

PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 21 APRIL 2016 TIME 7.30 PM**

PLACE: **GROUND FLOOR, LAURENCE HOUSE,
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-J 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, 12 April 2016**

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	PLANNING COMMITTEE (A)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 21 April 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 21 April 2016

MINUTES

To approve the minutes of the meeting of Planning Committee (A) held on the 31st March 2016.

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Committee	PLANNING COMMITTEE A	
Report Title	ST WINIFREDS ROMAN CATHOLIC SCHOOL, 26 NEWSTEAD ROAD, LONDON, SE12 0SY	
Ward	LEE GREEN	
Contributors	LUKE MANNIX	
Class	PART 1	21 APRIL 2016

Reg. Nos. DC/15/91968

Application dated 27.04.15

Applicant Pollard Thomas Edwards Architects [on behalf of the London Borough of Lewisham]

Proposal The expansion of St Winifred's Roman Catholic Primary School, 26 Newstead Road, SE12 to provide two forms of entry, comprising of the removal of existing trees and construction of a single storey foundation block incorporating nursery and reception classes with separate pedestrian access and the construction of a two storey entrance block incorporating administration rooms, a hall and new main entrance in place of the existing car park fronting Newstead Road and the construction of a two storey classroom building to the rear of the site, together with alterations to the existing building, the creation of 8 new car parking spaces and associated landscaping works

Applicant's Plan Nos. PL_001; PL_002; PL_003; PL_004; PL_005; PL_108; PL_109; PL_110; Contamination Desk Study Report; Design and Access Statement; Ecological Appraisal; Energy Strategy Statement; Landscaping Design; Transport Assessment (received 27 April 2015); AJK-PCE-2.11-NBL-DET-SL-100301; Window Specifications (received 23 July 2015); L-501; L-502; L-503; L-504; Bat Survey Report (received 29 July 2015); Overshadowing Analysis (received 4 August 2015); L-100 rev B (received 27 August 2015); PL_101 rev A; PL_102 rev A; PL_103 rev A; PL_104 rev A; PL_105 rev A; PL_106 rev A; PL_107 rev A; PL_111 rev A (received 24 September 2015); TPP_STWINIFREDS_3 Rev B; TRP_STWINIFREDS_2 Rev B; Arboricultural Impact Assessment and Method Statement (received 24 March 2016); BREEAM Pre-Assessment (received 6 April 2016)

Background Papers (1) LE/447/A/TP

- (2) Local Development Framework Documents
- (3) The London Plan

Designation No designations. Existing Use Class is D1-Education

Screening N/A

1.0 Property/Site Description

- 1.1 The application relates to St Winifred's Roman Catholic Primary School located on the north side of Newstead Road. Currently the site accommodates 225 pupils from years 2-6, together with 44 staff.
- 1.2 The site is approximately 6,662sqm in size and is relatively square in shape. The existing structures include 2 part one/part two storey octagonal interconnected blocks constructed in 1960's, together with a separate two storey detached caretaker's house. Single storey extensions to the octagonal buildings and a single storey modular building have been added to the site. The buildings roughly cover the north and centre of the site.
- 1.3 The area not covered by buildings is mixed between hard play space in the north-east corner, lawn and medium sized trees to the western side and car parking/pedestrian entrance to the south and eastern side.
- 1.4 The site is surrounded by primarily residential properties. To the north the site borders two storey semi-detached dwellings fronting Dallinger Road. To the east, low rise free form housing with access from Kimbolton Close and pedestrian links leading to Newstead Road back onto the site. To the west is a three storey block building formed of flats and opposite Newstead Road are semi-detached villas. The site is not in a Conservation Area and is not a listed building.
- 1.5 The site has vehicular access from Newstead Road leading to the 17 car parking spaces, not including the covered caretaker's garage. Pedestrian access, which is the main means of access for parents, children and visitors is also from Newstead Road with a walkway along the eastern side of the site.
- 1.6 Newstead Road is an unclassified road with largely unrestricted parking available. The site has a PTAL rating of 2-3 based on a scale of 0-6b with 6b being the highest. The site is located 10 minutes walk from Lee Station with bus stops located on the South Circular 300m to the south. Overall, the access to public transport is considered to be poor to moderate.

2.0 Planning History

- 2.1 The school has been the subject of numerous alterations and additions, with the earliest recorded planning history involving the retention of a temporary classroom in 1961.
- 2.2 In 2006, planning permission was granted for the construction of a single storey extension on the western elevation of St. Winifred's Catholic Junior School, Newstead Road to provide a new multi-function teaching room.

2.3 In 2014, planning permission was granted for the erection of temporary classroom building containing 2 classrooms, with ancillary facilities and associated external works, for a period of 2 years, at St Winifred's Roman Catholic School, Newstead Road.

3.0 Current Planning Applications

The Proposals

3.1 Planning permission is sought for works relating to the expansion of St Winifred's School from one form of entry to two forms of entry plus nursery. The site would consolidate the infant school at Effringham Road with the existing primary school. In total, 1,123sqm of additional internal floor area is proposed.

3.2 The proposed school works would increase the number of pupils to 460, which includes 40 nursery places, together with 80 staff. The nursery places would be split over two sessions per day meaning 20 pupils at the nursery at anyone time.

3.3 The proposal can be divided into the following sections:-

- (a) Classroom Block;
- (b) Entrance Hall;
- (c) Foundation Block; and,
- (d) Other Works.

a) Classroom Block

3.4 A two storey flat roof classroom block would be constructed to the east of the existing octagonal blocks. The block would be 'L' shaped and situated on the edge of the existing hard play area. It would be 6.5-7.7m from the northern boundary.

3.5 The building would consist of four classrooms over the two storeys with ancillary bathroom facilities and plant room on the first floor. The windows benefiting classrooms on the northern elevation would be obscure glazed.

3.6 The building would be constructed of brick on the ground floor with the first floor finished with concrete cladding boards. The windows and parapet capping would be finished in aluminium.

b) Entrance Hall

3.7 The two storey entrance hall would be located on Newstead Road, together with a new single storey link to the existing central building. This building would be located on the existing car parking area, with part of the ground floor stepped in to allow for five covered parking spaces.

3.8 The building would form the main entrance and administration area, together with a double height hall. The first floor would include special education needs and training rooms.

3.9 The building would form the boundary treatment along Newstead Road, with brick used on the ground floor. On the first floor, the building would be finished with cementitious cladding. The building would also include corner windows, together with double height windows to the front entrance intersected by a yellow canopy.

3.10 The flat roof would accommodate solar photovoltaic panels.

c) Foundation Block

3.11 The single storey foundation block is located on Newstead Road on the western frontage of the site. The proposed building would result in the removal of 7 mature trees currently fronting Newstead Road.

3.12 The front elevation would form a 'garden wall' along the frontage before being stepped back with a high level window allowing additional light into the building. The ground floor would be finished in brick with a push-pull banding to the lower levels. To the rear, a canopy would overhang an area of landscaping.

3.13 The roof would be flat with solar photovoltaic panels and a living roof.

d) Other Works

3.14 The proposed scheme would remove the existing single storey modular building to accommodate space for a polymeric sports playing field. Soft landscaping works would be primarily located on the western side of the site, including the provision of 8 crab apple trees. Herbaceous shrubs would also be planted along the western boundary.

3.15 Landscaping works would also be included to the rear to provide a foundation play area. This would primarily consist of artificial lawn. Landscaping improvements to the front of the caretaker house are also proposed.

3.16 The proposed scheme would include a porous tarmac car park between the entrance hall and foundation block. In total, eight car parking spaces would be provided, including one disabled space.

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.

Pre-Application Consultation

a) Lewisham Design Panel

4.2 The proposal was first presented to the design panel in June 2014. The comments were supportive of the principle of the buildings along Newstead Road, which would create a new street presence and improve entrances, as well as the detached classroom block to the rear.

4.3 However, it was considered that further work was required for the proposed buildings to better integrate within the existing development on site and relate to the design of the buildings. The panel suggested that the design team consider the site holistically and draw from the spirit of the existing school buildings as a

series of interconnected pavilions with a powerful organising geometry, as a basis for generating proposals for the new interventions.

- 4.4 The scheme was re-presented to the panel in March 2015 and were generally supportive of the emerging strategy which was much improved from the first review.
- 4.5 The panel were supportive of the garden wall principle, however felt it was disrupted by entrances and windows thereby degenerating this uniting feature. The panel also questioned whether the white panellised system contributed positively to the garden wall principle.
- 4.6 The landscape strategy was generally supported notwithstanding that it needs considerable development in detail.
- 4.7 Planning officers noted that there are additional trees on the site which the Tree Officer has identified as being of high quality and worthy of retention. It was requested that the applicant share their tree survey with officers so that the acceptability of the level of tree removal proposed can be reviewed. Officers also advised that the proposal would benefit further from some planting on the street frontage.

b) Public Consultation

- 4.8 A public consultation was held by the applicants on the 26th March 2015 as outlined in the Design and Access Statement. An attendance sheet shows 12 people visited the consultation event.
- 4.9 10 feedback forms were completed and included the following comments:-
- Positive use of the space and increase in school capacity was supported
 - Concerns from local residents regarding parking;
 - Concerns over impact to children during construction; and,
 - Impact on neighbours along Dallinger Road in terms of overlooking and loss of light. It was requested that the building be relocated to reduce this impact.

Statutory Consultation by the Council

- 4.10 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.11 Two rounds of consultation was completed during the course of the application. Site notices were displayed and letters were sent to residents in the surrounding area and the relevant Ward Councillors on 6th May 2015.
- 4.12 A local meeting was held on the 1st July 2015. The minutes of the local meeting are attached to this report as an Appendix.

4.13 Following further information submitted by the applicants, another round of consultation was undertaken by the Council. Letters were sent on 13th January 2016.

a) Written Responses received from Local Residents and Organisations

4.14 Five responses objecting to the development were received from residents on Dallinger Road. The following concerns were raised:-

- The proposed classroom block would adversely impact on the amenities of residents along Dallinger Road in terms of loss of privacy, light and overbearing visual impacts. There is no justified reason to expand the school and impact on amenities;
- The proposed redevelopment is excessive in scale;
- The proposal includes inadequate screening along the northern boundary; and,
- Concerns over the consultation process prior to the submission of the application, particularly with respect to changes to the design.

4.15 A petition against the development was received with 30 signatures from residents along Birch Grove and Anne Compton Mews. Residents objected due to the impact on parking along these roads.

4.16 One letter was received from a resident on Newstead Road commenting on the proposal and raised the following concerns:-

- The school should be providing more space for outdoor activities;
- There is an existing problem with parking along Newstead Road and the reduction in car parking would exacerbate this impact; and,
- The buildings built to the front boundary is unprecedented.

4.17 One letter of support was received for the proposed development from a resident on Newstead Road.

4.18 Following the second round of consultation, a further four response were received from the same residents on Dallinger Road raising the same concerns. It was also noted that the plans had not significantly changed since the first round of consultation.

4.19 Letters are available for members to view.

b) Highways Officer

4.20 Given the increase in the number of pupils and staff attending the school, amendments are required to the parking controls/waiting restrictions adjacent to the site to minimise the impact associated with parking and drop offs/pick ups at the site. Particularly as an increase associated with an intensification of use at the school will cause parking stress and congestion if unmanaged. Improving the

crossing facilities will improve pedestrian accessibility and will create safer walking routes to the school.

4.21 Overall the proposed development is unobjectionable, subject to the applicant entering into a S278 agreement to secure improvements to the parking controls/waiting restrictions and crossing facilities in the vicinity of the application site. The works would include:-

- Construction of new dropped kerbs, closure of existing dropped kerbs and reinstatement of the footway outside the school;
- New school children crossing signs and on road markings, including Mother and child road markings;
- School keep clear (zigzag) road markings remarked in accordance with new school layout;
- Guard railing revised to new school layout;
- Enhance the informal crossing / raised table on Newstead Road with build outs and/or waiting restrictions to address inter-visibility issues associated with parked vehicles; and,
- New informal crossing on Manor Lane (at Newstead Road junction), construction of raised table and build outs.

4.22 In addition to this, conditions are recommended for the submission of a delivery and servicing plan, construction logistics plan, details of cycle storage, travel plan and safety audit of the pedestrian environment given the proximity of the new vehicular access to the existing pupil access.

c) Trees Officer

4.23 The tree officer completed a site visit of the school and provided verbal comments with respect of the development.

4.24 The trees proposed to be removed to the front of the site offer significant amenity value to the streetscene and therefore are worthy of retention or re-provision should be made to the front if possible.

4.25 Whilst there are no Tree Protection Order's (TPO's) on any tree within the site, it is considered that many of the larger trees within the centre and around the boundary are worthy of retention due to the ecological and amenity value they provide.

d) Ecological Regeneration Manager

4.26 Concerns were raised regarding the ecological survey completed without the bat survey as per the recommendation. It is considered that this cannot be conditioned and therefore should be completed before consent is granted. Concerns over the lack of SUDS and living roofs were also raised.

4.27 A bat survey was subsequently completed and submitted. It was considered that the survey was satisfactory and the recommendations within should be implemented.

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 2016)

- 5.6 On 14 March 2016 the London Plan with updates to incorporate the Housing Standards and Parking Standards Minor Alterations was adopted. The policies relevant to this application are:

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.18 Education facilities

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.13 Parking

Policy 7.4 Local character

Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

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

Sustainable Design and Construction (2006)

Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy

Spatial Policy 5 Areas of Stability and Managed Change

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

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

Development Management Local Plan

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

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

DM Policy 22	Sustainable design and construction
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 25	Landscaping and trees
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings

Residential Standards Supplementary Planning Document (August 2006)

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

6.0 Planning Considerations

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

- a) Principle of Development
- b) Design
- c) Highways and Traffic Issues
- d) Impact on Adjoining Properties
- e) Sustainability and Energy
- f) Trees
- g) Ecology
- h) Contamination

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 one form of entry (plus a bulge class and nursery) to two forms of entry and a nursery. This is a total increase of 235 school places. In addition, the proposal delivers 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 the remaining relevant matters, the principle of development is acceptable. These matters are discussed below.

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 and 31, seeks to apply these principles.
- 6.11 The site is located in a primarily residential area. The urban typology is a mixture of free form low rise housing (Newstead Estate) to the east and adjoining the site on the west, together with suburban housing made primarily of semi-detached dwellings along Newstead Road, Dallinger Road and the east side of Birch Grove.
- 6.12 Newstead Road is lined with large London Plane trees which, together with smaller trees to the front of properties, give the area a green character. The school adds to this character with mature Hornbeam trees and a large Beech tree to the front of the caretaker’s house.

- 6.13 Whilst the area around the site is primarily residential, the site differs with its institutional design. The existing buildings are modern constructions formed of joined octagonal structures, together with an original two storey caretaker's house. The original buildings congregate around the centre of the site with the caretaker's house closer to Newstead Road. The existing development includes single storey extensions and a single storey modular building in the north-west corner. The remaining areas are mixed between hard and soft amenity space and car parking to the front.
- 6.14 The proposal intends to construct three new blocks as part of the expansion, together with the alterations to the existing building to provide a link to the new development and landscaping works. It also includes the removal of the modular building.
- 6.15 It is noted that objections are raised based on the scale of the proposed buildings. The classroom block and the entrance hall would be two storeys in height, whilst the foundation block would be single storey. The buildings would not be higher than the existing two storey buildings on the site and adjoining properties. Thus it is considered to be in keeping with the scale of the area. Additionally, whilst the buildings would have flat roofs, which is not the dominate roof form, it is considered that this would not be uncomplementary or unsympathetic with the existing character.
- 6.16 Therefore officers consider the scale and design of the buildings to be appropriate within the context of the site and the wider area.
- 6.17 The proposal includes the single storey foundation block and two storey entrance hall both built on the boundary of Newstead Road. The foundation block would be constructed of brick as well as the single storey level of the entrance hall together with a brick wall connecting the two to the front of the car park. This forms a 'garden wall' concept along the Newstead Road frontage.
- 6.18 Whilst it is acknowledged that the proposed buildings, being built to the boundary, would be set much further forward than the existing residential buildings, it is considered that the creation of this new street presence of the school would be in keeping with its institutional use. Furthermore, through the use of high quality bricks and push-pull detailing, the proposed garden wall would make a visually interesting feature along Newstead Road.
- 6.19 It is noted that the ground floor elevations of the classroom block to the rear would also be brick. The remaining materials used on the scheme include cementitious cladding to the first floor levels and aluminium windows, some of which would be corner windows. During the application, greater detail of the joining of the cladding was provided. The drawings illustrated small gaps between the cladding providing an almost seamless facade to the exterior which would ensure the building is of high quality. The principle of the materials and design articulation is considered to be appropriate.
- 6.20 In addition to this, it is considered that samples and specifications of the materials be submitted to the Council prior to development via a condition. This would ensure the high quality of the buildings is brought forward.
- 6.21 As a result of this garden wall concept and the foundation block, the Hornbeam trees in the south-western corner would be removed.

- 6.22 During pre-application discussions and during the course of the application, the options of relocating the foundation block or setting back the frontage to allow the retention or substantial replanting to the front was raised. It was considered that the relocation was not feasible given it would significantly disrupt the playspace layout. Furthermore, as any substantial set back would detrimentally impact on the amenities into the existing building, as well as the proposed foundation playspace, only a 1.5m setback would be possible with espalier trees proposed. This was submitted to officers as an optional design.
- 6.23 Officers consider that this option would significantly detract from the 'garden wall' concept to the detriment of the overall design for very little to no gain in amenity from the espalier planting. Furthermore, given the high maintenance of espalier trees, it was considered that the probability of achieving a successful planting would be low. As such officers consider this option was not suitable in re-providing the same amenity value of the existing trees.
- 6.24 In addition to the above, the proposed garden wall and building frontages are considered to be appropriate additions to the streetscene.
- 6.25 Therefore, whilst the loss of the trees is regrettable, it is considered that it would not significantly detract from the design of the streetscene.
- 6.26 A Landscaping Strategy has been submitted with the proposal. This strategy outlines the improvements to the remaining hard and soft amenity areas. These improvements including an orchard to the rear of the foundation block, a formal sporting pitch and shrub planting and ecological stations along the boundaries. During the course of the application, the applicant has submitted greater detail of the landscaping scheme.
- 6.27 Overall the proposal would result in a loss of amenity space and parking area. However, officers consider that the landscaping enhancements are of substantial quality to provide beneficial visual impacts and improve the design function of the school. Therefore the landscaping works are considered to be appropriate in design terms. Officers consider that a landscaping condition should be added to secure the design of the landscaping and ensure planting is completed appropriately.
- 6.28 In summary, the proposed works and the impact on the character of the area is considered to be acceptable.

Highways and Traffic Issues

- 6.29 A Transport Assessment was submitted in support of the proposal. The assessment outlined the relevant national, regional and local policies in relation to traffic impacts and included a transport survey and parking survey to assess the expected effects of the development.
- 6.30 In addition to this, a morning survey was completed following comments from the Highway Authority and was subsequently presented at the local meeting.

a) Access

- 6.31 The existing pedestrian access is located on the eastern side, at the corner of Newstead Road and Birch Grove. The pedestrian access utilises the surrounding

footpath network of Newstead Road, Birch Grove, Parkcroft Road and pedestrian links through Newstead Gardens estate to Burnt Ash Hill and towards Lee Station. The road network also includes speed humps as well as a crossing on Newstead Road with marked bollards and guard rails.

- 6.32 The existing vehicle entrance is towards the centre of the site onto Newstead Road with a 7m wide dropped kerb. On site there are 17 existing car parking spaces as well as a private garage for the caretaker.
- 6.33 The foundation block, which would accommodate 60 reception pupils and 20 nursery pupils at any one time, would have its own entrance onto Newstead Road. This would be situated roughly in front of the existing crossing.
- 6.34 The entrance hall would also be used as the main entrance for visitors, staff and administrators. The main pupil entrance would remain as existing.
- 6.35 The vehicle entrance would remain as existing and utilised for the 8 proposed car parking spaces and delivery and servicing. In addition, a further vehicle entrance would be located adjacent to the main pupil entrance to account for the caretaker garage.
- 6.36 Officers consider that the clearer access and entrances into the buildings are an improvement on the existing situation considering there is no clear entrance for visitors. Furthermore, whilst it is noted that the foundation block would be constructed on the boundary, it is noted that there is a generous waiting area inside the building. Therefore it is considered that the access into this building would not have significant adverse impacts on the highway through overcrowding on the highway.
- 6.37 The highway officer has also considered the safety aspect of the proposed vehicle crossover to the caretaker's flat and considers that the development would be safe provided a safety audit is completed and works to improve safety have been implemented. It is considered that this can appropriately be dealt with via condition.

b) Servicing

- 6.38 The servicing arrangements for the school would remain from the existing vehicular access and include refuse collection to the side of the foundation block. The applicant considers that the number of deliveries/collections would not change.
- 6.39 However, given the number of pupils and staff would increase on the site, officers consider some increase in delivery and servicing, including refuse, is likely. To ensure that this is in line with the Council's guidelines and there is minimal impact on neighbouring properties a condition requiring refuse strategy and a Delivery and Servicing Plan is recommended.

c) Cycle Parking

- 6.40 In order to promote sustainable movement, the Council requires development to meet the cycle parking standards of the London Plan. Table 6.3 states that school development shall provide 1 space per 8 students and 1 space per 8 staff, together with 1 space per 100 students for short stay parking.

- 6.41 The supporting transport assessment states that as the school would accommodate 460 pupils and 80 staff, a total of 73 parking spaces would be required in line with the London Plan. The assessment also outlines that the development meets this standard as it would provide 40 scooter storage spaces, 30 covered cycle spaces and 3 visitor spaces. It is argued that, based on the findings of the survey of current transport modes, more children would travel to school using a scooter than cycles. Officers consider this to be reasonable and therefore the number of spaces provided is considered acceptable.
- 6.42 However, it is noted that, with the exception of the existing cycle parking shed and proposed cycle storage to the side of the entrance hall, there is no detail of the storage provided. In total, the submitted plans show only 20 cycle parking spaces and no scooter storage area. For this reason it is recommended that a condition be added to secure the number of storage spaces and the submission of details prior to development.
- d) Car Parking and Traffic Generation*
- 6.43 Core Strategy Policy 14 adopts a managed and constrained approach to car parking provision in order to contribute to the objectives of traffic reduction and improved air quality.
- 6.44 The supporting transport assessment included a school travel plan completed in September 2013, together with a hands-up transport survey to assess transport modes. In addition to this, a parking survey was completed on 24th March 2015 between 1pm and 4pm. A second parking survey was completed at the request of the Council and was completed on 29th June 2015 from 7am to 10am.
- 6.45 The assessment used the findings of the survey, together with pick-up observations and TRICS data to assess the likely trip generation against the established level. The trip levels takes into account absences (typically 5%) and attendance of morning and after school clubs. Officers consider that, although morning and afternoon clubs would also result in trip generations, these are outside of the peak hours and therefore of less impact. The assessment also takes into consideration the measures of the transport plan in reducing private vehicle movements.
- 6.46 The assessment concludes that the current trip generation for pupils is 40 during peak periods. The assessment also takes into account the short stay nature of parent drop off and pick up parking. The report considers that, using TRICS data and observations, the current 40 car movements for pupils results in 15 parking spaces required at any one time as parents enter and leave from pick up/drop off.
- 6.47 As a result of the development, the assessment calculates that the number of pupils arriving via car would be 72. Using the same TRICS data and observations from the current scenario, this would result in 27 parking spaces required at any one time for parents.
- 6.48 Therefore it is concluded that a further 12 parking spaces are required as a result of the development.
- 6.49 The trip mode results also show current staff car movements of 28 and, taking into account the existing on site parking, results in 11 on-street parking spaces being occupied by staff as an established impact. The proposed development would

increase the number of staff movements to 46, however the number of on site parking is reduced to eight and hence 38 on-street parking spaces are required.

- 6.50 Therefore, taking away the established impact, a further 27 on-street parking spaces are required from staff vehicle movements.
- 6.51 Overall, the assessment considers that during peak times the proposed development would require an additional 39 parking spaces within the surrounding network. Officers agree with this assessment and consider this finding appropriate.
- 6.52 The parking survey showed a parking capacity of 145 spaces within the locality. At 3:15pm, the parking stress was at its highest level of 66.9%, or 48 free spaces. The morning survey found the peak stress matched the afternoon survey and 48 spaces were available at the peak times.
- 6.53 Therefore, taking into account the amount of available on street parking, it is considered that the parking generated can be addressed within the surrounding street network. Furthermore, it is noted that the travel plan, in addition to promoting other forms of transport, would be encouraged staff to park further from the school on the surrounding streets with more parking available. This would allow more space for parent parking closer to the school.
- 6.54 The travel plan shown in the assessment is currently used by the school and needs to be updated to meet Lewisham and TfL guidelines. It is also noted that the plan does not include staff travel modes.
- 6.55 Nonetheless, the plan outlines targets in vehicle reductions, with the exception of car sharing, and increases in scooter and cycle uses. The proposed targets have been incorporated into the expected trip generation results.
- 6.56 Therefore the travel plan would need to be updated to ensure these measures and targets are added and in line with the appropriate guidance. Therefore officers recommend a condition be attached to ensure the travel plan is submitted prior to occupation with monitoring targets to also be submitted after occupation.
- 6.57 The Highway Department has been consulted and consider the transport assessment to be appropriate. Furthermore, It is considered that the increase in traffic generated by the proposal would not give rise to unacceptable impacts on the highway, provided that improvements are made. The applicant has agreed to these improvements and Officers recommend that this be secured through condition.
- 6.58 The petition against the development on the grounds of existing parking issues, together with the matters raised in the local meeting, are noted. However, through the appropriate details secured through condition, it is considered that the proposed impact on trip generation would be appropriately managed to ensure no significant adverse impact on the highway network. Therefore the proposed development is considered acceptable in this sense.

e) Construction Impacts

- 6.59 The proposal does not include details of construction logistics, which may adversely impact on the highway network due to vehicle types and numbers.

Officers consider that a condition for a Construction Management Plan would make the development acceptable in this matter and therefore should be added.

Impact on Adjoining Properties

- 6.60 London Plan Policy 7.6 states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 6.61 Core Strategy Policy 15 requires that any adverse impact on neighbouring amenity will need to be addressed by development proposals.
- 6.62 The development closest to residential properties is the proposed two storey classroom block to the north. The building would be 8.6m in height and 6.5-7.7m from the existing boundary treatment and a further 23m from the rear elevation of the dwellings.
- 6.63 An overshadowing document has been provided in support of the application. The document highlights the 2011 BRE guidelines which states that *“It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least 2 hours of sunlight on 21st March”*.
- 6.64 The study shows the current amount of amenity space in sunlight at midday on 21st March and compares it to the proposed scenario with the classroom block. It concludes that the proposed development would not reduce the current levels of sunlight from the existing levels at this time.
- 6.65 Officers generally agree with the finding and consider that, due to the distance from gardens and the height of the building, the proposed development would not significantly reduce sunlight to warrant a refusal. Furthermore, given the substantial distance to the nearest residential window, it is considered that there would not be any loss of light to the neighbouring dwellings.
- 6.66 It is noted that there would be first floor windows in the north elevation of the classroom block, benefiting a classroom and a corridor. Following concerns raised by residents, amendments to the plans were made to show the window in the classroom as obscure glazed.
- 6.67 Taking into account the classroom window is now obscure glazed it is considered that there would be no loss of privacy from the classroom. Furthermore, whilst the window in the corridor is translucent, it is considered that due to the nature of the corridor use there would be no significant loss of privacy.
- 6.68 Therefore officers consider that there is no significant loss of privacy for adjoining property owners.
- 6.69 Concerns have been raised with respect to overbearing impact of the two storey classroom block. It is considered by residents that this would adversely effect the visual amenities from the dwellings and the rear gardens.
- 6.70 The proposed classroom block would roughly match the total height of the existing octagonal buildings and would have the same set back from the nearest adjoining

dwelling. However it is noted that it would be 1.2m higher at the eaves than the existing buildings.

- 6.71 Officers have visited the adjoining properties to the north of the classroom block and appreciate that the proposal would fill a space which is currently vacant. Nonetheless, given that the classroom block is not significantly larger than the existing buildings on site, together with the substantial distance from the windows in the nearest rear elevation, it is considered that the proposal would not have a significant overbearing impact on the neighbouring residents.
- 6.72 The proposed siting of the classroom block and options for relocation to reduce the impact on amenities was discussed extensively during the local meeting. It was argued by the agent that the options were explored during the design process and it was considered that the proposed layout was most appropriate given the relationship with the existing buildings, productive retention and provision of play area and amenity and effective use of available space.
- 6.73 Officers accept that the proposed location of the classroom is the most suitable within the existing development on the site. In addition, it is considered that the classroom would not severely impact on adjoining amenities to warrant a refusal. Therefore, it is considered that the classroom block as proposed is acceptable.
- 6.74 It is understood that the plant for the proposed expansion would be incorporated within the existing plant room to the rear of the entrance hall. It is also noted that the plant for the classroom block would be located within a store on the ground floor. Therefore it is considered that this would not adversely impact on neighbouring properties in relation to noise.
- 6.75 However, it is noted that the roof of the proposed development includes various ventilation units which have the capacity to create noise to reduce the level of amenity for neighbours. The application does not include measures to attenuate noise from within the ground floor plant room of the classroom block facing residential properties. Therefore, it is recommended that a condition be added to ensure any noise emitted from fixed plant would be within a satisfactory level.
- 6.76 With respect to external lighting, no details of the lighting proposed has been provided. However, it is noted that the proposed external sports field would not have floodlights. Furthermore, given the times of use of the building, it is unlikely that any external lighting would significantly impact on residential amenity or highways beyond the established level. Therefore it is not considered that the development would negatively impact on residential amenity through excessive lighting.
- 6.77 Given the site is surrounded by residential development, it is considered that adverse impacts may arise as a result of construction works in terms of dust and noise. It is noted that a construction management plan is suggested as a condition under highway issues, however this should also include measures for dust, noise and vibrations. This would ensure there are no unacceptable impacts during construction phase.
- 6.78 In summary, the proposed development is not considered to cause significant detrimental harm to the residential amenity of neighbouring properties and therefore is acceptable.

Sustainability and Energy

- 6.79 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 6.80 London Plan Policy 5.2 outlines development should make the fullest contribution to minimising carbon dioxide emissions in line with the following energy hierarchy:-
1. Be lean: use less energy;
 2. Be clean: supply energy efficiently; and,
 3. Be green: use renewable energy.
- 6.81 The policy also states that non-residential buildings up until 2016 shall provide a 40% improvement on 2010 Building Regulations. This translates as a 35% reduction on Part L 2013 emission targets as highlighted in the Energy Planning Guidance document issued by Greater London Authority (GLA) in April 2014. Major development should include an energy assessment to demonstrate how the targets for carbon reductions shall be met within the framework of the energy hierarchy.
- 6.82 Core Strategy Policy 8 also requires major development to outline how energy reductions can be incorporated and requires all new non-residential buildings to achieve a BREEAM rating of 'Excellent'.
- 6.83 The proposal includes an Energy Statement in support of the development. Table 2 summarises the proposed energy savings against the energy hierarchy.

Table [2]: Proposed Carbon Dioxide Savings

	CO₂ reduction (%)
Be lean	13
Be clean	N/A
Be green	23
CO₂ reduction as % of the total emissions	36

- 6.84 The proposed be lean measures take into account passive design of improved building fabrics and high energy efficient services. The be clean measures consider the use of a Combined Heat and Power unit, however due to the small size of the development, it is considered that this would not be feasible for the relatively small benefit in reductions this would have and therefore is not applicable to the calculations. Lastly, the be green measures include 64sqm of solar photovoltaics with 9kWp output on the roof of the foundation block and entrance hall as well as an Air Source Heat Pump to the classroom block.

- 6.85 Overall the proposed development is considered to meet the expected carbon reductions of the London Plan. Officers consider that conditions securing the carbon reduction and the area of solar photovoltaics would ensure this is met through the proposed development.
- 6.86 The Energy Statement outlines the aim for the development was to meet BREEAM 'Excellent' (70%) as per the Council's policies. It was noted that the scheme as originally submitted would meet BREEAM 'Very Good'. Following discussions with officers, an updated BREEAM pre-assessment was submitted which outlined that the applicant was willing to provide a building score of 70.07%. It is understood that the additional building points were obtained via changes to the management of the construction.
- 6.87 Given the updated documents submitted, officers consider that the scheme would be policy compliant and therefore acceptable in terms of sustainability. In order to secure this, it is recommended that a condition be added to ensure the building is constructed to the pre-assessment BREEAM score.

Trees

- 6.88 In respect of the consideration of trees in planning applications, Paragraph 118 of the NPPF advises planning authorities that *"planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees [those which, because of their great age, size or condition are of exceptional value for wildlife, in the landscape, or culturally] found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss"*.
- 6.89 London Plan Policy 7.21 advises that *"Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species"*.
- 6.90 Core Strategy Policy 12 states that in *"recognising the strategic importance of the natural environment and to help mitigate against climate change the Council will conserve nature"* which will be achieved by *"protecting trees, including street trees, and preventing the loss of trees of amenity value, and replacing trees where loss does occur"*.
- 6.91 Pursuant to DM Policy 25, applications for all major development and/or those where a TPO is in place are required to submit an Arboricultural Survey carried out by an appropriate, competent person, in line with BS5837, retain existing trees for the most part and, in the event of tree removal, provide replacement planting. New and replacement tree planting must use an appropriate species that reflects the existing biodiversity in the borough.
- 6.92 An Arboricultural Impact Assessment and Method Statement was submitted in support of the application. The tree survey identifies 28 trees on the site with a variety of species. 16 of the trees are classed as moderate with the remaining either being of low value. It should be noted that none of the trees have Tree Protection Orders over them.

- 6.93 The proposal includes the removal of 15 trees, including 7 trees of moderate value to facilitate the construction of the foundation block. The remaining trees to be removed are of low or insignificant quality. The trees to be removed, being located to the front of the site, are considered to provide landscape amenity value and therefore positively add to the character of the area.
- 6.94 The impact on the character as a result of the loss of these trees is discussed in greater detail under design. Overall, due to the positive addition to the streetscape of the garden wall, together with no feasible option for setting the building back, it is considered that the removal of the trees would not significantly impact on the character of the area.
- 6.95 In addition to the above, the landscaping scheme includes planting of medium sized trees. This includes eight crab apple trees as part of an orchard to the rear of the foundation, two field maples on the western boundary and two on the northern boundary and one wild cherry adjacent to the car park. Furthermore a number of other trees on the boundary and to the centre of the school are being retained. This is considered to ensure there would be no significant ecological impact as a result of the loss of the trees, as well as improved screening along the boundaries.
- 6.96 The Arboricultural report outlines a Tree Protection Plan (TPP) which, if followed, would ensure the retained trees would not be harmed during construction. Officers recommend that this TPP should be conditioned to secure this.

Ecology

- 6.97 Paragraph 117 of the NPPF advises that, to minimise impacts on biodiversity and geodiversity, planning policies should: promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan.
- 6.98 London Plan Policy 5.11 states that major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible, to deliver several objectives including, among others, adaptation to climate change, enhancement of biodiversity and improvements to the appearance and resilience of buildings.
- 6.99 London Plan Policy 7.19C also states that, wherever possible, developments should make a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 6.100 Core Strategy Policy CS12 Part (l) seeks to promote living roofs and walls in accordance with London Plan policy and Core Strategy Policy 8 while DM Policy 24 states that the Council will require all new development to take full account of appropriate Lewisham and London Biodiversity Action Plans and biodiversity guidance in the local list, in development design and ensuring the delivery of benefits and minimising of potential impacts on biodiversity and geodiversity. DM 24 goes on to provide guidance on the specification sought for living roofs.
- 6.101 The site is not designated as a site of importance for nature conservation and the surrounding area is urban in nature. Whilst the site is covered primarily by buildings and hard landscaping, it is noted that there are significant amounts of

grassed areas at the western section and several mature trees along the boundary.

- 6.102 An Ecological Appraisal was submitted in support of the application. The appraisal includes recommendations for protection of the existing ecology and biodiversity enhancements with the proposed development. Following consultation with the Ecological Regeneration Manager, a bat survey was also completed. This report found no extensive bat activity and concluded the development would not significantly impact on bat species but would rather have beneficial impacts following the placement of bat boxes.
- 6.103 The proposed expansion works would decrease the area of open space for amenity and biodiversity. However, it is noted that the landscaping strategy includes enhancements to the remaining open space, including herbaceous planting, together with ecological stations, around the boundaries and a crab apple orchard. Furthermore, it is noted that the larger mature trees capable of maintaining bird and bat roosts are being retained and protected during construction.
- 6.104 With respect to external lighting adversely effecting bat roosts, it is noted that the proposed external sports field would not have floodlights. Furthermore, the level of external lighting is expected to be in line with the established level given its urban setting. Therefore it is not considered that the development would negatively impact on bats through excessive lighting.
- 6.105 Taking this into account, the proposed development is considered to comply with the relevant ecology policies. Officers consider that the conditioning of the ecological appraisal and bat survey as approved documents would ensure the development is carried out in accordance with the recommendations within. In addition, details of the bird/bat boxes and insect hotels should be submitted to the Council to ensure they are appropriate prior to development.
- 6.106 Following discussions with officers, the proposal has been amended to include a living roof on the foundation block. In total, 295sq m of living roof is proposed. Officers consider that the provision of a living roof would serve as further biodiversity enhancements, as well as a sustainable drainage solution, and therefore the development complies with the relevant policies.
- 6.107 Details of the proposed living roof have not been provided. Therefore it is recommended that a condition be added to ensure the system is a biodiverse living roof with details consistent with specifications in DM Policy 24.

Contamination

- 6.108 The submitted Desk Study Report concludes that there is potential for sources of contaminants on site through made ground during the construction of the school. Therefore it is recommended that an intrusive geo-environmental ground investigation is conducted.
- 6.109 Whilst it is not considered that the level of contamination would preclude the development of the site, given the sensitive nature of the school pupils and proposed orchard garden and other landscaping improvements, Officers consider that a condition is reasonable to secure such an assessment prior to any

development and ensure any possible remediation works are carried out prior to occupation.

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. Furthermore Lewisham's local CIL is applicable to the development. CIL is payable on this application and an informative should be attached advising the applicant accordingly.

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 Officers consider that in this matter there is no adverse impact on equality.

9.0 Conclusion

- 9.1 The proposed development is for works associated with the expansion of St Winifred's Primary School into 2 forms of entry and a nursery. In total, 460 pupils and 80 staff would be accommodated. The works involve the construction of three new buildings, alterations to the existing building, the removal of the modular building and associated landscaping and car parking. The application has been considered in the light of policies set out in the development plan and other material considerations.

- 9.2 Officers consider that the proposals would make a significant contribution towards addressing the pressing need for primary school places in the Borough. Therefore the proposal is in line with the Council's policies on school infrastructure.
- 9.3 The proposed design is considered to be appropriate given the use of the site and the scale and design is considered to be sympathetic to the existing development. Furthermore, the scale and design is not considered to significantly detract from the amenities of neighbouring properties.
- 9.4 The proposed development would increase parking and trip generation in the area, with an expected increase of 39 on-street parking spaces above the established level. However it is considered that this can be incorporated into the existing on-street parking availability. Furthermore, through the appropriate conditions for a travel plan, cycle storage and highway improvements, it is considered that any impact would be mitigated.
- 9.5 The scheme would involve the removal of trees fronting Newstead Road, which are considered to positively add to the streetscape. Whilst the loss of the trees is regrettable, it is considered that the benefits of the school outweigh the adverse impacts and with adequate re-provision, the scheme would not negatively impact on biodiversity. Furthermore, it was considered that optional designs with re-provision to the front was detrimental to the design for little to no improvement to the streetscene. Therefore the loss of the trees is considered to be acceptable.
- 9.6 Therefore officers consider that the scheme is acceptable subject to conditions.

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.

Reasons: 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:

PL_001; PL_002; PL_003; PL_004; PL_005; PL_108; PL_109; PL_110; Contamination Desk Study Report; Design and Access Statement; Ecological Appraisal; Energy Strategy Statement; Landscaping Design; Transport Assessment (received 27 April 2015); AJK-PCE-2.11-NBL-DET-SL-100301; Window Specifications (received 23 July 2015); L-501; L-502; L-503; L-504; Bat Survey Report (received 29 July 2015); Overshadowing Analysis (received 4 August 2015); L-100 rev B (received 27 August 2015); PL_101 rev A; PL_102 rev A; PL_103 rev A; PL_104 rev A; PL_105 rev A; PL_106 rev A; PL_107 rev A; PL_111 rev A (received 24 September 2015); TPP_STWINIFREDS_3 Rev B; TRP_STWINIFREDS_2 Rev B; Arboricultural Impact Assessment and Method Statement (received 24 March 2016); BREEAM Pre-Assessment (received 6 April 2016)

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

- (3) (a) No development shall commence on site until a local labour strategy has been submitted to and approved in writing by the local planning authority. The strategy shall include (but is not limited to):
- (i) Proposals to achieve a target of fifty per cent (50%) local people and local businesses as employees contractors and sub-contractors during the construction of the Development.
 - (ii) A commitment to working with the local planning authority's local labour and business coordinator.
 - (iii) Routes to employment, including direct access to employment opportunities at the development and addressing wider barriers to employment.
 - (iv) Early warnings within the local planning authority's area of contracts to be let at the development.
 - (v) The number and type of jobs to be created and the skill requirements in relation to those jobs.
 - (vi) Recommended training routes to secure jobs.
 - (vii) Proposals to encourage diversity in the workforce.
 - (viii) Measures to encourage local businesses to apply for work in relation to the development.
 - (ix) Training opportunities and employment advice or programmes and employment and training brokerage arrangements.
 - (x) Provision of opportunities for modern apprenticeships including the number and type of apprenticeships available.
 - (xi) Provision of opportunities for school leavers, older people and those who have been out of work for a long period.
 - (xii) Provision of work experience for local people during the construction of the development including the number of weeks available and associated trades.
 - (xiii) Provision of childcare and employee assistance to improve working environments.
 - (xiv) Interview arrangements for jobs.
 - (xv) Arrangements for working with schools and colleges.
 - (xvi) Measures to encourage local people into end use jobs.

(xvii) Targets for monitoring the effectiveness of the strategy including but not limited to the submission of monitoring information to the local planning authority on a monthly basis giving details of:-

- The percentage of the on-site workforce which are drawn from persons whose normal residence is within the Lewisham borough.
 - Social and demographic information of all contractors, sub contractors, agents, and employers engaged to undertake the construction of the development.
 - Number of days of work experience provided.
 - Number of apprenticeships provided.
- (b) The strategy approved by the local planning authority under part (i) shall be implemented in its entirety and distributed to all contractors, sub-contractors, agents and employers engaged in the construction of the development.
- (c) Within three months of development commencing and quarterly thereafter until the development is complete, evidence shall be submitted to demonstrate compliance with the approved strategy and monitoring information submitted to the local planning authority in writing, giving the social and demographic information of all contractors, sub-contractors, agents and employers engaged to undertake the construction of the development.

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

- (4) (a) No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
- (i) Dust mitigation measures.
 - (ii) The location and operation of plant and wheel washing facilities.
 - (iii) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
 - (iv) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - Rationalise travel and traffic routes to and from the site.
 - 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.

- Measures to deal with safe pedestrian movement.
- (v) Security Management (to minimise risks to unauthorised personnel).
 - (vi) Details of the training of site operatives to follow the Construction Management Plan requirements.
- (b) The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

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

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

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

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

Reasons: To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the sensitive users of the development and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

- (6)
- (a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.
 - (b) No development shall commence until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.
 - (c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

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

- (7)
- (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.

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

- (8) No development shall commence on site until a detailed schedule and samples of all external materials and finishes/windows to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

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

Reasons: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal, storage and collection, 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).

- (10) (a) A minimum of 73 secure and dry cycle and scooter 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.

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

- (11) (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. PL-104 Rev A hereby approved and maintained thereafter.
- (b) No development on this block shall commence until details have been submitted to and approved in writing by the Local Planning Authority and shall include:-
- (i) 1:20 section plans showing an extensive substrate base (depth shall vary between 80-150mm with peaks and troughs but shall average at least 133mm);

- (ii) A management and maintenance plan including installer details, species list, sustainable irrigation and replanting scheme
 - (iii) An agreement with the installer that guarantees 80% coverage in 5 years.
- (c) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (d) Evidence that the roof has been installed in accordance with (b) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

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

- (12) Prior to the commencement of above ground works, the applicant will submit a scheme and programme for the implementation of highways improvements within the vicinity of the site for approval by the Local Planning Authority, in consultation with the Highway Authority. The approved works will be implemented and completed in full accordance with the agreed scheme.

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

- (13) Details of a Safety Audit of the proposed pedestrian environment outside the school is required to assess any impacts associated with the proposed changes to the access arrangements shall be submitted in writing to the local planning authority for their approval prior to the creation of the new accesses. Development shall not commence on the proposed accesses until the recommendations made and agreed with the local planning authority in the approved Safety Audit document are implemented

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

- (14) Details of the number and location of the bird/bat boxes, insect hotels and other ecological enhancements to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

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

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

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

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

Reasons: 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).

- (17) (a) The development shall be constructed in accordance with the approved Energy Strategy Statement in order to achieve a minimum of 35% improvement in the Target Emission Rate (TER) over the 2013 Building Regulations Part L1A minimum requirement to accord with current (April 2015) GLA requirements for carbon reduction; and
- (b) Within 3 months of occupation of any of the buildings hereby approved, evidence (prepared by a suitably qualified assessor) to demonstrate full compliance with part (a) of this condition for each unit

shall be submitted to and approved in writing by the local planning authority.

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

- (18) (a) The development shall be in accordance with the Landscaping Design and plan nos. L-100 Rev B; L-501; L-502; L-503; L-504 hereby approved.
- (b) 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.

Reasons: 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).

- (19) No plumbing or pipes, other than rainwater pipes, shall be fixed on the front elevation of the buildings.

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

- (20) The classroom window to be installed in the northern elevation of the first floor of the classroom block hereby approved shall be fitted as obscure glazed and fixed shut and retained in perpetuity.

Reasons: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011).

- (21) The use of the flat roof on 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.

Reasons: 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).

- (22) 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

Reasons: 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).

- (23) The development shall be fitted with a total of 64m² of Solar Photovoltaic arrays with a total rated capacity of 9 kWp in accordance with the Energy Strategy Statement and plan no. PL-104 Rev A hereby approved.

Reasons: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.5 Decentralised energy networks and 5.7 Renewable energy in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (24) Construction of the development shall be in accordance with the tree protection measures stated in the Arboricultural Impact Assessment and Method Statement and TPP_STWINIFREDS_3 Rev B hereby approved.

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

INFORMATIVES

- (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) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit

a 'CIL Commencement Notice form' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at:-

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

- (4) 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.
- (5) Applicants are advised to read 'Contaminated Land Guide for Developers'(London Borough's Publication 2003), on the Lewisham web page, before complying with the above condition. All of the above must be conducted in accordance with DEFRA and the Environment Agency's (EA) - Model Procedures for the Management of Land Contamination.

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

- (6) In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.
- (7) Assessment of the sound insulation scheme should be carried out by a suitably qualified acoustic consultant.
- (8) Conditions 3, 4, 5, 6, 7, 8, 9, 10 and 11 require details to be submitted prior to the commencement of development due to the importance of these matters and to ensure these details are acceptable before works are undertaken.

Note of Local Meeting
St. Winifred's Roman Catholic School, Newstead Road
SE12 0SY



7.40pm, 1st July 2015
Trinity Hall, Taunton Road

Applications details

Reference: DC/15/91968

Proposal: The expansion of St Winifred's Roman Catholic Primary School, 26 Newstead Road, SE12 to provide two forms of entry, comprising of the removal of existing trees and construction of a single storey foundation block incorporating nursery and reception classes with separate pedestrian access and the construction of a two storey entrance block incorporating administration rooms, a hall and new main entrance in place of the existing car park fronting Newstead Road and the construction of a two storey classroom building to the rear of the site, together with alterations to the existing building, the creation of 8 new car parking spaces and associated landscaping works

Attendance

Councillor Jim Mallory (Chair)
Margaret Brightman (London Borough of Lewisham (Applicant))
Ben Whitehead (Architect)
Paul Silcock (Transport Consultant)
Luke Mannix (Planning Officer)

28 local residents (signed attendance sheet)

Note of Meeting

Introduction

Councillor Mallory (Cllr Mallory) explained the reason for holding a meeting stating that it was an opportunity for those attending to listen to a presentation by the applicant, seek clarification on elements of the proposals and provide comments on points of concern.

Applicant's Presentation

Margaret Brightman (MB) provided an introduction to the education aims of the Council and background to the need for school places. The main points were as follows:

- The Borough has seen an increase in birth rates with a younger population placing strain on school places. In 2010, demand was higher than the number of places and this has led to a number of schools taking on bulge classes, including St. Winifred's.
- In line with this demand, the Council is looking to increase school spaces through expansion programs with popular and successful schools prioritised.
- Most of these expansions have been undertaken in community schools as opposed to schools of faith. 2 years ago, St Winifred's agreed to increase student intake and as a result LBL have begun to explore the potential of enlargement.
- The junior school and infant school are located on two different sites leading to difficulty of parents travelling with two children, as well as transport safety. Thus the exploration of amalgamation.
- The infant school on Effringham Road is not capable of incorporating the expansion.
- Therefore the current proposal on Newstead Road was taken forward.

Q1: What will happen to the school on Effringham Road?

MB: The expansion could lead to the sale of the site with proceeds going towards further improvements of the Borough's schools. Any future change would be subject to planning policy.

Architect's Presentation

Ben Whitehead (BW) provided background to the existing development and the constraints and an introduction to the proposed development. The main points were as follows:

- The site has a existing development centred in the middle of the site with playspace around the edges. This leads to a tricky site to develop.
- The brief was to utilise the space whilst protecting and enhancing existing areas of open play.
- Three new blocks are now proposed: classroom block to the rear, an infant block and administration/hall to the front.
- The development attempts to bring administration and visitor entrance to the front as opposed to the confusing current entrance shared with the pupils.
- The classroom block to the rear attempted to retain the same building line as the existing two storey buildings.
- A consultation event was held in April 2015 with some changes made in line with the comments.

Q2: I live directly opposite the school on Newstead Road. Will the proposed brick wall to the front be single storey in height?

BW: Yes.

Q3: Could this lead to graffiti or a prison feel within the school?

BW: The principle of the wall has been discussed with planning officers and the Design Review Panel, who were supportive of the wall. Therefore the

current design has been brought forward. If graffiti does occur, then the school would be responsible for the cleaning.

Q4: What about the height of the administration building? Could the building not be set back to be more in line with the existing development?

BW: The building would be two storey, however it could not be set back from the boundary as it would conflict with the existing buildings.

Q5: Why has the caretaker unit remained? Will this be developed in the future?

BW: Developing the caretaker unit was not part of the brief.

MB: When the brief was developed, the need for the retention of the caretaker unit was strong and the budget did not allow for a new flat. There are no plans for the redevelopment in the future at this stage.

Q6: I live in Dallinger Road. The existing single storey building has an impact on the level of light into gardens and therefore the two storey building would have a greater effect. Why not a single storey classroom?

BW: A single storey classroom was explored on both sides of the existing building to the rear, however this option would take up too much space and reduce open amenity.

Q7: The working plan did have two single storeys as shown in the consultation period. The relationship of the building should not outweigh existing residential amenity.

BW: This isn't true. The option that was shown at the consultation was a two storey building similar to that proposed. The separation of the classroom is not functional and reduces space.

Q8: Can the classroom building not be moved further south?

BW: There is a tree to the south which has a Tree Preservation Order (TPO)¹ and it was considered worthy of retention.

Q9: Lewisham's Residential SPD states that buildings should not be visually intrusive. The proposed classroom block with no windows would be intrusive to the amenity of the residents backing onto the site.

BW: Windows are added onto the northern elevation to break up the massing.

Q10: Why have no other options been explored?

BW: Options have been explored as outlined in the supporting documents. This option is considered to be the most appropriate taking into account the constraints of the site.

Q11: The proposed classroom building would completely block out light to the rear gardens making them useless. The requirements of the tree should not overcome residential amenity. If this tree is protected, why are the trees to the front not protected?

BW: I cannot answer that

Q12: What would be the implication of moving the classroom to the area of open ground currently covered in tarmac?

BW: This would fragment the current play area, significantly impacting on the children's outdoor learning and play.

Q13: Would a building where the orchard is proposed be better?

BW: The orchard has been proposed for its ecological benefits and amenity space for pupils. This space is already important for amenity. Also, any building would be quite close to the adjoining property which may have greater impacts on amenities to this building.

Q14: Most schools in London do not have that much amount of space or an orchard. Is it necessary?

MB: Orchards and ecological enhancements in general are encouraged in new school development to increase trees and allow outdoor learning.

Q15: Could you clarify the new entrances?

BW: The formation and administration building provides two new entrances to the school. An assembly point is located in the formation building as well as to the rear of the block.

Q16: How many students would be at the school?

MB: 420 pupils plus a nursery.

MB: This meeting has been brought forward with the intention of getting issues out and now we will go back with the intention of considering changes and providing further information.

Cllr Mallory: I will also follow up on this.

Transport Consultant's Presentation

Paul Silcock (PS) provided an introduction to the transport impacts and assessment. The main points were as follows:

- The proposed expansion would increase the pupils in phases. 415 pupils and 70 staff are expected in 2016 with a maximum of 460 pupils and 80 staff in 2019.
- This includes a nursery made of morning and afternoon sessions of 20 children.
- There is a possibility of adopting a staggered school start.
- Staff parking is reduced. 75 cycle and scooter parking spaces.
- A hands up travel survey was conducted in 2012. Results were used to estimate existing trip generated and, using the same analysis, the expected increase in parking required can be calculated to assess the parking required.

Cllr Mallory: Is there staff car sharing? Does the figures show this?

PS: Yes but the figures have not taken this into account. The figures are a worst case scenario and even in this instance, there is available space for

parents to park. The assessment also assumes the measures of the travel plan to increase sustainable modes of transport have been implemented.

Q17: Does the nursery impact on the assessment given they would start later?

PS: These numbers have been included in the figures.

Q18: Is there ways in which travel can be managed to minimise need for parking?

PS: Measures will be included in a travel plan.

Cllr Mallory: Will they be taken to committee?

PS: These could be placed in a travel plan. The school does have an existing travel plan with measures.

Q19: Do you have any idea of the area for student intake?

PS: The furthest students are 2km away, however this is only two students. The remaining students live locally with the majority using sustainable modes of transport.

Q20: Would a staggered start to school help parking as people wait?

PS: This could be made to work but it comes down to management should it be incorporated. The observations of the street shows parking can be incorporated without a staggered start. In addition, whilst the street is in reality a quite residential street, traffic calming devices could be implemented on the corner of Birch Grove.

Q21: The surrounding roads are used as diversions from the South Circular leading to dangerous driving. Could the road be made one-way.

PS: Perhaps. However traffic could travel faster through one-way as opposed to two-way so the benefits would not be great.

Q22: Residents and parents parking unlawfully within the spaces of Newstead Estate and on the restricted parking zones has been a problem in the past. How is this being addressed?

PS: The assessment shows there is sufficient space in the surrounding street networks without the need to park illegally. It would be down to the school to appropriately manage parking through the transport plan to persuade parents and staff to be considerate when parking.

Q23: Streets to the north are located in a CPZ which restricts parking in these areas. Would the loss of staff car park impact on parking taking this into account?

PS: There is parking restrictions further north and on Newstead Road. However there is available space further from the school as shown on the parking survey. As such it is not expected to significantly impact provided staff are encouraged to park further away from the school.

Cllr Mallory: There is an issue with parking with residents who don't want to pay using controlled parking zones. This can be brought forward outside of this local meeting and the issue can be taken up separately.

Meeting closed at 9.15pm.

1 *It was later noted that there are no TPO's on any tree on the site.*

St Winifred



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

<u>Reg. Nos.</u>	DC/15/093788
<u>Application dated</u>	10 September 2015
<u>Applicant</u>	Mrs Katie Tarrent
<u>Proposal</u>	Retrospective conversion of 14A Lewisham Hill SE13, into 1, one bedroom and 1, three bedroom self-contained flats together with a single storey rear extension at lower ground floor level.
<u>Applicant's Plan Nos.</u>	Planning, Design and Access Statement, Site Location Plan, P9/001, 002, 003, 004, 005 and 006 (received 17 th September 2015).
<u>Background Papers</u>	(1) LE/137/14/TP (2) Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)
<u>Designation</u>	Not a Listed Building Not in a Conservation Area

1.0 Property/Site Description

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

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

2.0 Planning History

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

3.0 Current Planning Applications

The Proposal

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

Proposed external changes

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

Proposed accommodation

Lower ground floor

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

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

Upper ground floor

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

Supporting Documents

- 3.18 The application is supported by a Design and Access Statement.

4.0 Consultation

- 4.1 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 A site notice and conservation area notice were displayed, letters were sent to residents in the surrounding area and the application was advertised in the local newspaper for a period of three weeks. Local ward Councillors were consulted.
- 4.3 Two objections and one comment were received to the proposal.
- 4.4 The occupant of the flat above the subject property at No. 14B Lewisham Hill objected to the proposal and raised the following key concerns:
- the upper ground floor flat is already occupied and has been converted into a two bedroom flat while the proposed plans show a one bedroom flat;

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

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

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

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

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

5.0 Policy Context

Introduction

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

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

- (c) any other material considerations.

A local finance consideration means:

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

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the L014sham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

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

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

Other National Guidance

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

London Plan (March 2015)

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

- Policy 1.1 Delivering the strategic vision and objectives for London
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.4 Retrofitting
Policy 5.7 Renewable energy
Policy 6.13 Parking
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Housing (Draft Interim, May 2015)
Sustainable Design and Construction (2006)

Core Strategy

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

Core Strategy Policy 7 Climate change and adapting to the effects
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan

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

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

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

Residential Standards Supplementary Planning Document (amended 2012)

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

6.0 Planning Considerations

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

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

Principle of development

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

6.3 Policy 3.5 Quality and design of housing developments of the London Plan states that housing developments should be of the highest quality internally, externally and in relation to their context and states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

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

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

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

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

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

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

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

Design

6.10 Paragraph 63 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 32 continues that great weight should be given to the asset's conservation. Paragraph 34 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum use.

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

6.12 Core Strategy Policy 16 states that the Council will ensure that the value and significance of the borough's heritage assets and their settings, conservation areas, listed buildings, archaeological remains, registered historic parks and gardens and other non designated assets such as locally listed buildings, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice.

6.13 DM Policy 31 Alterations and extensions to existing buildings including residential extensions states that development proposals for alterations and extensions, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. High quality

matching or complementary materials should be used, appropriately and sensitively in relation to the context.

- 6.14 Paragraph 6.3 of the Residential Standards SPD states that bricks and roofing materials used to construct an extension should match those in the original building.
- 6.15 Paragraph 6.4 of the Residential Standards SPD states that extensions should be smaller and less bulky than the original building and reflect its form and shape. It states that traditionally, extensions to buildings are subsidiary to the main structure and that over-dominant extensions may destroy the architectural integrity of existing buildings.

Proposed external changes

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

Standard of residential accommodation

- 6.22 Policy 3.5 Quality and design of housing developments of the London Plan states that housing developments should be of the highest quality internally,

externally and in relation to their context and states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

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

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

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

Transport and servicing

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

Impact on adjoining properties

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

- 6.36 DM Policy 31 states that residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens.
- 6.37 At lower ground floor level, the proposed single-storey rear extension would not result in any amenity impacts in terms of overlooking or overshadowing to adjoining occupiers. Further, due the height of the existing fence on the north-eastern boundary of the site, the new raised walkway to be constructed over the flat roof of the lower ground floor extension would not result in any significant overlooking of the rear of the adjacent property at No.16 Lewisham Hill. A condition has been recommended requiring the Applicant to ensure that a side boundary fence (the same height as the existing timber fence) is retained in perpetuity on the north-eastern boundary of the site.
- 6.38 Concern was raised by the occupier of the flat above the subject property at No. 14B that the proposal would cause overlooking of the occupants rear garden and take away the use of this garden.
- 6.39 However, (as above) the single storey rear extension would be provided at lower ground floor level and would not cause overlooking or the rear garden of the No. 14B. Further, it is considered that the new raised walkway to be constructed over the flat roof of the lower ground floor extension would not result in any additional overlooking of the rear garden of No. 14B compared with the existing rear balcony at ground floor level. The use of this walkway would also be intermittent. The proposal maintains a 2.5m rear garden strip between No. 14A and the rear garden of No. 14B and as such, the proposal would not impact of the ability of the occupant of No. 14B to use their rear garden. It is also noted that these gardens are separated by a timber picket fence.
- 6.40 Concern was raised by the occupier of No. 12B Lewisham Hill that the flat roof extension would be visually intrusive, will have rooflights and impact on the occupants privacy. Concern was also raised that the extension is not in keeping with existing properties and will serve as an eyesore for adjacent properties located above. It was also noted that the property is located on the edge of a conservation area.
- 6.41 However, as demonstrated in the section 'proposed external changes' of this report, at 3.4 deep by 4.8m wide by 3.4m high, the size of the rear extension would be modest and of an appropriate scale and proportion when compared to the existing property. The rear extension would also with a flat roof to ensure that it remains subservient to the host property, no rooflights, would be 'tucked away' at lower ground floor level and would not be visible from the public realm.
- 6.42 As such, the Council considers that the proposed extension would not be visually intrusive to any of the occupiers of No. 12 Lewisham Hill, would not impact on privacy or the character of any nearby conservation area. Again, it is also noted that the adjacent property at No. 16 Lewisham Hill already has a similar sized courtyard extension as well as a half-width rear conservatory, therefore the proposed rear extension would not be inconsistent with adjacent dwellings.

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

Other matters

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

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

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

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

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

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

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

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

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

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

Community infrastructure levy

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

7.0 Equalities Considerations

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

8.0 Conclusion

- 8.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 8.2 Council officer's are satisfied that the principle of converting the existing maisonette into two separate flats is acceptable, the proposed external changes would not result in any adverse design impact to the subject building or the character of the streetscape, and that the new flats would provide a satisfactory standard of accommodation for future occupiers.
- 8.3 Finally, Council officer's are also satisfied that the proposal would not adversely impact on the amenity of adjoining occupiers.
- 8.4 As such, the proposal is recommended for approval, subject to conditions.

9.0 RECOMMENDATION GRANT PERMISSION subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

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

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

Informatives

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

Committee	PLANNING COMMITTEE A	
Report Title	14A Lewisham Hill, SE13, 7EJ	
Ward	Blackheath	
Contributors	Andrew Hartcher/Karl Fetterplace	
Class	PART 1	21 April 2016

<u>Reg. Nos.</u>	DC/15/093788
<u>Application dated</u>	10 September 2015
<u>Applicant</u>	Mrs Katie Tarrent
<u>Proposal</u>	Retrospective conversion of 14A Lewisham Hill SE13, into 1, one bedroom and 1, three bedroom self-contained flats together with a single storey rear extension at lower ground floor level.
<u>Applicant's Plan Nos.</u>	Planning, Design and Access Statement, Site Location Plan, P9/001, 002, 003, 004, 005 and 006 (received 17 th September 2015).
<u>Background Papers</u>	(1) LE/137/14/TP (2) Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)
<u>Designation</u>	Not a Listed Building Not in a Conservation Area

1.0 Introduction

1.1 This application was presented at Planning Committee A on 18 February 2016, but deferred for further clarification on the following matters:

- Noise insulation and the stacking of like rooms above each other
- Re-configuration of the door to the side elevation as the principle entrance to the lower ground flat
- Venting of the kitchen
- The loss of the original storage area to the rear
- Clarity on the exact nature of what is taking place on site through a site inspection: and
- The definition of 'family housing' and 'single family dwelling' in relation to the London Plan, DM Policy 3 and legislation.

2.0 Additional Information

2.1 These matters have been considered and are addressed below.

Re-configuration of the door

2.2 Consideration was given to this matter in the original report to committee. The new side entrance door has a recessed opening and opens inwards. As such, it is not considered that this door would impede rear garden access or the free flow of movement along the passage way. The proposal is considered adequate in this regard.

2.3 The loss of storage space located under the rear courtyard at ground floor level was considered in the initial assessment of the application and it was determined that this was acceptable. Further consideration of this matter has not led to a change in officer opinion on this matter.

2.4 However, for clarity, it is considered that the loss of the original storage space is acceptable as there is adequate space in the rear garden of the property for new storage space to be provided. In addition, the National Technical Space standards requires the provision of storage space of 2.5sqm for 3b5p flats and 1.5sqm for 1b2p flats. 0.5sqm has been provided in the 1b2p flat. No storage has been provided in the 3b5p flat. However it is noted that the hall in the 3b5p flat is relatively large, with an area of 13.65sqm, having a maximum width of 2.2m. Therefore, it is considered that this could accommodate some storage space. It is not considered that this lack of storage space in either flat would result in the standard of accommodation being so poor that it would warrant refusal of this application on these grounds.

Noise and venting

2.5 It is noted that the kitchen is domestic and not of a commercial nature. These matters were considered in the initial assessment of the application, where it was stated that these are not a planning matters to be dealt with under the Town and Country Planning Act 1990. If the works already undertaken have been constructed to meet Building Regulation standards, there should be no resulting amenity or structural issues at the flat located above. Officers have therefore referred the matter to Council's Building Regulation Team and it is understood that investigations into the matter are on-going.

Site inspection

2.6 An internal and external site inspection has already been undertaken by officers and it is considered that this has enabled a satisfactory assessment of the application.

Definition of 'family housing' and 'single family dwelling'.

2.7 At the Committee Meeting, it was raised that the existing flat is considered family housing as defined by the London Plan and therefore should not be allowed to be converted on that basis. The London Plan glossary states that family housing "is generally defined as having three or more bedrooms". This definition does not make a distinction between houses and flats and also allows for flexibility through the use of the word generally.

2.8 The London Plan supports the provision of family housing but does not contain a policy that prevents the conversion of it and in the absence of such a policy, direction is taken from DM3.

2.9 Part 1 of DM Policy 3 'Conversion of a single family house to two or more dwellings' states that:

The Council will refuse planning permission for the conversion of a single family house into flats except where environmental conditions mean that the single family house is not suitable for family accommodation due to any factor listed below:

a. adjacent to noise generating or other environmentally unfriendly uses

b. lack of external amenity space suitable for family use'

2.10 Paragraph 2.13 of the supporting text to DM Policy 3 advises that family housing is single family houses with three or more bedrooms. Additionally, a 'Single Family House' is defined in the glossary of the Development Management Plan as a self-contained house occupied by a single family.

2.11 Clarification on whether the wording of this policy relates to the conversion of flats as well as single family houses has been sought on previous applications. This includes 8B Lewisham Hill (DC/15/91178), as referenced in the original report for this application.

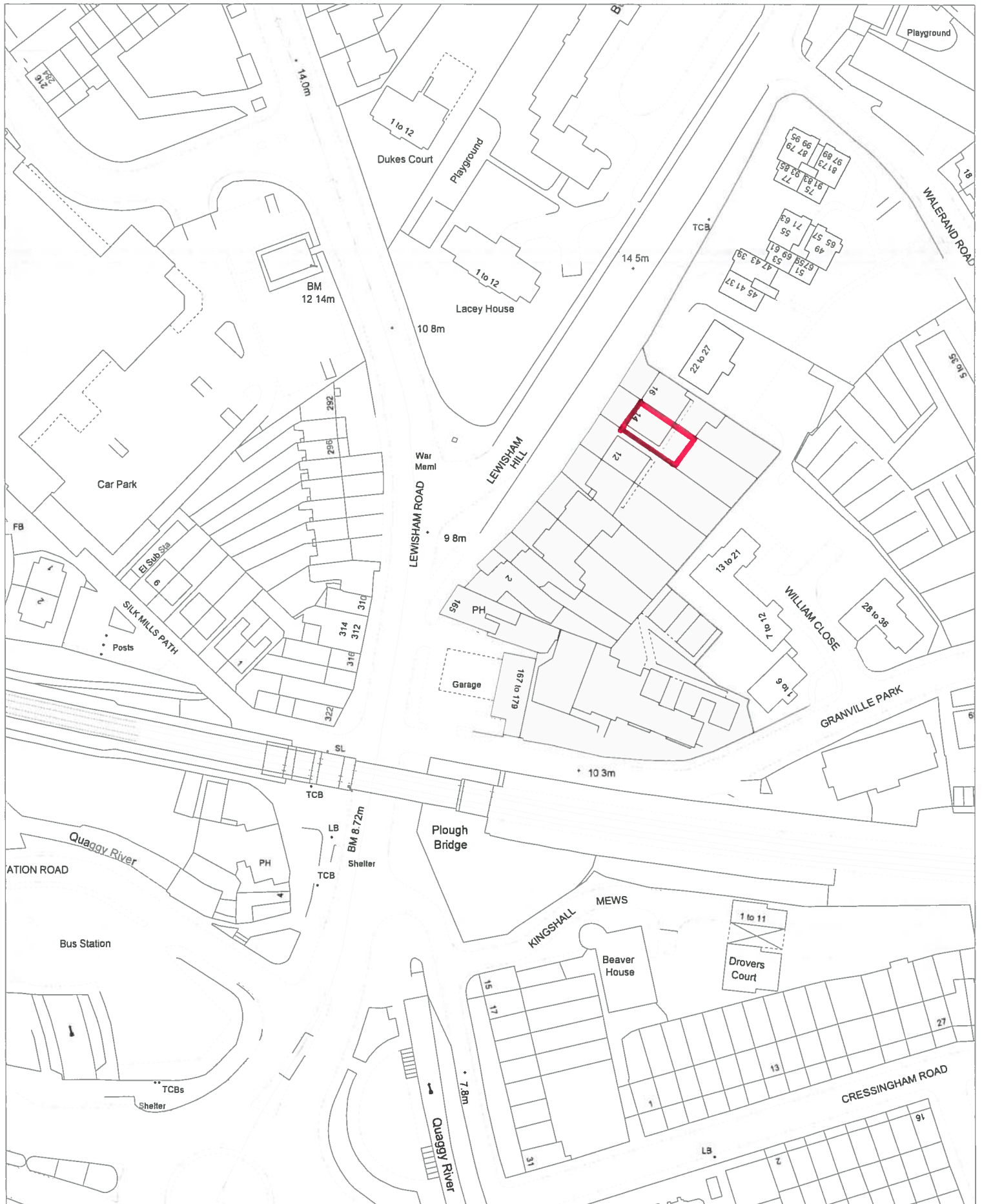
2.12 The building in question contains a two storey maisonette (the subject of this application) and two single storey flats. It is not considered to be a single family house as defined in the Glossary of the Development Management Local Plan or DM Policy 3. On that basis, DM Policy 3 does not apply to this application.

3.0 Conclusion

3.1 Officers consider that no new information or planning considerations have been raised above, that would require the officers recommendation for approval to be reconsidered.

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14 Lewisham Hill



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Committee	PLANNING COMMITTEE A	
Report Title	12 & 16 Baring Close, London SE12 0UN	
Ward	Grove Park	
Contributors	Kasuni Thewarapperuma	
Class	PART 1	21 April 2016

Reg. Nos. (A) DC/15/094376

Application dated 05 November 2015

Applicant Mr Tim Jones on behalf of Mrs Revivit Walker

Proposal The construction of a two storey extension to the side of 12 and 16 Baring Close SE12

Applicant's Plan Nos. OS Map; 63.12/50 Rev A; 63.12/51 Rev A; 63.12/52 Rev B; 63.12/53 Rev B; 63.12/54

Background Papers

- (1) Case File LE/302/AC/TP
- (2) Core Strategy (Adopted June 2011) and Development Management Local Plan (adopted November 2014)

Designation

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

1.0 Property/Site Description

- 1.1 The application site is located at the northern end of the block of flats located at the rear of Baring Close SE12. Baring Close is a residents only road. The Close features two blocks of residences, some of which are flats, with garages to the rear. The application property forms the end flats of the rear block. No. 12 is the ground floor flat and no. 16 is the upper floor flat.
- 1.2 The two blocks of residences are separated by approximately 25m with sizable front and rear gardens. The Close features several mature trees, and has a slight slope down towards the rear.
- 1.3 The application site itself contains overgrown areas with fly tipping occurring in the space between the existing building and the fence.
- 1.4 To the north is Palace View, a larger flat block development with lock-up garages immediately adjoining the site. This is currently obscured from view by existing trees on the application site.

2.0 Planning History

- 2.1 DC/15/92045 The construction of a two storey extension to the side of 12 &16 Baring Close SE12. Withdrawn November 2015 to revise the scheme.

3.0 Current Planning Application

- 3.1 The current application is a re-submission of the previously withdrawn scheme. The applicant proposes to construct a two storey side extension to the northern side of the property. The extension would measure 3.3m wide and 9m deep, which would match the depth of the existing building. The maximum height of the extension would be 7.9m (to the apex of the pitched roof). The extension would have a pitched roof and would match the profile of the existing building.
- 3.2 The proposed extension would house two single bedrooms on each floor with ensuite bathrooms in each room. The rooms would be accessed via the living rooms on each floor. The proposal would provide two bedrooms with a Gross Internal Area (GIA) of 11.25sqm and 8.8sqm for each floor.
- 3.3 The proposed extension would be clad in materials to match the existing building. The external walls would therefore be brick, the roof made of interlocking tiles with uPVC windows. The windows to the ensuite bathrooms would be obscure glazed up to a height of 1.7m from the floor level.
- 3.4 Currently, the existing flats have a gross internal floor area of 53.4sqm (no.12 at ground floor) and 56.1sqm (no. 16 at first floor level).
- 3.5 The previously submitted proposal showed bedrooms smaller than required was withdrawn by the applicant to revise the scheme. The current proposal shows all bedrooms meeting the National Technical Standards requirements.

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 notice was displayed and letters were sent to residents in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

- 4.3 Three objections were received from adjoining neighbours. A summary of their concerns are outlined as follows:
- Location of the public notice not prominent.
 - Access: Existing private residents' access is currently in a state of disrepair; concerns of it being further damaged by construction and by additional residents' traffic
 - Subsidence problems affecting the rest of the flat block
 - Rooms appear as bedsits. Concerns of residential close being turned into a hotel/ increased density.
 - Concerns of standard of accommodation relating to minimum sizes, whether each 'bedsit' is accessed directly through living rooms of a family home
 - Land grabbing
 - Removal of mature trees: visual amenity issues and stability of the block
 - Cramming tenants into a small space

- General disruption imposed on neighbours' quiet enjoyment of their property including disabled residents' access
- Extensions to the property not in keeping with the Close.
- The demographics of the Close would change with any enlargement of a property, particularly if that property were to be let on a room by room basis.
- Severely affecting the visual amenity due to the layout of gardens and nature of the environment.

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 (2015)
- 5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:
Policy 7.4 Local character
Policy 7.6 Architecture

- London Plan Supplementary Planning Guidance (SPG)
- 5.7 The London Plan SPG's relevant to this application are:
Housing (2016)

- Core Strategy
- 5.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:
Core Strategy Policy 15 High quality design for Lewisham

- Development Management Local Plan
- 5.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:
DM Policy 30 Urban design and local character
DM Policy 31 Alterations/extensions to existing buildings

- Residential Standards Supplementary Planning Document (2006 – updated 2012)
- 5.10 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

6.0 Planning Considerations

- 6.1 The main issues to be considered in respect of this application are design, standard of accommodation and impact on adjoining properties.

- Design
- 6.2 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

- 6.3 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.

- 6.4 The applicant proposes to construct a two storey side extension to the northern side of the property. The extension would measure 3.3m wide and 9m deep, which would match the depth of the existing building. The maximum height of the extension would be 7.9m (to the apex of the pitched roof). The extension would match the profile of the existing building.
- 6.5 The proposed extension would house two single bedrooms on each floor with ensuite bathrooms in each room. The rooms would be accessed via the living rooms on each floor. Officers note that these are two additional single bedrooms to each flat, and not 'bed-sits', as referred to in the comments by residents.
- 6.6 The proposed extension would be clad in materials to match the existing building. The external walls would therefore be brick, the roof made of interlocking tiles and PVC windows. The windows to the ensuite bathrooms would be obscure glazed up to a height of 1.7m from the floor level.
- 6.7 Overall, the proposal is considered as a minor extension to an existing building. The scale and massing of the extension would be consistent with the existing building.
- 6.8 It is acknowledged that the Council's Residential Standards SPD states two storey extensions are generally not permitted due to restrictions on daylight and outlook of adjoining properties. In this instance, officers consider that the proposed extension is appropriate due to the non-standard features of the site. While it is not 'subordinate' to the original building, it is located at the end of a terraced block and would appear as an appropriately scaled extension to the host building. There are no residential neighbours in the near vicinity who would be affected by any potential loss of outlook and or loss of sunlight. This would be discussed further within the Residential Amenity Section below.
- 6.9 The host building does not have any significant architectural qualities which warrant protection. The proposed scale and the materials are considered to be appropriate. The extension would not be visible from a public area. While the proposed extension is not 'set down' or 'set back' from the host building, it is not considered to unduly affect the architectural qualities of this building. In fact, officers consider that, subject to a condition relating to materials to match the host building, the proposed extension would fit seamlessly with the host building with minimal effect on its architectural integrity. Therefore, the proposal is considered as acceptable in design terms.
- Standard of Accommodation
- 6.10 The London Plan and DM Policies provide guidance on the housing design, layout and space standards of new development. In general they direct that the siting and layout of new-build housing development will need to respond positively to the site specific constraints and opportunities as well as to the existing and emerging context for the site and surrounding area. DM Policies (Policy 32 in particular) expect that all new residential development to meet the functional requirements of the future residents.
- 6.11 The proposal would create two additional single bed rooms with ensuite bathrooms for each flat. The gross internal area (GIA) for single bedrooms would be 11.25sqm and 8.8sqm for each floor.

- 6.12 The previously withdrawn scheme featured the larger room on each floor with a long corridor-like space (1m wide, 2.5m long) which would not lend itself to be usable space as a bedroom. The current scheme was revised to arrange the rooms in a manner which would allow flexibility in arranging furniture and with usable space, measuring 1.6m being the minimum width, with the room spaces with a dimension of approx 2.5m for most of the length of the room.
- 6.13 National Technical Standards require single bedrooms should have a minimum dimension of 2.15m for most of the length of the room. The proposed bedrooms would meet this requirement.
- 6.14 On this basis, it is considered that the proposed bedrooms would provide an acceptable standard of accommodation.

Impact on Adjoining Properties

- 6.15 Core Strategy Policy 15 requires that new development should be designed in a way that is sensitive to the local context. More specific to this, DM Policy 31 seeks to ensure that residential extensions should result in no significant loss of privacy and amenity to adjoining houses and their gardens. It must therefore be demonstrated that proposed extensions are neighbourly and that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, loss of outlook or general noise and disturbance.
- 6.16 To the north of the application property is Palace View, a large flat block development with lock-up garages immediately adjoining the site. This is currently obscured from view by fences and existing trees on the application site.
- 6.17 The extension would be on the boundary with Palace View, however 20m from the nearest residential property (1, 3 and 5 Palace View). Given the intervening distance between the residential neighbours, it is considered that there would be no adverse impact imposed on a residential property.
- 6.18 Council records indicate that there have been previous applications to construct a block of three storey flats on adjoining property at Palace View (no permissions have been granted). Officers consider that the proximity of the current proposal would not prejudice any potential future development on Palace View land. While there would be windows on the elevation facing Palace View, these are to ensuite bathrooms and would be obscure glazed. Therefore there would not be any undue overlooking imposed on Palace View, including any potential future development.
- 6.19 Baring Close contains two blocks of flats with garages to the rear. The proposed extension would be set 25m away from the rear elevation of 8 Baring Close (being the directly facing residential neighbour) and 12.5m to their rear boundary.
- 6.20 Given that the proposal is located on the far end of the block of residences, the proposed extension would have a limited visibility from Baring Close unless viewed from the rear of properties on nos. 6 to 8 Baring Close, and potentially from no.5. Notwithstanding this, a minor extension to the side of this building is not considered to adversely affect the visual amenities of these neighbours given the intervening distance between these properties in excess of 25m.
- 6.21 Furthermore, it is considered that by building right up to the boundary, the proposal would assist in eliminating an existing fly tipping situation. This is considered as desirable in improving the long term amenity for the residents.

- 6.22 The objections raised by neighbours have referred to subsidence problems which is outside the scope of this application. If necessary, this issue would be dealt with at building control stage.
- 6.23 There were also concerns raised in respect of the disruption caused during the construction stage. Officers recognise the site access constraints to the property. If this application were to be granted, officers consider it appropriate to include a pre-commencement condition requiring the approval of a construction management plan in order to minimise the effects on the amenities of the neighbouring properties.
- 6.24 Concerns have been raised that these flats are adding 'bedsits'. Officers note that the proposal is for single bedrooms with ensuite bathrooms. These rooms form an integral part of the main flat, with access, kitchen and living rooms shared with the respective flat. Therefore these are not considered as bedsits.
- 6.25 Neighbours' comments have also referred to the demographics of the Close being changed with the proposed extension, particularly if the property were to be let on a room by room basis. Officers consider that this is not a relevant planning matter for this case.
- 6.26 Overall, based on the above assessment, there would be minimal effects on the neighbours' amenities.

Trees

- 6.27 An objection was received in relation to the loss of a mature leylandii tree at the front of the property. The Council's tree officer has reviewed this application and considers that leylandii trees are not normally subject to tree protection orders. Furthermore, this particular tree is not considered to have any other significant values which specifically warrants its retention.

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 minimal 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 Officers consider that the proposal is acceptable in design terms, provides a satisfactory standard of accommodation with minimal impact on neighbouring amenity. The scheme is therefore considered acceptable subject to conditions.

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:
OS Map; 63.12/50 Rev A; 63.12/51 Rev A; 63.12/52 Rev B; 63.12/53 Rev B; 63.12/54

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

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

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties.

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

Reason: To ensure that the high design quality demonstrated in the plans and submission is delivered so that local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design

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

INFORMATIVES

- 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. As the proposal was in accordance with these discussions and was in accordance with the Development Plan, no contact was made with the applicant prior to determination.

- B. 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. It is the applicant's responsibility to ensure that the common areas and residents' access to their properties are not obstructed.

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12 & 16 Baring Close



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Committee	PLANNING COMMITTEE A	
Report Title	Sergison Cottage, Goffers Road, Blackheath	
Ward	Blackheath	
Contributors	Michael Forrester	
Class	PART 1	21 April 2016

Reg. Nos. DC/15/94940

Application dated 23.12.2015

Applicant Sketch London

Proposal Application submitted under S.73 of the Town and Country Planning Act 1990 for a Minor-Material Amendment to DC/14/89117 granted on 25/08/2015 for the demolition of Sergison Cottage, Goffers Road SE3 and the construction of a two storey four bedroom dwelling house, in order to allow for a basement beneath the approved dwelling with skylights set into the ground to the front and south eastern flank elevation

Applicant's Plan Nos. 10, 11, 12, 13, 20, 21 rev A, 31, 32, 40, 100, 101, 102, 103, 200, 201, 202, 203, 302, 303, Groundworks Design Statement & Design & Access Statement.

Background Papers

- (1) This is Background Papers List
- (2) Case File LE/212/A/TP
- (3) Local Development Framework Documents
- (4) The London Plan

Designation Area of Stability and Managed Change
Blackheath Conservation Area
World Heritage Site Buffer

1.0 Property/Site Description

- 1.1 The application site is located to the north east of Goffers Road, bound by Talbot Place to the north, Duke Humphreys Road and Blackheath Vale to the south and comprises a single storey (with roof accommodation) detached Victorian building, set to the rear of the site adjacent to Blackheath Vale.
- 1.2 The property is set within a central location visible from across the Heath and is within the Blackheath Conservation Area. The adjacent properties, South East House, Golf House and The Coach House are all Grade II listed.

2.0 Planning History

- 2.1 DC/14/89117 – Demolition of Sergison Cottage, Goffers Road SE3 and the construction of a two storey four bedroom dwelling house – approved.

3.0 Current Planning Applications

The Proposals

- 3.1 Permission is sought for an amendment to the building as approved under application reference DC/14/89117 in order to allow for a basement beneath the building.
- 3.2 The basement would comprise a swimming pool, gym, plant, laundry room, office and cinema room. The basement level would have a floor to ceiling height of 2.7m (the pool has a maximum depth of 1.8m) to create a maximum excavation depth of 4.5m.
- 3.3 Lightwells would be inserted into the front south western elevation and flank south eastern elevation. These would be set flush with the floor with no upstanding so that they have the ability to form part of the garden/ courtyard spaces around the property.

Supporting Documents

- 3.4 Design and Access Statement – this report provides a summary of the changes to the approved scheme, and details the quality of the space at basement level.
- 3.5 Groundworks Design Statement – this report provides an overview of the basement proposals and states that the structural integrity and stability of the existing boundary retaining wall between Sergison Cottage and All Saints school would not be adversely affected by the proposals. This is a desktop based assessment.
- 3.6 Structural Engineering Statement – this report provides an outline method statement for the construction of the basement and indicates that the grounds would be excavated, the wall supported and with the construction of the new basement wall, new ties constructed to the retaining wall. The report states that these works would be subject to a Party Wall Agreement.

4.0 Consultation

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

Written Responses received from Local Residents and Organisations

- 4.3 Neighbouring properties and local ward councillors were notified. Site notices were also displayed outside of the site. Press notices were also issued in respect of the proposals.
- 4.4 The Blackheath Society have objected to the proposals, summarised below:
 - The changes represent a major change to the approved scheme
 - No consultation undertaken.
 - Basements are extremely disruptive and can cause distress to those occupying nearby properties. The Society has pressed for the adoption of an extensive Basement Impact Survey for the implications of nearby structures, groundwater and stability of surrounding land.

- The excavation will be extremely close to the retaining wall enclosing All Saints School.
- Permission should not be granted until detailed assessments have been made of its potential wider impact in line with the policy approach suggested.
- The footprint will extend beyond the approved ground floor plan and basement rooms will be reliant upon mechanical ventilation and be artificially lit.

4.5 The Council's School Property Officer for All Saints has made representations stating that such basement works could have an impact upon the safety of children in the playground directly below. In 1997/1998 Council contractors carried out strengthening works to the retaining wall which required the children to be moved off site for 7 months. Lewisham Council has responsibility for this wall on behalf of the diocese so any works would need an appropriate Party Wall Agreement in place before any works commences. Communication is also expected between the successful contractor (for Sergison Cottage) and the School.

4.6 The Headteacher for All Saints School has also made representations which echo the School Property Advisor.

4.7 Copies of representations are available to Members.

5.0 Policy Context

Introduction

5.1 Section 73 of the Town and Country Planning Act 1990 allows for an application to be made to vary or remove conditions when a previous planning permission was granted. On receiving an application, the Council can only consider the question of the conditions subject to which planning permission was granted.

5.2 On receipt of an application, the Council can grant permission to vary that condition which is being varied or remove it totally. The Council can also decide that the original condition should still apply by refusing permission.

5.3 The practical effect of a Section 73 application, is that a new planning permission is created with all conditions applying.

5.4 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

5.5 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)'.

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

Other National Guidance

- 5.7 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)

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

Policy 3.5 Quality and design of housing developments
Policy 5.18 Construction, excavation and demolition waste
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.10 World Heritage Sites

London Plan Supplementary Planning Guidance (SPG)

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

Sustainable Design and Construction (2006)

London Plan Best Practice Guidance

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

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

Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 5 Areas of Stability and Managed Change
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

Development Management Local Plan

- 5.12 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:

5.13 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 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 (August 2006/ Update 2012)

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

Blackheath Conservation Area Appraisal and Supplementary Planning Document (2007)

5.15 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:

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

Principle of Development

6.2 Guidance for determining s73 applications is set out in the NPPG which states that a minor material amendment is one “whose scale and nature results in a development which is not substantially different from the one which has been approved”. This is not a statutory definition but the Department for Communities and Local Government agree with this statement.

6.3 It is further stated that the development which the application under s.73 seeks to amend will by definition have been judged to be acceptable in principle at an earlier date. Consequently the extent of the material planning considerations are somewhat restricted and only the amendments being applied for should be considered at this stage. Having

said that, when determining the application the LPA will have to consider the application in the light of current policy. The local planning authority therefore has to make a decision focusing on national or local policies which may have changed significantly since the original grant of planning permission as well as the merits of the changes sought.

- 6.4 The proposed amendments includes the provision of a full basement beneath the approved ground floor to provide additional accommodation. These external changes are limited to the introduction of a flush glazed rooflight on the front elevation and southern flank elevation. The changes both individually and cumulatively, are minor when judged against the scheme in its entirety and do not change the nature or general scale of the approved scheme. It is therefore considered to be appropriate to deal with these alterations as a minor material amendment. Although there would be a large increase of habitable floorspace, this would not be visible from the street, and does not increase the number of bedrooms. The overall occupancy of the property would therefore be the same as approved and the dwelling therefore not materially different to that which has consent. It is therefore considered appropriate to deal with this application by way of s73 minor-material amendment.
- 6.5 It is noted that within the objection received from the Blackheath Society there is an in principle objection to basements and policy documents (from London Borough of Camden) have been cited as good practice. However, the Council currently does not have a basements policy, and there are therefore no objections in principle to the excavation beneath the house, provided that the applicant can demonstrate no adverse impact upon neighbouring properties including All Saints School. The original permission is subject to conditions which include a construction management plan and it is noted that party-wall agreements regarding the retaining wall are not a planning issue. It is therefore considered appropriate to deal with this application by way of s73 minor-material amendment.

Design

- 6.6 The main two storey dwelling has previously been granted planning permission and the external changes that are proposed with the introduction of the basement include a lightwell to the front and flank southern elevation. Drawings of these lightwells submitted as part of this application show them to be glazed and fitted flush with the ground level.
- 6.7 Officers consider the introduction of the light wells to be acceptable in this instance, due to their modest size and detailing flush with the ground level. The southern flank lightwell would not be visible from the public realm due to its location in the private courtyard, whilst the front facing lightwell is unlikely to be visible due to the set back position of the dwelling from Goffers Road, behind planting and screening. As such, the external changes are considered to be of an acceptable nature which would not adversely impact upon either the design integrity of the approved dwelling, nor the surrounding Blackheath Conservation Area.

Standard of Residential Accommodation

- 6.8 The proposed basement is to comprise a swimming pool, gym, w/c, cinema/ games room and an office. The cinema and office are lit by lightwells dug into the front and southern flank elevations, given that these are ancillary spaces to the main dwelling, there is no objection to them being lit by lightwell. There would be a floor to ceiling height of 2.7m in the basement level which would exceed minimum standards of 2.3m and is therefore supported.
- 6.9 There is no objection to the swimming pool and gym, being windowless as these are not habitable rooms and would be used for leisure purposes by future occupiers.

6.10 The main living spaces for the dwelling at ground and first floor remain unchanged.

Highways and Traffic Issues

6.11 The introduction of the basement is not considered to have any highways impacts. The main permission is condition upon the submission of a Construction Management Plan which is considered appropriate.

Impact on Adjoining Properties

6.12 It is not considered that the introduction of a basement with associated lightwells would result in any adverse impact with regards to noise/ overlooking or loss of amenity for neighbouring occupiers.

6.13 The structural stability of the retaining wall which divides Sergison Cottage with All Saints School to the south has been a concern of the school and forms part of the objection received from the Blackheath Society. The applicant had provided details of consultation with All Saints School and a method statement from a structural engineer. This accompanied the original planning application for the demolition of the existing property.

6.14 At the request of officers to provide a more specific report as to how the addition to the basement would impact upon the structural integrity of the wall a revised statement was submitted from structural engineers Packmanlucas. This provides a an outlined method of construction which broadly proposes:

- Demolition of the existing property and clearance of the site, the material behind the retaining wall is to be excavated to foundation level of the basement.
- The wall would be propped to ensure structural integrity. At this stage the wall can be repaired/ re-rendered.
- The basement floor slab can be laid with ties back into the retaining wall, the basement walls can then be constructed. Permanent new ties would tie the basement wall to the retaining wall for maximum structural stability.
- The space between the basement wall and retaining wall would be filled with a layer of topsoil for landscaping.

6.15 The structural report states that this outlined method of constructing would reduce the overall pressure on the retaining wall and that any works would be subject to a Party Wall Agreement.

6.16 Officers consider the structural report to be acceptable in principle and would demonstrate that the applicant has sought to address concerns regarding the stability of the structural wall.

6.17 Within the representations received, concern has been levied at the need for a Party Wall Agreement. Whilst this is not a planning matter, the applicant has provided details of communication between them and the surveyor for All Saints School which clearly make reference to a Party Wall Agreement. This dialogue is welcomed and is a sign of proactive steps taken by the applicant to ensure the stability of the retaining wall is upheld, and an informative is recommended to be attached to any permission which draws the requirements of a Party Wall Agreement to the applicants attention.

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 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. 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 Officers consider that the introduction of the basement would not adversely impact upon the design of the main dwelling, and that the introduction of lightwells would not adversely impact upon the Blackheath conservation area. The below ground works are not considered to have an adverse impact upon residential amenity and through the submission of a structural report, that no adverse impacts would arise upon the retaining wall with All Saints School.

10.0 RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of 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. Accordance with approved plans

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

Still relevant original drawings/ documents previously approved under reference DC/14/89117:

00, 01, 02, 03, 04, 05, 06, 15, 22, 24, 50, 51, 110, Building Survey Report, Code for Sustainable Homes, Design and Access Statement, Extended Phase 1 Habitat Survey Report, Heritage Statement, Planning Statement, Sustainability Monitoring Form, CIL

Documents submitted with DC/15/94940:

10, 11, 12, 13, 20, 21 rev A, 31, 32, 40, 100, 101, 102, 103, 200, 201, 202, 203, 302, 303, Groundworks Design Statement & Design & Access Statement; Structural Statement (Packmanlucas) received 4 March 2016.

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

3. Construction Environment Management Plan

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

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

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

4. Architectural Details

- (a) Notwithstanding the details hereby approved, no development other than demolition, shall commence for any phase of the development until detailed plans at a scale of 1:5 showing all junctions on the building where contrasting materials meet, roof junctions and balconies 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.

5. Soft Landscaping

- (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).

6. Boundary Treatments

- (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).

7. Bird and Bat Boxes

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

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (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).

8. Plumbing and Pipes

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

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

9. Satellite Dishes

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

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

10. Removal of Permitted Development rights (Extensions)

No extensions or alterations to the building hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

11. Removal of Permitted Development Rights (Windows)

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 any elevation of the building other than those expressly authorised by this permission.

Reason: To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties in accordance with DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

12. Construction Deliveries and Hours

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).

13. Materials/ Design Quality

No development other than demolition shall commence on site until a detailed schedule and samples of all external materials and finishes/windows and external doors/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.

14. Obscure Glazed Windows

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the first floor flank elevation of the building hereby approved shall be fitted as obscure glazed in accordance with plan 21A and retained in perpetuity.

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

15. Develop in Accordance with Bat Survey

All demolition and construction works shall be carried out in complete accordance with the approved Bat Survey Report dated June 2015 by furesfen received 19th June 2015.

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

INFORMATIVES

Positive and Proactive Statement

The Council seeks to engage 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, discussions took place at a pre-application stage and further information was submitted during the application process.

Community Infrastructure Levy

As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: -

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

Construction Practice

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.

Construction Management

The applicant is advised that Condition 3 can be part discharged for the demolition stage only in order to enable demolition works to commence in advance of the wider construction works.

Bat Survey

For the avoidance of doubt, the requirement to comply with the Bat Survey Report dated June 2015 by furesfen received 19th June 2015 does not require the building hereby approved to be redesigned.

Party Wall Agreement

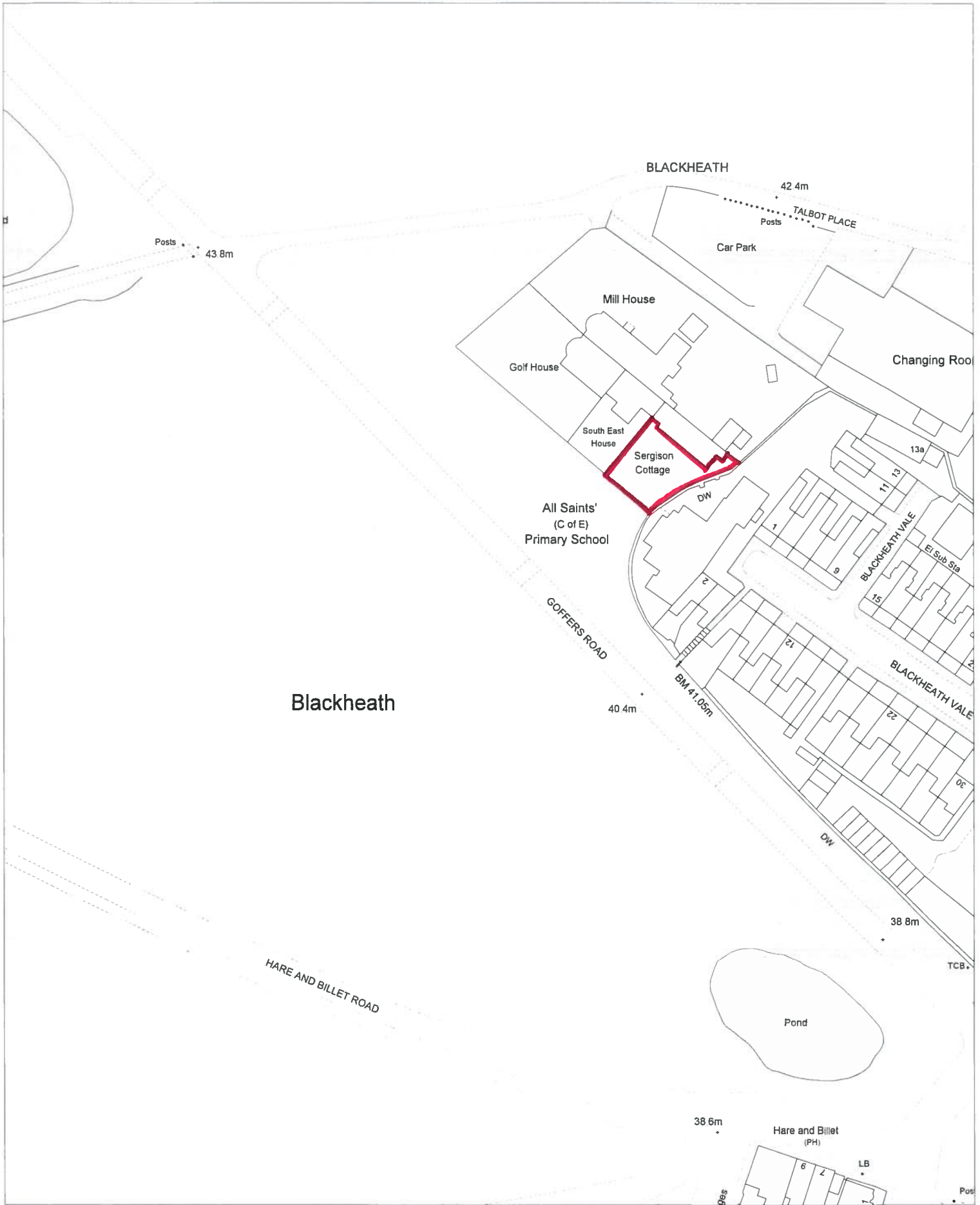
The applicant is informed that works to the boundary/party wall to All Saints School will require a Party Wall Agreement.

Details can be found at the following link:

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

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Sergison Cottage



Blackheath

Scale: 1250

Base on the
Ordnance Survey map
Licence no: 100017710
London, SE6 4RU

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Committee	PLANNING COMMITTEE A	
Report Title	FLAT B, 103 PEPYS ROAD, LONDON, SE14 5SE	
Ward	TELEGRAPH HILL	
Contributors	SIMON VIVERS	
Class	PART 1	21 APRIL 2016

<u>Reg. Nos.</u>	DC/15/94365
<u>Application dated</u>	06/11/2015
<u>Applicant</u>	Mr M Johnson Cantel Developments Ltd
<u>Proposal</u>	The construction of a single storey extension to the side and rear of Flat B, 103 Pepys Road, SE14 5SE
<u>Applicant's Plan Nos.</u>	01 Rev A, 03 Rev A, 04 Rev A, 05 Rev A, Design & Access Statement Rev A, Heritage Statement Rev A (received 6 November 2015), 15 Rev B, 16 Rev A (received 24 February 2016), 13 Rev G, 14 Rev D (received 7 April 2016)
<u>Background Papers</u>	(1) Case File LE/1071/54/TP (2) Core Strategy (2011) (3) Development Management Local Plan (2014) (4) The London Plan (2016)
<u>Designation</u>	Telegraph Hill Conservation Area Telegraph Hill Article 4(2) Direction Not a Listed Building Unclassified PTAL 4
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application site is located on the eastern side of Pepys Road and comprises a three storey Victorian building subdivided into four self contained flats. This application relates to the ground floor flat, Flat B 103 Pepys Road. The subject flat contains three bedrooms.
- 1.2 The property is semi detached, and paired with 101 Pepys Road to the north. Adjacent properties are similar in their design and layout. The property has a large rear garden which is shown to have a depth of approximately 70m. The garden slopes from east to west (towards the Pepys Road), and is terraced rear of the flat. The application site is situated in part of Pepys Road which slopes south to north, thus the host property is located slightly lower than 105 Pepys Road to the South, however there is no change in levels between 101 and 103 Pepys Road (to the north). A 1m wide and 12m long raised side garden is located adjacent to the boundary shared with 105 Pepys Road.

- 1.3 The property has an existing two storey (plus loft) rear projection, with a width of 4.35m and a depth of 10.2m, which is mirrored by 101 Pepys Road. A rear extension has occurred at 101 Pepys Road, which extends 4.7m from the rear building line of its double storey rear projection.
- 1.4 The site is located within the Telegraph Hill Conservation Area (character area 1[a]). The local area and subject site is characterised by two storey semi detached houses built to standardised designs between 1870 and 1900.
- 1.5 The subject property is within the Telegraph Hill Article 4 direction area (removing permitted development rights for certain works). however the subject property and host building do not have permitted development rights given they relate to flats.

2.0 Planning History

- 2.1 DC/06/64250: The alteration and conversion of 103 Pepys Road SE14, to provide 1 studio, 1 one bedroom and 2 three bedroom self-contained flats, together with the provision of refuse storage to the front (planning permission was granted 24th May 2007).
- 2.2 The subject property forms one of the two three bedroom self contained flats established by the approval of this conversion. This approval also granted exclusive use of the rear garden for the subject property. Side access of the property is shared between the lower ground floor flat and the subject property (giving rear access to the lower ground floor flat).

3.0 Current Planning Application

The Proposal

- 3.1 The application seeks planning permission for the construction of a single storey side and rear extension. A summary of the dimensions of the proposal is as follows:

Width: 6.08m - approximately full width (maximum width of host building is 6.3m)

Depth: 4.7m from rear projection, 10.65m from side return (3.79m gap between side return and extension)

Height: 3.1m at rear elevation, 3.3m maximum (at wall of extension nearest to side return)
- 3.2 The proposal is a modern design, which incorporates a flat roof with three rooflights located above. The proposal will be constructed of brick, and will have aluminium doors to the rear. Detailed material specifications have not been submitted as part of the application. The proposal would enlarge the kitchen/living area and provide a larger bedroom. Internal changes would occur to the layout and location of the bathroom and 3rd bedroom.
- 3.3 A 3.971m x 2.0m courtyard space is retained between the main rear building line and commencement of the extension in order to maintain an

existing access from a bedroom of the property and rear access to the kitchen of the lower ground floor flat.

- 3.4 Two windows would be installed within the flank wall of the property, servicing a bedroom and the kitchen/dining area.
- 3.5 The proposal would also require the excavation and formation of a new courtyard and steps, and would extend an additional 3m from the current courtyard. The side garden would also be removed, and this area excavated to the side boundary, to maintain access down the side of the property to the rear garden.

4.0 Consultation

- 4.1 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Adjoining occupiers, The Telegraph Hill Society, the Amenity Societies Panel and Telegraph Hill ward Councillors were notified. A Conservation Area site notice was also displayed, and a press notice was also run.
- 4.3 A local ward Councillor provided a response, recommending that the application be determined by committee decision.

Written Responses received from Local Residents and Organisations

- 4.3.1 Objections were received from the adjoining occupier at 101 Pepys Road, The Telegraph Hill Society and the Amenity Societies Panel. Grounds of objection are summarised as follows:

- The design is not in keeping with the Victorian architecture of Telegraph Hill, and is overbearing, unsympathetic and dominant in relation to the host building;
- The wrap around design of the extension destroys the articulation between the main building and original rear projection;
- The proposal requires the demolition of the existing rear wall and the original bay window. Alterations which require such substantial demolition of the original fabric of a building should not be permitted;
- The design and access statement does not make any mention to proposed materials. In any extension is permitted, it is essential that the brickwork is matching yellow stock brick and with Flemish Bonding;
- An alternative design should be submitted which of similar design and scale to the extension at 101 Pepys Road (no objection in principle to a rear extension to the property);
- The height and depth of the extension would harm the amenity the rear extension at 101 Pepys Road, through overshadowing a velux roof window and rear bay window, loss of daylight and sunlight and creation of a sense of enclosure;
- The proposal would restrict outlook from part of the adjoining occupiers bay window;
- The proposed rooflights may cause excessive light spill; and

- The proposal would create a narrow gap between the subject extension and the existing extension, which may fill with leaves and become a damp hazard for both properties,

5.0 Policy Context

Introduction

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

A local finance consideration means:

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

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

National Planning Policy Framework

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

Other National Guidance

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

London Plan (2016)

- 5.5 On the 15th March 2015, the London Plan (consolidated with alterations since 2011) was adopted. However, on the 14th March 2016, the London Plan was updated to include the Housing Standards and Parking Standards Minor Alterations to the London Plan. The London Plan policies relevant to this application are:

Policy 7.4 Local character
Policy 7.5 Public Realm
Policy 7.6 Architecture

Core Strategy

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

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

Development Management Plan

- 5.7 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Core Strategy and the London Plan is the borough's statutory development plan. The following policies are relevant to this application:-

DM Policy 1	Presumption in favour of sustainable development
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

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

- 5.8 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling

sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

6.0 Planning Considerations

- 6.1 The main planning considerations for this application are:
- a) design and scale and its impact on the host building and the character and setting of neighbouring buildings and conservation area; and
 - b) impact that the proposal has on the amenity of adjoining occupiers.

Design & Scale

- 6.2 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

- 6.3 In respect of determining planning applications relating to heritage assets, NPPF paragraph 131 advises that:

“local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.”

- 6.4 London Plan and Core Strategy design policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design, whilst the Development Management Local Plan, most specifically DM Policy 30 and 31, seeks to apply these principles. The Council's Residential standards SPD provides officers with further detailed guidance to apply to such residential proposals.

- 6.5 DM Policy 30 supports the Core Strategy as it sets out detailed principles to support good urban design in the borough and the Council will require alterations to existing buildings to attain a high standard of design. The policy also addresses detailed design issues and states that planning applications must demonstrate the creation of a positive relationship to the existing townscape to preserve an urban form which contributes to local distinctiveness, such as building features. Furthermore, building materials used should be of high quality and either match or complement the existing development.

- 6.6 DM Policy 31 sets out more specifically how to achieve good quality alterations to existing buildings and states that proposals for alterations will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features.

- 6.7 DM Policy 36 states that the Council, having paid special attention to the special interest of its Conservation Areas, and the desirability of preserving and or enhancing their character and or appearance, will not grant planning permission where alterations and extensions to existing buildings are incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.
- 6.8 Chapter 6 of the Residential Standards Supplementary Planning Document (August 2006) sets out Council's expectations for the design of householder extensions. Rear extensions should reflect and enhance the appearance of the house and be smaller and lower than the original building. While the use of traditional building materials is encouraged, modern materials are supported in appropriate circumstances.
- 6.9 The Conservation Officer supports the principle of a rear extension and a modern design, but objected to scale of the proposed extension. This was due to the proposal not respecting the shape or form of the original building and general lack of subservience.
- 6.10 However, on balance, officers consider the proposed extension - while significant in terms of its scale and proportions - would remain subordinate to the original dwelling. The proposed extension relates to the ground floor level of a two storey property, and does not overwhelm the proportions of the host building. It also matches the depth of the neighbouring extension at 101 Pepys Road. The modern architectural design of the extension contrasts to the Victorian character of the existing dwelling. This is considered to be acceptable for the context of a single storey rear and side extension, particularly which is not visible from public spaces.
- 6.11 The rear extension which has been constructed at 101 Pepys Road is more subordinate in scale to its host building largely given it extends only from the existing rear projection. The proposal differs through the design wrapping around the side and rear original projection. The proposal would not exceed the full width of the host building, and would maintain a 1.1m side boundary setback to 105 Pepys Road.
- 6.12 DM Policy 31 requires that high quality matching or complementary materials should be used for extensions and alterations to buildings. The applicant has proposed the use of brickwork to match the existing dwelling. This is considered acceptable and would be complimentary to the original building as well as the wider conservation area. It is recommended that a condition is applied to secure brickwork in materials to match the existing building.
- 6.13 The two windows to be installed at the flank elevation are timber framed, and will be detailed to match the upper level windows at this elevation. This is considered acceptable and would compliment the original detailing of the host building. Grey aluminium framed doors are to be provided to the rear elevation, which is acceptable in the context of a modern extension and elevation with limited visibility
- 6.14 The proposal includes the removal of a Holly Tree which is approximately 7m high. No objection has been raised by the tree officer to this element of the works. No other vegetation of maturity or significance would be removed as part of the proposal.

- 6.15 Overall, the proposed works to the dwelling introduce a complimentary modern aspect which is of an acceptable design and scale, thereby not causing harm to the character and setting of the host building. In addition, by virtue of the acceptability of the design and the lack of visibility from public viewpoints, the proposal is considered to preserve the special character of the Telegraph Hill Conservation Area.

Amenity

- 6.16 For areas of stability and managed change, Core Strategy Policy 15 states that small household extensions and adaptations to existing housing will need to be designed to protect neighbour amenity.
- 6.17 DM Policy 30 states that residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens.
- 6.18 The existing side wall of the property is located 2.8m from the boundary shared with 105 Pepys Road. The proposed side wall would be situated 1.1m from this boundary, and would also include the installation of two side windows (servicing the bedroom and kitchen areas). It is not considered that the proposal would cause any unreasonable loss of amenity to the occupiers of 105 Pepys Road, given the development would remain sufficiently set back from the side boundary, and would not introduce overshadowing, loss of daylight/sunlight or a loss of existing outlook to this neighbour. The installation of the two windows within the flank elevation is acceptable given opportunities for direct views towards 105 Pepys Road are limited by boundary fencing.
- 6.19 The two windows to be installed within the flank elevation would provide outlook from a bedroom and to the kitchen/living area. The main outlook from the kitchen will be to the rear of the site, therefore the subject window will be a secondary light/outlook source only. The flank wall window for the bedroom would be its single point of light and outlook. While the window will have limited outlook due to the proximity to the side boundary fence, this is considered acceptable, and would not be substantially different to the outlook from the existing bedroom. Additionally, one rooflight would be located above the bedroom and would create a significant improvement over the amenity of the existing bedroom.
- 6.20 The lower ground floor flat is a studio layout. A kitchen is located in the eastern part of the flat, which has door access to a courtyard at semi-basement level at the side of the property. A view would occur from the kitchen down the side path of the property. Through the enlargement of the property to the side, the proposal would introduce a 1.7m wide x 3.3m high wall causing obstruction to the existing view from the kitchen.
- 6.21 The outlook from the kitchen is limited by virtue of its semi-basement level setting, and any rear view would have been limited due to the slope of the site (the view would not extend to the rear garden). The main outlook for the lower ground floor flat is over the front of the property towards Pepys Road, which would remain unchanged. On this basis, the impact on the rear outlook of the studio flat below is considered acceptable. The 3.971m setback between the wall of the proposed extension and the kitchen window

of the lower ground flat is considered acceptable, and would not result in an unacceptable level of overshadowing, outlook or loss of daylight/sunlight to the kitchen which would warrant refusal.

- 6.22 Negotiations with the applicant during the course of the application secured smaller and more subservient rooflights. Some light spill would occur to rear facing room windows of the flat above, however this is considered acceptable for a urban setting.
- 6.23 The proposal would extend to the same depth (4.7m) as the extension at 101 Pepys Road, but would overlap 0.9m further of the closest third of the bay window. The rear wall of the proposal would also sit 0.6m higher than the neighbouring extension. The proposal is not considered to cause unreasonable harm to the outlook from the neighbours extension, given general rear outlook would be unaffected. The proposal would cast a shadow over the nearest part of the bay window, however the remaining 2/3 would not be affected.
- 6.24 The objection from the occupier at 101 Pepys Road also details overshadowing of a rooflight, however this not considered to be minimal, given the subject rooflight is set away from the proposal and at approximately the same level.
- 6.25 As described above, the proposal would not be expected to have a significant adverse impact on the amenity of neighbouring residents.

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.

8.0 Conclusion

- 8.1 The Local Planning Authority has considered the particular circumstances of the application against relevant planning policy set out in the Development Management Local Plan (2014), the Core Strategy (2011) The London Plan (2016) and the National Planning Policy Framework (2012).

8.2 In summary, the proposal is considered to be acceptable in its design, scale and materials, would not cause any unreasonable harm to the amenity of adjoining occupiers, would not cause harm character and appearance of the host building and would preserve the special character of the Telegraph Hill Conservation Area. The proposal therefore demonstrates compliance with DM policies 30, 31, 36 and Core Strategy Policies 8, 15 & 16.

9.0 Recommendation GRANT PERMISSION subject to the following conditions:

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

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

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

01 Rev A, 03 Rev A, 04 Rev A, 05 Rev A (received 6 November 2015), 15 Rev B, 16 Rev A (received 24 February 2016), 13 Rev G, 14 Rev D (received 7 April 2016)

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

3) No new brickwork, including works of making good, shall be carried out other than in materials to match those existing.

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

4) The use of the flat roofed extension/flat roof on the 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

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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103B Pepys Road



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