it subject to an Article 4(2) Direction. The application site does not contain any listed buildings, nor is it in the vicinity of any, however the site is located in an Area of Archaeological Priority.
- 1.9 The application site has a Public Transport Accessibility Level (PTAL) of 2. Trundley's Road is a B classified road, whilst Scawen Road and Grinstead Road are both unclassified.

2.0 Planning History

- 2.1 DC/98/42885 (granted 4 June 1998) was for the siting of a single storey porta-cabin at Sir Francis Drake Primary School.
- 2.2 DC/01/50369 (granted 15 February 2002) was for the siting of a temporary single storey porta-cabin adjacent to the car park and assembly hall at Sir Francis Drake Primary School.
- 2.3 DC/03/53750 (granted 27 June 2003) was for the siting of two single storey porta-cabins at Sir Francis Drake Primary School.

- 2.4 DC/07/66283 (granted 29 September 2007) was for the construction of a 55 square metre infill extension to the school adjacent to Trundley's Road
- 2.5 DC/09/70711 (granted 20 April 2009) was for the construction of a porta-cabin for use as a music room at Sir Francis Drake Primary School.

Surrounding Area

- 2.6 The site on the opposite side of Grinstead Road from the application site has been granted planning permission (reference DC/10/75331) for the demolition of the existing buildings at Neptune Works, Grinstead Road, and the phased redevelopment of the site. The development will provide 6 blocks and 10 mews houses between 3 and 12 storeys, providing 199 residential units and 1,973 m² of non-residential floor space. The development will also contain parking for up to 276 cycle spaces, 10 motorbike/scooter spaces and 60 vehicular spaces including 7 disabled spaces.

3.0 Current Planning Application

The Proposal

- 3.1 Planning permission is sought for the proposed development for the expansion of Sir Francis Drake Primary School, comprising the demolition of the existing school accommodation on-site, the construction of a two-storey block accommodating 14 classrooms and other teaching spaces, an assembly/sports hall with dining facilities and studio space, external courtyard, new playground and hard games court, and hard and soft landscaping at Scawen Road, London SE8 5AE.
- 3.2 The proposal will enable a total of 420 pupils and 85 staff members, doubling the current number of staff and pupil capacity.
- 3.3 The applicant proposes to phase the demolition and construction of buildings to enable the school to continue operations.
- 3.4 The proposed development will comprise one building located at the southern end of the site, with play areas to the rear. The building itself will be U-shaped, and contain a central courtyard fronting Grinstead Road. All classrooms will face the playground to the rear, and the ground floor classrooms will have direct access to the outdoor play area. Double height voids are located over the entrance and learning resource centre to bring light into the circulation areas. Group breakout spaces will be created along the corridor, and staff base and work rooms are split to provide a greater variety of areas. The hall support areas including the kitchen and plant will be located adjacent to the Trundley's Road boundary to enable direct servicing from the road.
- 3.5 The proposed building will have a gross floor area of 2220.10 square metres and a maximum height of 7.9m, with the assembly/sports hall being single level design with a height of 5.7m. The kitchen area is single storey allowing the roof to be lowered and rooftop planting on top.
- 3.6 The proposed building will be clad with an off-white render finish for the upper floor, and light brown patterned brick for the ground floor and assembly/sports hall. The roof will be single ply roof membrane. Windows are proposed to be composite aluminium with powder coated grey finish. Window reveals and cavity

closures are polyester powder coated colours gradient from blue to green to yellow. Louvres are proposed to be integrated into windows of each classroom with their colour to match the frames. Doors will also be aluminium with internal framing members / external capping finished in standard RAL powder coated colour.

- 3.7 Boundary treatment will consist of retention of the existing brick wall and metal palisade fencing, and new metal mesh fencing to the proposed entrance court. Bespoke timber fencing is proposed for the courtyard fronting Grinstead Road.
- 3.8 The outdoor area will consist of a new tarmac hard games court, rubberised surfaces, and grassed areas (both seeded and artificial). Proposed external lighting will be surface mounted clear plastic luminaires to walls.
- 3.9 Entry into the school site and building for pupils, teachers, and visitors will be off Scawen Road. Access for delivery and servicing vehicles will be from Trundley's Road, with a dedicated kitchen access located on Trundley's Road. Refuse collection at the new school will continue to be serviced from the existing gated access on Trundley's Road.

Supporting Documents

- 3.10 Design & Access Report (prepared by LSI Architects LLP)
- 3.10.1 This document provides a comprehensive description of the site, outlines the site conditions that have influenced the scheme, sets out to describe the design principles behind the proposed development and explains the rationale for the scheme. The document covers site context, opportunities, design principles, connectivity, layout, scale, appearance, access, landscape and sustainability.

The remaining documents provided as part of the application form appendices to the Design and Access report.

- 3.11 Air Quality Assessment (prepared by Resource and Environmental Consultants Limited)

An Air Quality Assessment was undertaken to determine baseline conditions, consider site suitability for the proposed end-use and identify suitable mitigation measures as required.

Dispersion modelling was undertaken in order to predict pollutant concentrations across the proposed development site as a result of emissions from the local highway network. The results indicated relatively high levels of pollutant concentrations over the ground floor however concentrations were considered acceptable at the first floor. As such, appropriate mitigation such as high specification of window tightness has been included within the development proposals.

In summary, based on the assessment results, air quality issues are not considered a constraint to planning consent for the proposed development, subject to the inclusion of relevant mitigation measures.

3.12 Preliminary Ecological Appraisal (prepared by Mott MacDonald)

This report provides an initial assessment of the ecological importance of the habitats in the areas relevant to the redevelopment of the school, and the potential for these areas to support protected ecological features and species. The report identifies and assesses the nature conservation value of the habitats and species near and adjacent to the school, and provides recommendations on mitigation and compensation measures and, as appropriate, for more detailed ecological investigations.

The report concludes that Sir Francis Drake Primary School is deemed to have suitable habitats to support species of breeding birds but potential to support other protected species is negligible.

The report recommends that any vegetation clearance or building demolition on site should be conducted outside of the breeding bird season (between March and August). If such works cannot avoid the breeding bird season, it is recommended that a nesting bird check is conducted on site 24 hours prior to any works being undertaken. If an occupied nest is discovered, it must be left undisturbed until the chicks have fledged the nest and an ecologist has confirmed that the nest is no longer in use.

3.13 Construction Method Statement (prepared by Kier Group)

The Construction Method Statement details the construction proposals for the redevelopment of Sir Francis Drake Primary School. Condition surveys of the existing school conclude the buildings are in a poor state of repair and are expensive to maintain.

The Construction Method Statement sets out logistics with regard to organisation of the site, such as site management, site hours, site establishment, fire procedures, notification of neighbours in relation to specific works, advance notification of road closures, pavement stopping-up, movement and hoisting of materials, delivery and storage, waste disposal, scaffolding and hoardings. It also sets out the scope of works and methodologies for demolition and construction, including risk and resource management, as well as dust, noise and vibration mitigation measures.

3.14 Crime Prevention Report (prepared by LSI Architects LLP)

This document identifies design elements for security and crime prevention which have informed the scheme. Measures have been used such as closed circuit television (CCTV), unopenable windows facing the street, internal drainpipes to prevent climbing onto the building, anti-climb fencing, video entry to visitor and kitchen entrances, supervised pupil access, and landscape concepts to enable clear views through and around the playground areas.

3.15 Climate-Based Daylight Modelling Report (prepared by Kier Group)

The Priority School Building Programme (PSBP) output specification requires the use of Climate-Based Daylight Modelling (CBDM) to calculate the incident illuminance across the working plane of each space, during core-hours, throughout a typical year. A CBDM was undertaken in line with the Education

Funding Agency (EFA) Daylight Design Guide (Revision 2) and the Facilities Output Specification (FOS).

A range of daylight design solutions were assessed throughout this study, in order to find the most efficient, cost effective and practical solution that meets the EFA requirements, whilst providing flexible control over the visual environment. This ensures visual comfort for the occupants whilst meeting the EFA output specification targets.

A flexible internal blind solution was considered the most effective and efficient, when compared to other more architectural interventions such as light shelves, external louvres, brise soleil, etc.

The report found that overall, the proposed blinds provide a flexible and cost effective design solution, which addresses both the performance needs of the space and visual comfort of the occupants.

3.16 Energy Statement (prepared by Van Zyl & de Villiers Limited Consulting Engineers)

This report estimates the predicted carbon footprint (as defined in Approved Document Part L) and considers various options for Low and Zero Carbon (LZC) technologies for the new school building.

The feasibility study concludes that principles of enhancing the thermal envelope of the building and applying energy efficient products and techniques have been applied effectively and efficiently to achieve compliance with ADL2013 without the need for sophisticated technologies.

3.17 Flood Risk Assessment (prepared by Fluid Structural Engineers and Technical Designers Limited)

Original Flood Risk Assessment: Report dated December 2015

The original Flood Risk Assessment report initially submitted with the application sets out the potential sources of flooding, vulnerability and compatibility of the proposed development, an assessment of the flood impact, and mitigation measures.

The report concluded that, whilst the proposed development will be located within Flood Zone 3, the site and immediate surrounding area is afforded protection from local flood defences. The actual risk of fluvial flooding to the proposed development will therefore be residual in nature, being restricted to a breach of the defences, so can therefore be considered to be low.

Overall, based on the information available, this Flood Risk Assessment found that the risk of flooding to the proposed development from all other sources is considered to be low. Mitigation measures to ensure flood risk to the school and its users is kept to a minimum include recommended finished floor levels, the incorporation of flood resilient construction techniques, and the development of an appropriate emergency plan.

Updated Flood Risk Assessment: Report dated February 2016

An updated Flood Risk Assessment was provided by the applicant in response to an objection received by the Environment Agency. This updated report sets out the following (those points that differ from the original Flood Risk Assessment):

- The finished ground floor level of the new school building will be set at 2.20m AOD (Above Ordinance Datum, being the Statutory Flood Defence Level in this reach of the Thames). The external levels will be largely similar to the existing scenario in order to tie in with the new building and all boundaries.
- It is proposed to connect the foul discharge to the public combined sewer network in Scawen Road via a new connection to the existing run. This will be subject to the consent/approval of Thames Water.
- Based on the current 200 year breach flood level of 1.86m, as advised by the Environment Agency, and a proposed finished ground floor level of 2.20m AOD, the new school building would remain dry in such an event. This represents an improvement on the existing scenario. In the future climate change events, it is apparent that the new building could potentially be inundated up to a depth of 2.43m. Again, this is an improvement on the existing scenario.

The London Borough of Lewisham's Strategic Flood Risk Assessment guidance stipulates that building finished ground floor levels should be set 300mm above the breach scenario flood level. The updated Flood Risk Assessment concludes that, with a proposed finished ground floor level of 2.20m AOD, this requirement will be met in the current 200 year breach scenario.

3.18 Phase 1 and 2 Desk Study and Preliminary Investigation Report for a Proposed School Redevelopment (prepared by Geosphere Environmental Limited)

This report assesses the ground conditions at the site for use in the design and construction of the proposed development, as well as to assess the potential risk to human health and the environment.

Based upon the findings of the desk study and walkover, a number of potential contaminant sources and pathways to potential receptors have been identified.

The report makes recommendations with regard to a deep ground investigation being required if piled foundations are proposed, the undertaking of further gas monitoring visits, and the development of a Remediation Method Statement to detail the proposed remediation strategy to be submitted and approved by the Local Planning Authority.

3.19 Planning Statement (prepared by LSI Architects LLP)

This statement describes the relevant planning policies. A brief assessment of planning considerations is provided (ensuring equal life chances for all, education facilities, climate change mitigation, minimising carbon dioxide emissions, sustainable design and construction, renewable energy, green roofs, waste self-sufficiency, cycling, walking and parking, local character, and architecture).

3.20 Statement of Community Engagement (prepared by LSI Architects LLP)

This document sets out the steps the applicant has taken in engaging with the local community, and includes how the views of the community have been sought and taken into account in the formulation of the proposal.

As part of the community engagement strategy, the applicant has undertaken initial discussions with Council's planning department, and held a public consultation event. The Statement of Community Engagement sets out the responses received, and how the comments have been incorporated into the planning application. It also includes a petition submitted against proposals relating to the new build of Sir Francis Drake Primary School, and the applicant's response to the letter accompanying the petition.

Section 4.0 below further details the consultation carried out by the applicant prior to submission of the planning application.

3.21 Transport Statement (prepared by Vectos)

The Transport Statement reviews the current and proposed sustainable travel options available for staff and pupils, and considers the potential transport effects of the increases in pupil and staff numbers.

The Transport Statement concludes that the forecast additional trips resulting from the enlarged Sir Francis Drake Primary School are not anticipated to be detrimental to the safety or operation of the local highway network, and that all additional parking requirements can be easily catered for on-street. The Transport Statement considers that Council infrastructure improvements for walking, cycling and scooting will mitigate the forecast increases, and as such the new school is unlikely to result in a significant increase on individual public transport services.

3.22 School Travel Plan (prepared by Vectos)

The Travel Plan seeks to put in place the management tools that are necessary to enable teachers, administration staff, parents, and school children to make informed decisions regarding their travel to the site and to encourage the use of sustainable modes. This will serve to minimise the adverse impacts of their travel to/from the school.

The Travel Plan describes the accessibility of the site by all modes, existing travel patterns, objectives and targets to be achieved, measures and initiatives, a Travel Plan Strategy for the management, development, monitoring and review of the Travel Plan, and an action plan.

3.23 Site Waste Management Strategy (no author)

The Site Waste Management Strategy sets out that a Site Waste Management Plan will be developed during the pre-commencement period. Initiatives will include a system of centralised rubbish skips to be removed from site on a regular basis, meeting BREEAM requirements, and implementation of waste reduction practices and procedures to maximise the segregation of construction waste.

4.0 Consultation

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

Pre-Application Consultation

4.2 The applicant engaged in discussions with local residents prior to the submission of this application. A public exhibition was held on the 18th February 2015. Details of the exhibition are provided in the applicants Statement of Community Involvement.

4.3 In addition the applicant's team had pre-application discussions with Council officers.

Council Consultation

4.4 Various site notices were displayed in the vicinity of the site on 13th January 2016, and a public notice placed in the local newspaper on 13th January 2016.

4.5 Letters were sent to 867 residents and business in the surrounding area and the relevant ward Councillors. Letters to residents and businesses included an invite to a drop-in session arranged for 19th January 2016.

4.6 Internal consultees included Council's Environmental Protection, Highways, Environmental Sustainability, Children and Young People, and Legal Services departments, and Ecological Regeneration Manager.

4.7 External consultees included the Environment Agency, Thames Water, Network Rail, Transport for London, and Lewisham's Met Police Design Out Crime Officer.

4.8 In accordance with the Council's Statement of Community Involvement, a drop-in session was held on 19th January 2016 at Sir Francis Drake Primary School. The event was arranged in order for members of the public to view the planning application drawings and to ask both the applicant's team and Lewisham planning officers questions about the proposals.

Written Responses received from Local Residents and Organisations

4.9 At the time of writing this report, 4 letters of objection / comments had been received from members of the local community residing at Flat 154 Inwen Court, 53 Crooke Road, 55 Alloa Road, and 25 Bence House, Rainsborough Avenue. The following points were raised:

- No concern raised with the principle of redevelopment of the site.
- Local authority should input some Section 106 contributions to provide better quality development and thus longevity.

- Inadequate sports and recreational space and an unused / unusable roof space; proposal should provide an extra rooftop play space, and an additional sports hall.
- Inadequate toilet facilities that will be impossible to safely maintain to appropriate hygiene standards; an increased ratio of toilets should be provided.
- Inadequate intervention space to support children with special education needs and disability; larger classroom sizes should be provided.
- Dispute that there are always large numbers of available parking spaces in the vicinity of the site, as stated in the Transport Statement.
- Application does not take account of any future proofing; specifically, the development at Neptune Wharf will bring significant parking to the area, given the number of parking spaces allocated for the planned housing which does not include shopping traffic.
- Concern that existing traffic and parking congestion issues will be worsened when the volume increases.
- Comment that roads and pedestrian access routes around the school are hazardous, particularly the rail tunnel area linking the school to Surrey Canal Road – effective transport plans should be in place so that the route to and from the school, given increased traffic, is made safer and diverts foot traffic around the accident black spot under the rail arches.
- Concern raised with regard to timing of construction of Sir Francis Drake Primary School and the Neptune Wharf site, the volume of construction traffic, and the impact on the local roads and safety of children. The volume of workmen on the Neptune Wharf site will increase the demands on the parking within the area.
- Comment that energy from the South East London Combined Heat and Power network should be diverted so that the school benefits from local heating and can benefit longer term from efficiency savings.

Written Responses received from Statutory Agencies

4.10 Comments were received from the following Statutory Agencies as part of the consultation process:

- The Environment Agency
- Metropolitan Police Service: Designing Out Crime Officer
- Transport for London
- Network Rail

4.11 *The Environment Agency*

The Environment Agency objected to the proposal on the grounds that the original Flood Risk Assessment (FRA) was inadequate. Concerns were raised with respect to groundwater protection and contaminated land. Reasons for objecting were as follows:

- The submitted FRA does not include modelled flood levels for the site in the event of a breach in the Thames tidal defences, nor does it provide proposed finished floor levels for the development, merely indicating that they will be no lower than existing.
- An FRA should make a comparison of the modelled flood level with ground floor finished floor levels to indicate the potential depth of inundation at the site. The FRA therefore fails to properly assess the risk posed to future occupants of the proposed school and consequently the Environment Agency are unable to confirm whether the mitigation measures it proposes to minimise the impact of flooding are appropriate.

Since the objection was received from the Environment Agency, the applicant has provided an updated FRA to address the matters raised. The Environment Agency has reviewed the updated FRA and on this basis has removed their previous objection.

Further comments were made, and planning conditions recommended as follows:

- Flood risk management –
 - That ground floor finished floor levels be set above the minimum 300mm above the 1 in 200 year breach level plus climate change, in line with Table 7.4.4 of Lewisham’s Strategic FRA, to minimise flood risk.
 - That consideration be given to the use of flood resistant and resilient measures such as barriers on doors, windows and access points at the ground floor level and routing electrical services from a higher level downwards so that plug sockets are located above possible flood levels.
 - That the applicant consult with the Council’s building control department when determining whether particular flood resistant and resilient measures are appropriate and effective.
 - That the applicant prepares a flood evacuation plan for all site users showing access to the first floor as a safe haven, for approval by the Council’s emergency planning department.
 - That the applicant consult with the Council’s drainage team for advice on managing the surface water drainage for this proposal.
 - That the applicant registers with the Environment Agency’s ‘FloodLine’ service.
- Groundwater protection and contaminated land
 - That a remediation strategy be submitted, approved, and implemented should any contamination not previously identified be identified during development.
 - That no infiltration of surface water drainage into the ground is permitted.
 - That piling or any other foundation designs using penetrative methods shall not be permitted.
 - That handling, transport, treatment and disposal of contaminated soil or materials are subject to waste management legislation.
 - That developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British standards.

- That hazardous waste with a total quantity of 500kg or greater in any 12 month period is produced or taken off the site, the developer will need to register with the Environment Agency as a hazardous waste producer.

The abovementioned recommendations can be imposed by way of planning conditions and/or informatives.

4.12 *Metropolitan Police Service: Designing Out Crime Officer*

The Designing Out Crime Officer for the Metropolitan Police Service does not object to the proposal. The following was noted, however:

- Should the application proceed, it should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design New Schools 2014 and close liaison with the South East Designing Out Crime Officer. Recommended that a 'Secured by Design' condition be attached to any permission granted in connection with this application, and that the wording is such that the development will follow the principles and physical security requirements of Secured by Design.
- The provision of certified products to meet physical security requirements – request that the benefits of certified products be pointed out to the applicant.

4.13 *Transport for London*

Transport for London (TfL) does not object to the proposal. It was noted however, that TfL will support the proposal if the following points are addressed in an appropriate manner:

- The proposal massively increases the provision of cycle parking from 10 spaces to 70 spaces. Therefore staff and older pupils are encouraged to cycle to school as a regular travel habit.
- TfL supports the car-free development and appreciates that the Transport Assessment includes a parking survey which identifies the provision of a disabled parking bay. Given there is no Blue Badge parking proposed, it would be useful to clarify the arrangement and drop-off/pick-up points in the Travel Plan.
- TfL has no comment on the arrangement of construction as the Council is the highway authority of Scawen Road. It is recommended to check with the Council's Highways Officer to ensure that the construction arrangement is acceptable from the borough's point of view.

4.14 *Network Rail*

Network Rail has not objected to the proposal, but note the following:

- Given the proposed use of a mobile crane and its position as per the Construction Method Statement, no interface/risk to Network Rail assets is envisaged.

4.15 No response was received from the following Statutory Agencies that were consulted:

- Thames Water

Highways and Transportation

4.16 The Council's Highways Officer has no objections to the proposal, however has made the following comments:

- The Transport Statement provided with the application states that it is not necessary to implement a Delivery Servicing Plan due to there likely being no increase in the number of servicing trips associated with the increase in pupil and staff numbers. However it is not clear where exactly along Trundley's Road the loading / delivery will take place. To ensure delivery and servicing is undertaken in a safe location, the loading / delivery bay should be formalised. A Delivery and Servicing Plan is required to demonstrate that loading in the location proposed can be undertaken in a safe manner for both pedestrians and traffic.
- A safety audit is also be required to assess the suitability of the loading / servicing / delivery facilities.
- It would be appropriate for the Travel Plan submitted as part of the application to be reviewed within 6 months of the school intake reaching full capacity (420 pupils).
- The Construction Method Statement was submitted prior to on-site discussions between the applicant's team and Council's Highways department. Therefore the Construction Method Statement needs to be updated to reflect and secure those discussions.
- The proposed development would benefit from improvement works in the surrounding road network. Specifically, the applicant will need to secure the implementation of the following works to the highway, in accordance with a scheme and programme to be submitted to the local planning authority within one (1) month of the date of the planning permission and agreed with the Highways Authority:
 - Improve the management of parking controls on Scawen Road through the provision of yellow lines, school zig-zags and guard railing.
 - Works are also required to provide improved pedestrian crossing facilities on Scawen Road linking the school to Deptford Park and to the south-east of the site on Grinstead Road.
 - The approved works will be implemented and completed in full accordance with the agreed scheme.

School Property Officer, Children and Young People

4.17 The school's property officer in the Council's Estate Management division of the Children and Young People (CYP) department has raised the following matters:

- The proposal of closing off some pavements around the grounds on Grinstead and Trundley's Roads would have a direct impact on pedestrian

access on a busy road. Concerns were raised about what arrangements might be needed to ensure that children cross these roads where it is safe rather than where it is convenient for them to reach the school.

- The contractor's proposed site boundary within the school appears to be placed against the existing building within the school which is expected to continue as normal without any external play space. The positioning of the hoarding will block out natural light into the classrooms on this elevation but it may affect their ability to open windows.
- The Council's Fire Consultant has raised concerns about fire evacuation routes which will be affected by the positioning of the hoardings. CYP would like to be involved with the Health and Safety Plan and Fire Safety Plan to ensure that pupils remain in a safe building. Internal fire safety requirements regarding fire compartmentation and fire door locations should also be discussed.

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 National Planning Policy Framework (NPPF) does not change the legal status of the development plan.

National Planning Policy Framework

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

The London Plan policies relevant to this application are:

Policy 1.1 Delivering the strategic vision and objectives for London
Policy 2.1 London in its global, European and United Kingdom context
Policy 2.2 London and the wider metropolitan area
Policy 2.3 Growth areas and coordination corridors
Policy 2.9 Inner London
Policy 2.13 Opportunity areas and intensification areas
Policy 2.14 Areas for regeneration
Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.16 Protection and enhancement of social infrastructure
Policy 3.18 Education facilities
Policy 4.1 Developing London's economy
Policy 4.12 Improving opportunities for all
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.12 Road network capacity
Policy 6.13 Parking
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime

Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Sustainable Design and Construction (2006)

London Plan Best Practice Guidance

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

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

Core Strategy

5.7 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 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 15 High quality design for Lewisham

Core Strategy Policy 20 Delivering educational achievements, healthcare provision and promoting healthy lifestyles

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 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 30	Urban design and local character
DM Policy 35	Public realm
DM Policy 42	Nurseries and childcare

6.0 Planning Considerations

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

- a) Principle of development
- b) Layout, Scale and Design
- c) Quality of School Accommodation
- b) Air Quality
- c) Ecology and Landscaping
- d) Designing Out Crime
- e) Daylight Modelling
- f) Sustainability and Energy
- g) Flood Risk
- h) Land Contamination
- i) Highways and Traffic Issues – transport statement, travel plan, construction.
- j) Construction Management
- k) Waste Management
- l) Residential Amenity / Impact on Neighbouring Properties

Principle of Development

6.2 The site is already in use as a primary school and therefore, in principle its continued use for this purpose is considered acceptable. In terms of the increased intensity of this use, the following planning policies are relevant.

6.3 Paragraph 72 of the National Planning Policy Framework advises that *“The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should: give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted.”*

6.4 Policy 3.18 of the London Plan states that from a strategic perspective the ‘*Mayor will support provision of early years, primary and secondary school and further and higher education facilities adequate to meet the demands of a growing and changing population to enable greater education choice*’. Development proposals which ‘*enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Those which address the current and projected shortage of primary school places and the projected shortage of secondary school places will be particularly encouraged.*’

6.5 Core Strategy Policy 20 supports the improvement of schools within the borough.

6.6 The proposals would increase capacity at the school from 210 pupils to 420 pupils, as well as delivering a significant improvement in the standard of educational facilities at the school.

- 6.7 On the basis of the above policy guidance, it is considered that, subject to matters of design, highways, impact on neighbouring occupiers, trees, ecology, landscape and sustainability being satisfactory, the principle of development is acceptable. These matters are described and assessed below.

Layout, Scale and Design

- 6.8 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.
- 6.9 The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- 6.10 London Plan and Core Strategy design policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design, whilst the Development Management Local Plan, most specifically DM Policy 30, seek to apply these principles. DM Policy 30 Urban design and local character states that the Council will require all development proposals to attain a high standard of design.
- 6.11 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure the highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character. Therefore Council sets a high standard of design within the Borough.
- 6.12 Regard will therefore be given to the impact of the proposal upon the character and appearance of the surrounding streetscene.

Layout

- 6.13 The location of the school hall plays a key role in the school's functionality given its multi-functional use as an assembly and sports hall for all age groups. The layout of the development is such that the school accommodation wraps around the hall to provide a direct relationship with the communal space. The location of the hall will shield the teaching spaces from disturbance created by noise from the elevated railway line to the south-west of the site. In doing so, this will allow the teaching spaces to maximise views towards the school playground and Deptford Park to the east.
- 6.14 The courtyard is centrally located creating a 'heart space' within the development. Doors from the building which surrounds three sides of the courtyard will open out to the courtyard at ground floor level, with windows at first floor level looking over this space. This will ensure that the hall as well as teaching spaces connect with

the courtyard to enable interaction between these spaces, creating a strong relationship between the hall and courtyard.

- 6.15 The ground floor classrooms will have direct access to the outside play area, and the stairs from upper floor classrooms will lead directly to the playground. Infants will have direct access to dedicated toilet facilities from outside. The internal access configuration will enable legible access around the school for both pupils and staff.
- 6.16 Pedestrian access into the school itself will be via two separate entry points – one for pupils and one for visitors. The visitor entrance will have access control through video entry and door release from reception along with an unobstructed view over the entrance court. This access arrangement will enable greater control and surveillance.
- 6.17 The proposed building will be located close to the site's boundary with Trundley's and Grinstead Roads. Along Scawen Road, the building will be set back by approximately 6.5 metres, with a canopy extending 3m from the building. Whilst the line of the proposed building is forward of the terraced housing along Trundley's Road, an adequate separation distance is provided between the proposed development and neighbouring properties on all sides, with active frontages provided in relation to Grinstead and Scawen Road. The frontage to Trundley's Road does not have an active frontage, however this is not dissimilar to the existing situation whereby this side of the site is not actively used other than for service vehicles.
- 6.18 Overall, the proposed development will provide a sense of place and will contribute to developing a healthy community. The proposed layout responds specifically to the site, the context of the surrounding area, the local character and history.

Scale and Design

- 6.19 The proposed building, with a height between 5.7m and 7.9m, is of a scale considered appropriate in the context of established Victorian dwellings and emerging context adjacent to the Grinstead Road development (the Neptune Wharf site), and as such will not cause a detrimental impact on the appearance of the surrounding streetscene.
- 6.20 The ground floor specialist rooms facing the central courtyard will have full height curtain walling to give views across the site, and to maximise natural daylight to these areas. First floor windows are minimised to reduce the acoustic impact of the raised railway on the internal spaces.
- 6.21 The building is formed from two primary materials: Brick work at ground floor with render on the first. The ground floor brick work is considered an acceptable response architecturally and is a robust material.
- 6.22 The rendered first floor elevations are unobjectionable in this instance and interest would be provided by deep-set coloured window reveals which would act as a distinctive feature, changing colour around the building from yellow, to a range of blues and greens. The colours will also act as an internal way-finding measure, for example green at the entrance, and blue and yellow for the two internal corridors will help pupils, staff and visitors navigate around the building and would

animate the façades. In this instance the discrete use of bright colours is supported.

- 6.23 The corner hall block is full height brickwork to further define it as a separate element and reduce the scale of the proposed school as a whole. The brickwork will be patterned, and combined with the gradient effect of colours will generate visual interest. The textural effect will also break up the mass of the building. Given the otherwise blank façade to Trundley's Road, this is considered to provide design interest that would enhance the appearance of the development in this location.
- 6.24 To ensure the local planning authority can be satisfied as to the final finish of the external appearance of the building in accordance with the relevant planning policies, it is considered appropriate to require a detailed schedule and sample for approval (including erection of a sample panel of bricks on site) of all external materials and finishes, windows and external doors to be used. A condition can be imposed in this regard.
- 6.25 A bespoke 3m high timber fence is proposed to the courtyard area along Grinstead Road. This will provide privacy whilst also breaking up the façade of the development.
- 6.26 No advertisement consent has been applied for as part of the application. It is anticipated that some form of signage will be required to identify the school. Any such signage will be subject to obtaining an advertisement consent to display an advertisement bigger than 0.3 square metres (or any size if illuminated). An informative can be included to this effect on any planning permission granted.
- 6.27 Given the above, the proposed layout, scale and design of the development is considered to respond appropriately to the local context of established Victorian dwellings and emerging context adjacent to the Grinstead Road development, and with its design features will enhance the character of this area. The proposal is therefore not contrary to DM Policy 30 and Core Strategy Policy 15 which seeks to retain a high standard of design quality in the Borough.

Quality of School Accommodation

- 6.28 The Department of Education sets out guidelines for minimum classroom sizes and dimensions, ventilation and air quality requirements, lighting, fire safety, and designing effective school grounds.
- 6.29 The internal layout of the building has been designed in accordance with these guidelines, and the classrooms are increased in size from that which presently exist.
- 6.30 The school grounds will be effective as its design is informed by the creation of outdoor play spaces that contribute to children's fundamental need for exercise, social interaction, adventure, and sense of fun. Its layout has been discussed in detail previously in this report, and it is considered that the quality of this space is appropriate for the needs of the expanded school.
- 6.31 Ventilation, air quality requirements and lighting matters are discussed later in this report. Fire safety is not a planning matter.

- 6.32 The application sets out that an acoustic report was commissioned to assess the proposed building's acoustic performance, and that the report found that the proposed build was compliant and would achieve the current modern day acoustic requirements for learning environments.

Air Quality

- 6.33 London Plan Policy 5.3 (*Sustainable Design and Construction*) seeks to ensure developments improve environmental performance and adapt to the effects of climate change over their lifetime by minimising pollution and improving air quality through the minimisation of increased exposure to existing poor air quality areas.
- 6.34 Development Management Local Plan DM Policy 23 (*Air Quality*) requires consideration of potential impacts of pollution, including appropriate mitigation measures that would reduce exposure to acceptable levels.
- 6.35 The application site is located within an area identified as experiencing elevated pollutant concentrations. Specifically, the development is located within the London Borough of Lewisham's Air Quality Management Area 1, which has been declared due to exceedances of the annual mean Air Quality Objectives (AQO) for nitrogen dioxide (NO₂) and particulate matter with an aerodynamic diameter of less than 10µm (PM₁₀). As such, there is potential for future users to be exposed to high pollution levels at the site.
- 6.36 The Air Quality Assessment provided as part of the application included dispersion modelling in order to predict pollutant concentrations across the proposed development site as a result of emissions from the local highway network. Concentrations of NO₂ and PM₁₀ were predicted at various floor heights across the development, however elevated annual mean NO₂ concentrations were indicated at ground floor level only. There were no predicted exceedances of the annual mean AQO for PM₁₀ at any location across the development site.
- 6.37 The Air Quality Assessment considered that the proposed development includes a high specification of window tightness and as such, will ensure a supply of clean air for future users. It will also provide freedom of choice over whether natural ventilation is preferable during certain periods. This is considered suitable mitigation for a development of this size and nature to reduce exposure to both NO₂ and PM₁₀ pollutants. The assessment also notes that the key to reducing exposure using this method is to ensure site users are informed over the potential impacts associated with the prolonged exposure to elevated pollution levels. It is suggested that the school be provided with a welcome pack containing air quality information which will allow them to follow appropriate advice on protection against high concentrations during certain periods.
- 6.38 Based on the Air Quality Assessment results, air quality issues are not considered a constraint to the proposed development, subject to the inclusion of relevant mitigation measures as set out above. Mitigation measures can be imposed by way of condition, should the proposed scheme be approved. The proposed development is therefore aligned with London Plan Policy 5.3 and Development Management Local Plan DM Policy 23 in relation to air quality and sustainable design and construction.
- 6.39 No objections were raised by Council's Environmental Protection department with regard to air quality matters.

Ecology

- 6.40 DM Policy 24 (*Biodiversity, living roofs and artificial playing pitches*) sets out that the Council will require all new development to take full account of biodiversity and geodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity and geodiversity.
- 6.41 The Preliminary Ecological Appraisal identifies the nature conservation values of the site, and assesses the ecological importance of the habitats in the areas relevant to the redevelopment of the school and the potential for these areas to support protected ecological features and species. The appraisal included a desk study and site walkover by a suitably experienced ecologist.
- 6.42 The desk study identified two statutory designated sites, and 36 non-statutory designation sites. A large number of records of bird species were found, such as fieldfare, house sparrow, peregrine falcon, and firecrest. Also found were four species of bat, hedgehogs, two species of reptile, invertebrate species, 15 invasive plant species, and two invasive faunal species. A range of habitat types such as amenity grassland and planted shrubs were also recorded.
- 6.43 The site walkover discovered disused bird nests (though no birds were encountered), butterfly-bush (an invasive species) growing from a cement-rendered shed, and cotoneaster planted within some areas of introduced shrubs. Mixed coniferous and broad-leaved scattered trees were identified, as well as three narrow strips of amenity grassland. Introduced shrubs were considered to make up the majority of the vegetation growing within the site, and small plant pots and ornamental hanging baskets were scattered around the school grounds. No definitive evidence of bats, badgers, hedgehogs, reptiles, amphibians, or invertebrate species were evidenced on site.
- 6.44 The preliminary ecological appraisal concluded that the application site is deemed to have suitable habitats to support species of breeding birds, but potential to support other protected species is negligible.
- 6.45 Recommended mitigation measures include undertaking vegetation clearance or building demolition outside of breeding bird season (between March and August). If such works cannot avoid the breeding bird season, it is recommended that a nesting bird check is conducted no site 24 hours prior to any works being undertaken. If an occupied nest is discovered, it must be left undisturbed until the chicks have fledged the nest and an ecologist has confirmed that the nest is no longer in use.
- 6.46 Based on the findings of the preliminary ecological appraisal, the proposed development is able to be carried out in a way that any impacts on biodiversity will be minimised, and will therefore be aligned with DM Policy 24. Mitigation measures can be imposed by way of condition, should the proposed scheme be approved.

Landscaping

- 6.47 The proposed development involves the retention of some trees on the property, but will largely seek to remove and replace existing trees. Specifically, in the vicinity of the proposed courtyard is a group of trees that will need to be removed to enable the construction of the building. Two further trees at the rear of the

proposed building will also be removed. All other trees at the rear of the property are proposed to be retained.

- 6.48 The Council's Tree Officer has reviewed the proposal and undertaken a site visit, and has advised that there are no trees on the property worthy of retention, and that the applicant should seek to replace these trees with appropriate species. More specifically, the Tree Officer considers that the trees that are proposed to be replanted in the courtyard area should be replanted as a large tree pit. The trees should have a maintenance schedule for 3-5 years, and the trees should be of container raised root-ball. Furthermore, the tree should be of container raised stock, with a well formed root ball with fibrous root system to enable access after building is complete. The trees must be planted in accordance with British Standard BS 8545:2014. These recommendations are accepted, and it is considered that appropriate conditions can be imposed to reflect these requirements.
- 6.49 A hard games court is proposed at the rear of the property, with artificial and planted grass areas on either side of the court. A soft rubber surface is also proposed for younger pupils near the building. A science garden to the north of the site can be accessed from either side of the hard games court and offers an area of quiet play for all years. The different zones will contain ground markings aimed at different age groups.
- 6.50 Existing play equipment will be reused and located to define separate areas within the new playground.
- 6.51 The boundary treatment along Scawen Road and Trundley's Road will largely stay the same with the existing metal fencing and brick boundary walls being retained where possible. A new 2m high anti-climb metal mesh fence will define the new proposed visitor entrance.
- 6.52 A bespoke 3m high timber fence is proposed to the courtyard area along Grinstead Road. This will provide privacy whilst also breaking up the façade of the development.
- 6.53 Overall, the proposed landscaping with replacement specimen planting will provide an appropriate school setting, and will enhance the built form of development.

Designing Out Crime

- 6.54 The NPPF clearly states in Paragraph 58 that local and neighbourhood policy should 'create safe and accessible environments where the fear of crime does not undermine the quality of life or community cohesion'.
- 6.55 London Plan Policy 7.3 (*Designing out crime*) seeks to create safe, secure and appropriately accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion by reducing the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating.
- 6.56 The Crime Prevention Report provided as part of the application sets out that the proposed development has been designed with Secure by Design standards in mind.

- 6.57 In terms of planning matters, the proposed scheme has been informed by security and crime prevention measures such as unopenable windows that face directly onto the street, internal drainpipes to prevent climbing onto the building, secure boundary treatment around the site, and clear and visible pathways through and around the playground areas.
- 6.58 The above design elements will ensure a safe, secure and appropriately accessible environment is created, whilst also contributing to a sense of security without being intimidating for future users.
- 6.59 The Designing Out Crime Officer for the Metropolitan Police Service provided comment in relation to the proposal, considering that the proposal should be able to achieve the security requirements of Secured by Design. It is felt that the adoption of Secured by Design New Schools 2014 standards will help to reduce the opportunity for crime, creating a safer, more secure and sustainable environment. It is requested that a 'Secured by Design' condition be attached to any planning permission granted, and that the benefits of certified products to meet physical security requirements be pointed out to the applicant.
- 6.60 In summary, it is considered that, in following the principles and physical security requirements of Secured by Design, the proposed development will be able to achieve a safe, secure and appropriately accessible environment. Such measures can be imposed by way of condition, should the proposed scheme be approved. An informative can be added to advise the applicant of the benefits of certified products. The proposed development therefore aligns with the NPPF and London Plan Policy 7.3.

Daylight Modelling

- 6.61 The Priority School Building Programme (PSBP) sets out that good quality daylight within the learning environment is essential. A baseline design for daylight strategy aims to ensure sufficient levels of balanced glare-free light to all teaching spaces.
- 6.62 The PSBP output specification requires the use of Climate-Based Daylight Modelling (CBDM) to calculate the incident illuminance across the working plane of each space, during core-hours, throughout a typical year. The PSBP output specification focuses on two key metrics; Daylight Autonomy and Useful Daylight Illuminance (UDI, a minimum daylight criteria as defined by the EFA) which must be provided in at least 80% of the teaching and learning spaces.
- 6.63 The CBDM undertaken for Sir Francis Drake Primary School assessed a range of daylight design solutions in order to find the most efficient, cost effective and practical solution that meets the EFA requirements, whilst providing flexible control over the visual environment. The modelling was undertaken using DAYSIM – a validated RADIANCE-based daylight analysis software package that models the annual amount of daylight in and around buildings.
- 6.64 In order to comply with DA and UDI criteria, rooms must achieve:
- a) DA: a minimum of 50% for more than 50% of the working plane, for the target illumination (typically 300 lux in teaching spaces), for the hours of operation from 8.30am to 4.00pm.

b) UDI: $UDI_{(100 \text{ Lux} \sim 3000 \text{ Lux})}$ for an average of 80% of the time over the working plane within a space (i.e. the level of Illuminance provided below 100 Lux and above 3000 Lux will occur for no more than 20% of the time).

6.65 The CBDM results show that the Daylight Autonomy and Useful Daylight Illuminance can be achieved or exceeded providing a compliant scheme. Analysis of the Area Data Sheets has highlighted 18 teaching and learning spaces which have a requirement for daylight.

6.66 The analysis of the results confirms that 16 teaching and learning spaces currently meet or exceed the minimum requirements. The hall and adjoining studio will not meet the minimum requirements as follows:

- Hall: DA of 21.8%, UDI of 53.9%
- Studio: DA of 0.0%, UDI of 57.5%

6.67 Given the results set out above, 88.9% of teaching and learning spaces comply with the EFA requirements.

6.68 Based on the findings of the CBDM report, overall the proposed blinds provide a flexible and cost effective design solution, which addresses both the performance needs of the space and visual comfort of the occupants.

6.69 In summary, with the proposed mitigation measures, the proposed development is able to ensure sufficient levels of balanced glare-free light to all teaching spaces is provided, thereby complying with the requirements of the Education Funding Agency's Priority School Building Programme.

Sustainability and Energy

6.70 London Plan 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

6.71 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. The London Plan suggests a 35% reduction in carbon emissions through the use of renewable energy technologies for major developments unless it can be demonstrated that such provisions is not feasible. Core Strategy Policy 8 requires all new non-residential buildings to achieve a BREEAM rating of 'Excellent'. All new development should address climate change and reduce carbon emissions.

6.72 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.

- 6.73 The Energy Statement provided as part of the application considered the feasibility of a wide range of Low and Zero Carbon (LZC) technologies for the new school building.
- 6.74 Energy efficient design measures have been adopted to enhance the fabric of the building by specifying building components with low U-values, avoiding thermal bridging and making the building airtight. Measures include limiting the heat loss through walls, floor, roof, windows, doors; day lighting; natural ventilation; shading in summer; thermal heating in winter; and reducing air permeability.
- 6.75 Energy saving products and techniques are also recommended to be incorporated into the base design to achieve reductions in CO₂ emissions. Measures include dimming controls linked to daylight sensors, local light switching, movement and absence sensors, low energy lighting, variable speed drives on air handling plant and pumps, heat recovery mechanical ventilation, low specific fan power, metering for energy management, and heating controls to optimise plant efficiency.
- 6.76 In terms of other energy efficiency measures, the report finds that:
- The school's anticipated heat demand is insufficient to make a connection to the South East London Combined Heat and Power (SELCHP) network economically viable. This has been confirmed by Veolia, the operator of the SELCHP scheme.
 - Liquid biomass Combined Heat and Power (CHP) did not prove to be financially feasible due to limited suppliers and relative expense when compared to other LZC technologies.
 - Gas fired CHP would need to be coupled with another technology to meet a 35% reduction in carbon emissions, and is therefore not an efficient solution.
 - Gas Absorption Heat Pumps (GAHP) would need to be coupled with another technology to meet a 35% reduction in carbon emissions, and the capacity of GAHP available in the market is limited requiring multiple units to be installed to deliver the required output.
 - Although the installation of PV panels is technically feasible, capital funding constraints prevents these from being installed at this stage. It is recommended that the roof is designed to allow the future installation of PV panels should funding become available.
- 6.77 The energy strategy adopts a primarily passive approach by investing in enhancing the thermal envelope of the building and applying energy efficient products and techniques. Through building design, the applicant is seeking to reduce the reliance on technology to meet sustainability principles. Such mitigation measures can be imposed by way of condition, should planning permission be granted.
- 6.78 The submitted Energy Statement states that the proposed development will aim to achieve a BREEAM rating of 'Very Good' through the adoption of the measures set out above.

6.79 The London Plan uses ADL2013 to define the carbon footprint of developments. The emission rates for the proposed build in comparison to the requirements of the ADL2013 standards are summarised in the table below.

Summary Table	Energy		CO ₂ Emissions		% Improvement
	kWh/yr	kWh/yr/m ²	kg/yr	kg/yr/m ²	
Target Emission Rate (ADL2013)	94,214	44.96	28,949	13.8	-
Proposed Building Emission Rate (ADL2013) + Energy Efficiency Measures	97,433	46.49	27,918	13.3	3.6%

6.80 Whilst the proposed development would not achieve a 35% reduction on Building Regulations 2013, it is considered that all reasonable efforts have been employed, given the financial constraints of the PBSP programme, and overall the proposed 'Very Good' BREEAM score is acceptable given the wider public benefits that the scheme would provide.

6.81 An objection received from a local community member raises that energy from the SELCHP should be diverted so that the school benefits from local heating and can benefit longer term from efficiency savings. The applicant's energy consultant made an application to the SELCHP District Heating network operator, Veolia, for connection to the district heating network. Veolia has confirmed that the predicted heat load for the development is insufficient to justify the extension of the SELCHP network to supply the proposed development, as it would not be economically viable at this time. The applicant's approach to energy efficiency is considered appropriate for the proposed scheme. It is noted that Veolia has indicated that there may be opportunity in the future for the SELCHP to be extended to key development sites.

6.82 Overall, the measures adopted in the design of the proposed development will result in a scheme that, whilst not directly aligned, is not contrary to the relevant planning policies relating to sustainable design and construction and energy efficiency.

Flood Risk

6.83 London Plan Policy 5.12 (*Flood risk management*) sets out that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and associated technical guidance on flood risk over the lifetime of the development.

6.84 Core Strategy Policy 10 (*Managing and reducing the risk of flooding*) sets out that applicants will need to demonstrate that their proposal will deliver a positive reduction in flood risk to the borough. This will need to be reflected through the inclusion of a positive statement within a detailed Flood Risk Assessment (FRA) for the site that clearly and concisely summarises how this reduction in flood risk will be delivered.

- 6.85 The application site is located within Flood Zones 2 and 3. The FRA submitted as part of the application sets out the potential sources of flooding, vulnerability and compatibility of the proposed development, an assessment of the flood impact, and mitigation measures.
- 6.86 The report concludes that the site and immediate surrounding area is afforded protection from local flood defences. The actual risk of fluvial flooding to the proposed development will therefore be residual in nature, being restricted to a breach of the defences, so can therefore be considered to be low.
- 6.87 Mitigation measures to ensure flood risk to the school and its users is kept to a minimum includes recommended finished floor levels, the incorporation of flood resilient construction techniques, and the development of an appropriate emergency plan.
- 6.88 The Environment Agency initially objected to the proposal on the grounds that the FRA initially submitted was inadequate, lacking information with respect to modelled flood levels for the site, proposed finished floor levels for the proposed development, and a comparison of the modelled floor level with finished ground floor level to indicate the potential depth of inundation at the site. The Environment Agency considered that the FRA failed to properly assess the risk posed to future occupants of the proposed school, therefore it could not be confirmed whether the proposed mitigation measures are sufficient to minimise the impact of flooding.
- 6.89 Since the objection from the Environment Agency was received, the applicant has submitted a revised Flood Risk Assessment to address the matters raised by the Environment Agency. This concludes that the proposed finished building ground floor level of 2.20m AOD will meet the 300mm above the breach scenario flood level in the current 200 year breach scenario, as stipulated in the London Borough of Lewisham's Strategic Flood Risk Assessment. The Environment Agency has since removed their objection, providing further comments and recommended planning conditions to mitigate effects relating to flood risk management, groundwater protection, and contaminated land. These have been set out previously in this report. The comments and recommendations are accepted, and are recommended to be imposed by way of planning conditions for any permission granted.
- 6.90 Overall, with the proposed mitigation measures, the effects of the proposed development on flood risk have been properly assessed. The proposal will therefore be aligned with London Plan Policy 5.12 and Core Strategy Policy 10 in relation to flood risk management.

Land Contamination

- 6.91 London Plan Policy 5.21 (*Contaminated Land*) seeks to ensure that the development of brownfield land does not result in significant harm to human health or the environment, and to bring contaminated land to beneficial use. In turn, DM Policy 28 (*Contaminated Land*) seeks to minimise any harmful effects to human health and the environment.

- 6.92 The submitted desk study and preliminary investigation report assesses the ground conditions at the site for use in the design and construction of the proposed development, as well as to assess the potential risk to human health and the environment.
- 6.93 The mechanisms used to assess site contamination included a desk study, ground investigation, a site walkover, a review of the geological, hydrogeological and hydrological settings, a search on environmental databases, a review of historical maps, and anecdotal evidence. The information gathered relates to both the application site and the immediate surrounds. These mechanisms are considered appropriate to enable an assessment of site contamination and risk to human health.
- 6.94 The desk based research and historical review identified the potential hazards on and off site in order to make a series of recommendations.
- 6.95 The report makes recommendations with regard to a deep ground investigation being required if piled foundations are proposed, the undertaking of further gas monitoring visits, and the development of a Remediation Method Statement to detail the proposed remediation strategy to be submitted and approved by the Local Planning Authority.
- 6.96 No response has been received from the Council's Environmental Protection department, however it is considered that conditions of any planning permission can address the recommendations set out in the submitted land contamination report.
- 6.97 The recommendations in the preliminary site investigation report are considered appropriate and adequate to mitigate any potential effects of contamination on the school site such that any risk to human health and the environment will be minimised. The proposed development is therefore aligned with London Plan Policy 5.21 and DM Policy 28 in relation to contaminated land.

Highways and Traffic Issues

- 6.98 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. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people. It should be demonstrated that 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.
- 6.99 London Plan and Core Strategy Policies encourage sustainable transport modes whilst recognising the need for operational parking and disabled parking facilities. Car parking standards within the London Plan should be used as a basis for assessment. Priority should be given to enhancing pedestrian and cycle routes and promoting use of sustainable transport modes through a Travel Plan.

a) *Car Parking, Traffic Generation, Vehicle Movements and Safety*

- 6.100 The existing on-site parking provision is limited to one car parking space which is accessed from Trundley's Road. This will be maintained in the proposed scheme, with no changes to the location or means of access from Trundley's Road.
- 6.101 The Transport Statement submitted as part of the application reviews the current and proposed sustainable travel options available for staff and pupils and considers the potential transport effects of the increases in pupil and staff numbers.
- 6.102 The Transport Statement concludes that the forecast additional trips resulting from the enlarged Sir Francis Drake Primary School are not anticipated to be detrimental to the safety or operation of the local highway network, and that all additional parking requirements can be easily catered for on-street. The Transport Statement considers that Council infrastructure improvements for walking, cycling and scooting will mitigate the forecast increases, and as such the new school is unlikely to result in a significant increase on individual public transport services.
- 6.103 To support the Transport Statement, a Travel Plan has been submitted as part of the application which seeks to put in place the management tools that are necessary to enable teachers, administration staff, parents and school children to make informed decisions regarding their travel to the site and to encourage the use of sustainable modes. This will serve to minimise the adverse impacts of their travel to/from the school.
- 6.104 Concerns have been raised by members of the local community with regard to the availability of parking spaces in the vicinity of the subject site (particularly taking account of the development at the Neptune Wharf site), and existing traffic and parking congestion issues being worsened as a result of the proposed development. Comment was made that effective transport plans should be in place so that the route to and from the school is made safer and a diversion is put in place for foot traffic around the railway arches.
- 6.105 Concern has also been raised with regard to the timing of construction in relation to Neptune Wharf development in terms of the volume of construction traffic, and the impact on the local roads and safety of children.
- 6.106 Firstly turning to the availability of parking spaces, the Transport Statement included a parking survey in the residential streets surrounding the school during a typical school day to understand the quantum of existing on-street parking spaces and the utilisation of these spaces. The survey results demonstrate that there is a significant amount of spare parking capacity across the surveyed streets. Specifically, in total, the parking availability across all seven surveyed streets was never less than 133 spaces and during most periods there is significantly more spaces available.
- 6.107 As part of this study, a survey of existing staff and pupils was undertaken to understand the existing travel habits and calculate the modal split for both staff and pupils.

- 6.108 Based on the survey of existing staff and pupils, the calculations for parking demand for the enlarged school intake would result in approximately 53 vehicles associated with pupil drop-offs, and 21 additional staff potentially parking in nearby residential streets. Therefore, as a worst case, the peak additional parking demand would be 74 parking spaces.
- 6.109 As such, based on the results and calculations, the additional on-street parking demand resulting from the proposed development can be accommodated, and no significant effects are anticipated in terms of parking capacity in surrounding residential streets.
- 6.110 In terms of the generation of parking resulting from the Neptune Wharf development, this was assessed at the time that development was considered for planning permission. Specifically, a comprehensive and detailed car parking strategy was required to manage parking and access to the site, and in addition a car club formed part of the application. It was considered that the impacts of the development approved at the Neptune Wharf site with respect to parking were able to be appropriately mitigated.
- 6.111 With regard to traffic volumes, it is acknowledged that the enlarged school intake will result in an inevitable increase in traffic movements. As discussed above, the applicant's Transport Statement has found that the increase in vehicles to the area as a result of the proposed development is not anticipated to be detrimental to the safety or operation of the local highway network. Implementation of the applicant's Travel Plan will put in place the management tools that are necessary to enable teachers, administration staff, parents and school children to make informed decisions regarding their travel to the Site and to encourage the use of sustainable modes. This will serve to minimise the adverse impacts of their travel to/from the school. No concerns have been raised by the Council's Highways officer in regard to traffic volumes.
- 6.112 In terms of construction traffic volumes and the impact on the local roads and safety of children, the applicant's Transport Statement identifies that the developer will need to produce and supply a Construction Logistics Plan (CLP) for agreement with the local highway authority, prior to work commencing at the school. The Construction Method Statement submitted with the application sets out logistics with regard to the organisation of the site, such as site management, site hours, site establishment, fire procedures, notification of neighbours in relation to specific works, advance notice of road closures, pavement stopping-up, movement and hoisting of materials, delivery and storage, waste disposal, scaffolding and hoardings. It also sets out the scope of works and methodologies for demolition and construction, including risk and resource management, as well as dust, noise and vibration mitigation measures. It is considered that the Construction Method Statement fulfils the requirement for a Construction Logistics Plan in part.
- 6.113 The Construction Method Statement was submitted prior to on-site discussions between the applicant's team and Council's Highways department, and it is therefore considered that it should be updated to reflect and secure those discussions. Council's Highways Officer has commented that regard must be had to the interface of the Neptune Works site which will likely be undergoing construction at the same time as the proposed development works. Additionally,

safe routes for children travelling to and from the school must be maintained at all times. A condition is recommended to address any potential impacts on traffic safety resulting from construction logistics.

- 6.114 Overall, any effects associated with car parking, traffic generation, vehicle movements and safety can be appropriately mitigated by way of planning conditions as set out above.

b) *Access*

- 6.115 Access into the site for pupils, staff and pedestrians will be via two access points from Scawen Road. Delivery and service vehicles will access the site from an access point on Trundley's Road.
- 6.116 The site is located within an area of fairly low accessibility according to Transport for London's (TfL's) PTAL Ratings. The only bus route directly serving the site is the 225 with a bus stop located on Trundley's Road. Other bus services can be accessed on Evelyn Street. The closest train station is South Bermondsey.
- 6.117 Lewisham Council has a long-standing commitment to improving the pedestrian and cycle networks in the Borough. The North Lewisham Links Strategy 2007 (updated in 2012) identifies options for improving pedestrian and cycle routes in the Deptford and New Cross Area. The adjacent Grinstead Road scheme proposes pedestrian links through the site from Surrey Canal Road to Deptford Park. The redevelopment of the application site would not prejudice those pedestrian and cycling connections.
- 6.118 As discussed above, the applicant's Transport Statement demonstrates that there is a surplus of car parking spaces in the immediately surrounding area. The applicant proposes to provide 69 cycle parking spaces. This is considered to encourage sustainable transport modes.
- 6.119 Footpaths surround the subject site along Scawen, Grinstead and Trundley's Roads, thereby providing appropriate access for pedestrians into the school site. The Transport Statement finds that the pedestrian environment surrounding the school site is good, and that no significant improvements are required on the routes.
- 6.120 Overall, the school travel plan and the Council's planned improvement works will ensure pedestrian and cycle access to the site is improved, and any potential effects in terms of pedestrian and traffic safety in relation to both construction and operation of the school can be appropriately mitigated through implementation of the Travel Plan.

c) *Servicing and Deliveries*

- 6.121 The school is currently serviced via a gated access on Trundley's Road. Refuse vehicles and kitchen delivery vehicles stop on the single yellow lines on Trundley's Road.
- 6.122 Refuse collection at the new school will continue to be serviced from the existing gated access on Trundley's Road. However, as the new building location is on the southern part of the site, a dedicated kitchen access will be located on Trundley's Road. Therefore it is proposed that kitchen delivery vehicles will

service the school from the single yellow lines on the eastern side of Trundley's Road, between the bus stop and the double yellow lines.

- 6.123 The Transport Statement sets out that, although the proposed development will increase the number of pupils and staff at the school, this does not necessarily mean that there will be an increase in the number of servicing trips associated with it. It is also unlikely to result in the need for larger vehicles than are currently used. On this basis, the Transport Statement considers that it is not necessary to implement a Delivery Servicing Plan.
- 6.124 As discussed previously, the Council's Highways Officer has commented that a Delivery and Servicing Plan is required to formalise the proposed loading area, and to demonstrate that loading in the location proposed can be undertaken in a safe manner for both pedestrians and vehicular traffic. Additionally, a safety audit is required to assess the suitability of the loading / servicing / delivery facilities. In light of these comments, conditions are recommended to ensure any potential effects in terms of pedestrian and traffic safety are appropriately mitigated.

d) Cycle / Scooter Parking and Pedestrian Movement

- 6.125 The proposed development will provide a total of 69 cycle parking spaces.
- 6.126 The Transport Statement makes reference to 'Scoot to School' being seen as an important and emerging means of sustainable travel by school children who prefer not to cycle. As such scooter parking will be provided at the new school so that scooters do not occupy cycle parking.
- 6.127 The Transport Statement sets out that there will be an increase of 111 pupils and staff walking to school, 30 additional cyclists and 21 additional pupils scooting to school. It is considered that these increases are well catered for by the increased cycle and scooter parking on-site.
- 6.128 The modal split of trips across the wide network of routes leading to the school mean that the proportional increase in pedestrian movements on each route is unlikely to be significant when the staggered arrival and departure times of pupils and staff are taken into account.
- 6.129 The Transport Statement identifies a number of routes travelled by pedestrians and cyclists at present. The Transport Statement finds that the cycling and pedestrian environment is acceptable, and minor improvements will enhance this accessibility. Pedestrian and cyclist safety has been discussed above, and it is considered that the school Travel Plan will ensure any potential effects will be appropriately mitigated and dealt with.
- 6.130 As discussed previously, Council's Highways officer considers that the proposed development would benefit from improvement works in the surrounding road network, and has therefore recommended conditions be imposed in relation to management of parking controls and improved pedestrian facilities. This is accepted, and conditions recommended accordingly.

- 6.131 Council's Highways Officer considers that, given the Travel Plan identifies management tools for the proposed development, it would be appropriate for the Travel Plan submitted as part of the application to be reviewed within 6 months of the school role reaching full capacity (420 pupils). A condition is recommended in this respect.

Construction Management

- 6.132 The Construction Method Statement submitted as part of the application details the demolition and construction methodology for the proposed development. It is intended to stage the demolition and construction of buildings such that the school can continue operations throughout the development phases.
- 6.133 As set out above, the Construction Method Statement sets out logistics with regard to the construction and associated methodologies. It also sets out the scope of works and methodologies for demolition and construction, including risk and resource management, as well as dust, noise and vibration mitigation measures.
- 6.134 Implementation of the Construction Method Statement throughout the duration of works will ensure appropriate management of the potential environmental effects typically associated with demolition and construction.
- 6.135 Concerns have been raised by members of the local community with regard to the timing of construction in relation to the works at the Neptune Wharf site, the volume of construction traffic, and the impact on the local roads and safety of children. Concern was also raised in relation to the volume of workmen on the Neptune Wharf site increasing the demands of parking within the area.
- 6.136 The management of construction traffic has been discussed above. With regard to timing of construction in relation to the works at the Neptune Wharf site, no evidence has been provided as to how construction of the proposed scheme will align with the works proposed to be undertaken on the neighbouring Neptune Wharf site. It is considered that a condition can require a further and more detailed Construction Method Statement to be submitted to the Council for approval prior to construction commencing. This will sufficiently mitigate any potential effects that may arise with the works on each site coinciding.
- 6.137 The Council's Highways Officer has recommended conditions with regard to construction management.

Waste Management

- 6.138 London Plan Policy 5.18 (*Construction, excavation and demolition waste*) sets out that waste should be removed from construction sites, and materials brought to the site, by water or rail transport wherever that is practicable.
- 6.139 The Site Waste Management Strategy provided as part of the application sets out that a Site Waste Management Plan will be developed during the pre-commencement period. Initiatives will include a system of centralised rubbish skips to be removed from site on a regular basis, meeting BREEAM requirements, and implementation of waste reduction practices and procedures to maximise the segregation of construction waste.

- 6.140 The approach taken is considered acceptable, and any effects in terms of waste from both construction and operation of the school can be appropriately mitigated by way of conditions.

Residential Amenity / Impact on Neighbouring Properties

- 6.141 The increase in scale of the school has the potential to result in an increase in effects associated with the operation of the school, including noise from pupils entering and exiting the premises, construction, and general residential amenity.
- 6.142 Whilst the concentration of pupils on the site will double as a result of the proposal, this is not considered to generate a significant increase in noise levels.
- 6.143 Effects of the construction of the development have also been discussed previously in this report. In summary, it is considered that traffic associated with construction can be managed through the implementation of an updated Construction Method Statement. Additionally, effects in terms of noise, vibration, dust, and waste disposal can be avoided, remedied or mitigated through the management techniques set out in the Construction Method Statement.
- 6.144 Given the modest scale of the building in this context, and its proximity to surrounding properties (a minimum distance of 13m), it is not likely to overshadow surrounding properties.
- 6.145 Given the above, it is considered that the proposed development and associated construction will not have a significant impact on residential amenity.

7.0 Objections

- 7.1 The preceding assessment has largely addressed the concerns raised in the objections, and for the sake of brevity will not be repeated here. Additional matters raised are discussed below:

- 7.2 *Local authority should input some Section 106 contributions to provide better quality development and thus longevity.*

Since the application was submitted, confirmation has been received from the Pupil Places Programme Board that the Council will contribute to the proposed scheme to fund a canopy.

- 7.3 *Inadequate sports and recreational space and an unused / unusable roof space; proposal should provide an extra rooftop play space, and an additional sports hall.*

The proposed development is considered to meet the Department for Education's guidelines with respect to play spaces.

- 7.4 *Inadequate toilet facilities that will be impossible to safely maintain to appropriate hygiene standards; an increased ratio of toilets should be provided.*

This is not a planning consideration.

- 7.5 *Inadequate intervention space to support children with special education needs and disability; larger classroom sizes should be provided.*

The proposed development is considered to meet the Department for Education's guidelines with respect to classroom sizes and dimensions.

- 7.6 *Dispute that there are always large numbers of available parking spaces in the vicinity of the site, as stated in the Transport Statement.*

The applicant's Transport Statement has demonstrated that an adequate number of parking spaces are available in the vicinity of the school to cater for the increase in pupil intake. No evidence to the contrary is provided.

- 7.7 *Application does not take account of any future proofing; specifically, the development at Neptune Wharf will bring significant parking to the area, given the number of parking spaces allocated for the planned housing which does not include shopping traffic.*

This matter has been discussed previously in this report, and appropriate planning conditions recommended accordingly.

- 7.8 *Concern that existing traffic and parking congestion issues will be worsened when the volume increases.*

This matter has been discussed previously in this report, and appropriate planning conditions recommended accordingly.

- 7.9 *Comment that roads and pedestrian access routes around the school are hazardous, particularly the rail tunnel area linking the school to Surrey Canal Road – effective transport plans should be in place to that the route to and from the school, given increased traffic, is made safer and diverts foot traffic around the accident black spot under the rail arches.*

This matter has been discussed previously in this report, and appropriate planning conditions recommended accordingly.

- 7.10 *Concern raised with regard to timing of construction of Sir Francis Drake Primary School and the Neptune Wharf site, the volume of construction traffic, and the impact on the local roads and safety of children. The volume of workmen on the Neptune Wharf site will increase the demands on the parking within the area.*

This matter has been discussed previously in this report, and appropriate planning conditions recommended accordingly.

- 7.11 *Comment that energy from the South East London Combine Heat and Power network should be diverted so that the school benefits from local heating and can benefit longer term from efficiency savings.*

This matter has been discussed previously in this report, and appropriate planning conditions recommended accordingly.

8.0 Local Finance Considerations

- 8.1 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).

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

8.3 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.

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 application has been considered in the light of policies set out in the Local Development Management Plan and other material considerations.

10.2 The assessment above has demonstrated that, with the imposition of appropriate conditions to mitigate any potential effects, there will be no significant impacts in relation to design, quality of accommodation, air quality, ecology, crime prevention, access to daylight, sustainability and energy, flood risk, land contamination, highways and traffic, waste and construction management.

10.3 Officers consider that, with the recommended mitigation and planning conditions in place, the proposed development is of sufficient quality and would deliver a much needed school space. As such the development should be approved.

11.0 RECOMMENDATION

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:

15132-100 Rev A (received 06 January 2016);

15132-101; 15132-102; 15132-103; 15132-110; 15132-111; 15132-112; 15132-120; 15132-121; 15132-130 (received 29 December 2016);

Design & Access Report (by LSI Architects LLP), dated December 2015

- Appendix A: Visualisations (by LSI Architects LLP)
- Appendix B: Planning Drawings
- Appendix C: Air Quality Assessment, dated 22nd December 2015 (by Resource and Environmental Consultants Limited)
- Appendix D: Preliminary Ecological Appraisal, dated January 2014 (by Mott MacDonald)
- Appendix E: Community Infrastructure Levy form
- Appendix F: Construction Method Statement, dated 16th December 2015 (by Kier Group)
- Appendix G: Crime Prevention Report (by LSI Architects LLP)
- Appendix H: Climate-Based Daylight Modelling report, dated 23rd November 2015 (by Kier Group)
- Appendix J: School Travel Plan, dated December 2015 (by Vectos)
- Appendix K: Energy Statement, Rev 02, dated 14/12/2015 (Van Zyl & de Villiers Limited Consulting Engineers)
- Appendix L: Flood Risk Assessment, Rev P4, dated February 2016 (by Fluid Structural Engineers and Technical Designers Limited)
- Appendix M: Phase 1 and 2 Desk Study and Preliminary Investigation Report for a Proposed School Redevelopment, Issue No. 1, dated 07 December 2015 (by Geosphere Environmental Limited)
- Appendix N: Planning Statement, dated December 2015 (by LSI Architects LLP)
- Appendix O: Statement of Community Engagement (by LSI Architects LLP)
- Appendix P: Transport Statement, dated December 2015 (by Vectos)
- Appendix Q: Site Waste Management Strategy (no author)

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 an updated Construction Method Statement has been submitted to and approved in writing

by the local planning authority. The plan shall cover:-

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities.
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process.
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements.

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, to ensure pedestrian and vehicular traffic safety, 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 (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
 - (i) 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), in accordance with the recommendations set out in the '*Phase 1 and 2 Desk Study and Preliminary Investigation Report for a Proposed School Redevelopment*', Issue No. 1, dated 07 December 2015 (by Geosphere Environmental Limited), has been submitted to and approved in writing by the Council.
 - (ii) 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) 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 buildings hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) No development shall commence until a Design Stage Certificate for each building (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

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

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

Reason: In order that the local planning authority may be satisfied as to the

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

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. (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).

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

Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

10. (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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

11. (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:
 - (i) The expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.
 - (ii) That loading, delivery and servicing can be undertaken without posing any safety risks to pedestrians or traffic.
 - (iii) The exact location that delivery and servicing vehicles will stop to undertake loading, delivery and servicing without posing any safety risks to pedestrian or traffic.
- (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).

12. (a) Prior to the creation of the loading bay on the eastern side of Trundley's Road, a Safety Audit shall be submitted to the local planning authority for approval to assess the suitability of the proposed loading / servicing / delivery facilities in close proximity to a bus stop and the Trundley's Road

/ Grinstead Road junction.

- (b) Works shall not commence on the proposed new loading bay until the recommendations made and agreed with the local planning authority in the approved Safety Audit document are implemented.
13. (a) The development shall operate in full accordance with all measures identified within the approved Travel Plan from first occupation.
- (b) Within 6 months of the school intake reaching full capacity (420 pupils), evidence shall be submitted to the local planning authority to demonstrate compliance with the monitoring and review mechanisms set out in the Travel Plan hereby approved.

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

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

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

15. Loading and unloading of goods including fuel, shall only be carried out within the curtilage of the site and any servicing area shown upon drawing no. **15132-102** hereby approved, shall be retained permanently and left unobstructed at all times.

Reason: To avoid obstruction of neighbouring streets and to safeguard the amenities of adjacent premises in the interests of public safety and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

16. 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).

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

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

18. No machinery shall be operated on the premises before 8 am or after 6 pm on weekdays, or before 8 am or after 1 pm on Saturdays, nor at any time on Sundays or Public Holidays.

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

19. 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).

20. No development shall commence on site until a detailed schedule and samples (including erection of a sample panel of bricks on site) of all external materials and finishes, windows and 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 of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

21. The finished ground floor level of the new school building shall be set at 2.20m AOD (Above Ordinance Datum, being the Statutory Flood Defence Level in this reach of the Thames).

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).

22. Prior to development commencing on site, a flood evacuation plan for all site users showing access to the first floor as a safe haven shall be submitted to, and approved in writing by, the local planning authority.

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).

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

Reason: The site overlies secondary and principal aquifers. The National Planning Policy Framework(NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

24. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: The site overlies secondary and principal aquifers and the National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

25. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The site overlies secondary and principal aquifers and deep piling would require additional risk assessment in accordance with Environment Agency piling risk guidance.

26. (a) A minimum of 69 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.

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

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

27. Within one (1) month of the date of this permission, the applicant shall secure the implementation of the following works to the highway, in accordance with a scheme and programme to be submitted to the local planning authority and agreed with the Highways Authority:
- Improve the management of parking controls on Scawen Road through the provision of yellow lines, school zig zags and guard railing.
 - Works to provide improved pedestrian crossing facilities on Scawen Road linking the school to Deptford Park and to the south-east of the site on Grinstead Road.

The approved works will be implemented and completed in full accordance with the agreed scheme.

Reason: In order to ensure that satisfactory means of access is provided, to ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

28. Due to the potential of encountering breeding birds on site any vegetation clearance or building demolition on site should be conducted outside of the breeding bird season (between March and August). If such works cannot avoid the breeding bird season, a nesting bird check shall be conducted on site 24 hours prior to any works being undertaken.

If an occupied nest is discovered, it must be left undisturbed until the chicks have fledged the nest and an ecologist has confirmed that the nest is no longer in use.

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. On this particular application, positive discussions took place which resulted in further information being submitted.
- B. The applicant is advised that the display of any signage exceeding 0.3 square metres (or any size if illuminated) will be subject to obtaining advertisement consent from the local planning authority prior to erecting any signage.
- C. 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.
- D. The updated Construction Method Statement required by Condition (3) shall take into account the Neptune Works site and other development sites which utilise Evelyn Street, and shall ensure that safe routes for pupils travelling to and from the school is maintained at all times.
- E. The applicant is advised to give consideration to the use of flood resistant and resilient measures – such as barriers on doors, windows and access points at the ground floor level and routing electrical services from a higher level downwards so that plug sockets are located above possible flood levels – within the proposed development, in order to reduce the impact of flooding. The applicant should consult with the Council's building control department when determining whether particular flood resistant and resilient measures are appropriate and effective.
- F. It is recommended that the applicant registers with the Environment Agency's 'FloodLine' service.
- G. The applicant should consult with the Council's drainage team for advice on managing the surface water drainage for this proposal.
- H. The applicant is advised that handling, transport, treatment and disposal of contaminated soil or materials are subject to waste management legislation which includes:
- Duty of Care Regulations 1991
 - Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2010
 - The Waste (England and Wales) Regulations 2011

- I. The applicant is advised that they should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
- J. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.
- K. The applicant is advised that the development should be undertaken in accordance with the physical security requirements of Secured by Design with the guidance of Secured by Design New Schools 2014 and close liaison with the South East Designing Out Crime Officer.
- L. The applicant is advised that the building's roof design should allow for the future installation of photovoltaic panels.
- M. The applicant is advised that Conditions 3 (Construction Method Statement), 4 (Site Investigation), 5 (Design Stage Certificate), 6 (Landscaping), 7 (Tree Protection Plan), 8 (Soft Landscaping), 9 (Boundary Treatment), 10 (Lighting), 12 (Safety Audit), 20 (Materials), 22 (Flood Evacuation Plan), 26 (Cycle Parking), and 27 (Highway Works) 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; correctly identifying and remediating site contamination; mitigating any potential flood risk; and securing cycle parking, quality design and landscaping.
- N. With regards to Condition 22, this document will need to be approved in consultation with the Council's Emergency Planning Department.

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Sir Francis Drake Primary School



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