

## PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 2 JUNE 2016 TIME 7.30 PM**

PLACE: **GROUND FLOOR OF LAURENCE HOUSE, 1  
CATFORD ROAD, 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, 24 May 2016**

**For further information please contact:  
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	PLANNING COMMITTEE (A)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 02 June 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 02 June 2016

MINUTES

To approve the minutes of the meeting of Planning Committee (A) held on the 18 February 2016 and 21 April 2016.

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Committee	PLANNING COMMITTEE A	
Report Title	PRINCESS OF WALES, 1A MONTPELIER ROW, LONDON, SE3 0RL	
Ward	BLACKHEATH	
Contributors	Russell Brown	
Class	PART 1	2nd June 2016

<u>Reg. Nos.</u>	DC/15/90686
<u>Application dated</u>	23.01.2015
<u>Applicant</u>	Mitchells & Butler
<u>Proposal</u>	Retrospective application for the installation of replacement lanterns on the front elevation at the Princess of Wales, 1A Montpelier Row, SE3, together with the refurbishment of the conservatory and the erection of three jumbrellas to the rear.
<u>Applicant's Plan Nos.</u>	Design & Access & Heritage Statement 23 <sup>rd</sup> January 2015  PWB01a Rev C; PWB01b Rev C; Received 16th March 2016  1951/04 Rev D; 1951/05 Rev D; 1951/06 Rev C; 1951/07 Rev C Received 11th April 2016  OS Plan; PWB 07a V1a Rev D; PWB 07b Rev C received 23 <sup>rd</sup> May 2016
<u>Background Papers</u>	(1) Case File LE/417/1A/TP (2) Core Strategy (June 2011) (3) Development Management Local Plan (November 2014) (4) London Plan (March 2015)
<u>Designation</u>	Blackheath Conservation Area
<u>Screening</u>	N/A

**1.0 Property/Site Description**

- 1.1 The application site is located on the south east side of Montpelier Row, at the junction with Paragon Place and opposite the heath. It is occupied by a three storey building of circa 1865 which is a public house. There are two entrances to the front and there is also a side entrance on Paragon Place.
- 1.2 There is a deep forecourt to the front which is used as an external seating area and there is further external seating at the rear.

1.3 The premises directly adjoins number 1 Montpelier Row, a single dwellinghouse, and backs onto 63 Paragon Place, which has been split into two flats. Both are residential properties and the former is Grade II listed as part of a listed group that covers numbers 1-4 Montpelier Row.

1.4 The property is a locally listed building, with the following listing description:

*“Public House. Façade c.1865 rebuild of original 1805 building. Stucco, brick and slate. Three storeys, three bays with further ‘canted’ element of two bays. Banded stucco to projecting ground floor level. Over stall-risers, multi-paned windows with ‘Gothick’ interlocking tracery to over-lights with cambered arches. On principal façade, with the main entrance door, these surmounted by a contemporary fascia/sign and flanked by pilasters further surmounted by decorative console brackets. At first floor level, fenestration is flat-arched with console bracketed cornicing. Over second floor profiled cill band, fenestration has pedimented cornicing. Upper level original fenestration is comprised of two or three-light two pane sashes, although several have been replaced with poor-quality casements. Bays divided by pilaster strips terminated by decorative brackets with pendant posts. These flank friezes enriched with roundel/flower motif. This surmounted by bracketed cornice to parapet. Formerly the “Prince of Wales” public house. May incorporate some fabric belonging to its predecessor, built c.50 years earlier. Aspects north-west over Heath from prominent corner site.”*

1.5 The site is located within Blackheath Conservation Area, but is not subject to an Article 4 direction. The land lies within part of the Buffer Zone for the UNESCO World Heritage Site of Maritime Greenwich, an Area of Archaeological Priority, an Area of Special Character and has a PTAL rating of 4. The road is unclassified.

## **2.0 Planning History**

2.1 DC/95/04649: The display of flood and trough lit fascia signs and lettering at the Princess of Wales PH, SE3. **Granted.**

2.2 DC/99/43943: The installation of ventilation equipment on the flat roof rear of Princess of Wales PH, 1a Montpelier Row, SE3. **Granted.**

2.3 DC/06/62090/X: The construction of a new decking area with canopy over in the rear garden of the Princess Of Wales, 1a Montpelier Row, SE3. **Refused as the proposed canopy would result in significant harm to the Sycamore tree to the detriment of the conservation area and the streetscene.**

2.4 DC/08/68567/FT: The installation of new French doors to the rear elevation of the Princess of Wales PH, 1A Montpelier Row SE3, together with internal alterations and alterations to the side elevation. **Granted.**

2.5 DC/14/89777: Listed Building Consent for internal minor refurbishment works, external lighting, a new hanging sign and external 'decoration' at the Princess of Wales, 1A Montpelier Row, SE3. **Withdrawn.**

2.6 DC/15/90686: There is a concurrent retrospective application for advertisement consent for the display of a fascia sign, a hanging pictorial sign and two LED back lit menu cases at the front of the Princess of Wales public house, 1A Montpelier Row, SE3. **Undecided.**

### **3.0 Current Planning Application**

3.1 Retrospective planning permission is sought for various alterations to the public house as follows:

1) The installation of two replacement copper lanterns style lamps either side of the timber fascia sign. They are hung 3.7m above ground level on the front elevation of the building.

2) The refurbishment of the rear conservatory, involving the replacement of the glazing, supporting beams and installation of a slate roof.

3) The erection of three large umbrellas (referred to as 'jumbrellas') measuring 3.5m by 3.5m to replace the existing one at the rear.

### **4.0 Consultation**

4.1 Pre-application advice was sought regarding which of the proposed alterations required advertisement consent, which required planning permission and which required neither.

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

4.3 A site and a public notice were displayed, Blackheath Ward Councillors, the Blackheath Society and the Council's Conservation Officer were consulted and letters were sent to six neighbours.

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

4.4 Five letters of objection have been received from residents of 1 and 3 Montpelier Row, raising the following issues:

- The works requiring planning permission, and indeed Advertisement Consent, have already been done before the granting of permission and therefore should be refused.
- The applicant is undertaking piecemeal refurbishment works and not considering all works together and does not consult the local community.
- The information submitted is unclear and inconsistent.
- The proposed elevation drawing states that the glazing to the conservatory roof will be replaced, however, this has been done with slate and is of a different shape to what is shown on the drawings.
- The jumbrellas will increase the capacity of and dominate the rear garden and there will be increased levels of noise and second hand smoke. They are also an eyesore, especially given this is a Conservation Area.
- It is unclear whether the new toilets upstairs are part of this application.
- This is not the first time that the pub has completed works without authorisation.

#### Amenity Societies Panel

4.5 They would prefer a paler shade of cream for the repainting of the front elevation.

## **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

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

### London Plan (March 2015)

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

Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology

#### Core Strategy

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

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

#### Development Management Plan

5.8 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the 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 22 Sustainable design and construction  
DM Policy 27 Lighting  
DM Policy 30 Urban design and local character  
DM Policy 31 Alterations/extensions to existing buildings  
DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens  
DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest

#### Blackheath Conservation Area Character Appraisal and SPD (March 2007)

5.9 The Blackheath Conservation Area is one of the most important in the borough and is also part of the Buffer Zone for the UNESCO World Heritage Site of Maritime Greenwich. The settlement dates from at least the 12<sup>th</sup> century, many of the standing buildings date from the 1790s onwards. The significance of the area lies in the critical mass of well preserved historic housing and the intimate relationship with the famous open space.

## **6.0 Planning Considerations**

6.1 The relevant planning considerations are the impact of the proposal on the character and appearance of the locally listed building and the Blackheath Conservation Area as well as any impact on the amenities of neighbouring properties.

*Design, locally listed building and conservation*

6.2 Paragraph 63 of the NPPF states that ‘in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area’. Paragraph 131 states that ‘in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.

6.3 NPPF Section 7 Requiring good design states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. 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. Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; and
- are visually attractive as a result of good architecture and appropriate landscaping.

6.4 Planning policies and decisions should seek to promote or reinforce local distinctiveness. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

6.5 London Plan Policy 7.4 Local character states that buildings, streets and open spaces should provide a high quality design response that:

- a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass;
- b) contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area;
- c) is human in scale; and
- d) is informed by the surrounding historic environment.

6.6 London Plan Policy 7.6 Architecture states that buildings and structures should:



- a) be of the highest architectural quality;
- b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm;
- c) comprise details and materials that complement, not necessarily replicate, the local architectural character;
- d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing;
- e) provide high quality outdoor spaces and integrate well with the surrounding streets and open spaces;
- f) meet the principles of inclusive design; and
- g) optimise the potential of sites.

6.7 London Plan Policy 7.8 Heritage assets and archaeology states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

6.8 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.

6.9 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.

6.10 DM Policy 27 Lighting states that the Council requires applicants to protect local character, residential amenity and the wider public, biodiversity and wildlife from light pollution and nuisance, by taking appropriate measures in lighting design and installation in line with the Institute of Lighting Professionals' Guidance Notes for the Reduction of Obstructive Light (2011) to control the level of illumination, glare, spillage of light, angle and hours of operation as well as requiring them to prevent the adverse impact of light pollution at all stages of development, from building demolition and construction to occupation.

6.11 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations and extensions to existing buildings. An adequate response to how the scheme relates to the existing street including its building frontages will be required including:

- The creation of a positive relationship to the existing townscape, natural landscape, open spaces and topography to preserve and / or create an urban form which contributes to local distinctiveness such as plot widths, building features and uses, roofscape, open space and views, panoramas and vistas, taking all available opportunities for enhancement.
- Height, scale and mass should relate to the urban typology of the area.
- How the scheme relates to the scale and alignment of the existing street including its building frontages.

- The quality and durability of building materials and their sensitive use in relation to the context of the development. Materials used should be high quality and either match or complement existing development, and the reasons for the choice should be clearly justified in relation to the existing built context.
  - A statement describing the significance of heritage asset, including its setting will be required for proposals that impact on such an asset.
- 6.12 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.
- 6.13 DM Policy 36 states that the Council will require a statement that describes the significance of the asset and its setting and an assessment of the impact on that significance for development proposals affecting heritage assets. Also required is clear and convincing justification if the significance of an asset may be harmed or lost through physical alteration or destruction, or development within its setting. The Council will not grant planning permission where:
- a. new development or alterations and extensions to existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials; and
  - b. development, which in isolation would lead to less than substantial harm to the building or area, but cumulatively would adversely affect the character and appearance of the Conservation Area.
- 6.14 DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest states that the Council will protect the local distinctiveness of the borough by sustaining and enhancing the significance of non-designated heritage assets and development proposals affecting them should be accompanied by a heritage statement proportionate to the significance of the asset and which justifies the changes to the asset. In terms of locally listed buildings the Council will seek to retain and enhance them and may use its powers where appropriate to protect their character significance and contribution made by their setting.
- 6.15 The copper lanterns style lamps are located above the ground floor windows and 3.7m off the ground to the front (north west) elevation of the pub, and measure less than 70cm in height. In terms of appearance they closely match the former lanterns and are hung on metal brackets painted black. The timber fascia sign with individual aluminium lettering recently installed is the subject of a separate application for advertisement consent.
- 6.16 The lanterns style lamps project a modest 60cm and, whilst this is a sensitive and highly visible location, directly opposite the heath, it is considered that they are not obtrusive and preserve the visual quality and character of the locally listed building and Blackheath Conservation Area. The design of the lamps are considered to be in keeping with the pair that they have replaced as well as the building and this part of the Conservation Area.

- 6.17 The luminance level of 180 candelas is considered not to be excessive and it is felt that it does not result in undue disturbance for the neighbouring residential occupiers or to the surrounding Conservation Area. For comparison, a standard candle emits 1cd/m.
- 6.18 The conservatory at the rear of the public house has been refurbished. This was initially proposed to involve the renewal of the rotting timber supporting beams and the replacement of the existing glazing, including to the roof. However, the works have already been undertaken and the roof of the conservatory was finished in slate. Therefore, the conservatory has not been completed in accordance with the plans as originally submitted, although revised plans have since been submitted.
- 6.19 The current proposal is considered to be an acceptable change, with slate being an appropriate roofing material that does not have a harmful impact upon the character of the locally listed pub building or Blackheath Conservation Area.
- 6.20 The proposal also includes the erection of three 'jumbrellas' in the rear garden, measuring 3.5m by 3.5m. Underneath them they are proposed to have lighting and heating fixtures complete with timer switches.
- 6.21 No objection is raised on planning or conservation grounds to their erection as they are to the rear of the building in the rear garden area. There would be limited visibility of the structures from Paragon Place, with the scale of the structures considered to be proportionate to the space in which they are located and within context of the three storey pub building. The jumbrellas are appropriate within the pub setting and given their limited visibility from the public realm are not considered to have a harmful impact upon the locally listed pub building nor this part of the Blackheath Conservation Area.
- 6.22 As noted by ASP, the application also proposed the repainting of the front elevation of the public house. The ground floor was to be yellow and the upper floors painted white. However, now the painting has been finished, the ground floor is a paler shade of yellow and, as ASP preferred, the upper floors painted creme. The painting is deemed to not require planning permission.

*Impact on the amenity of neighbouring occupiers*

- 6.23 DM Policy 31 states that residential development should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens.
- 6.24 As previously noted, the luminance level of 180 candelas from the lighting on the front elevation is not considered to result in undue disturbance for the neighbouring residential occupiers, given they are situated away from residential windows.
- 6.25 While the conservatory and jumbrellas are visible from 1 Montpelier Row, levels of sunlight, daylight, outlook and privacy would remain the same as existing. There is no change to the height of conservatory roof and whilst there is an increase in umbrellas given their scale are not considered to cause any unacceptable levels of overshadowing.

- 6.26 The occupiers of number 1 are also concerned that the noise levels in the rear garden would increase as a result of the alterations to the rear garden. However, the existing pub garden is well established and has existing structures that provide shelter for patrons using the area. Whilst the proposal will allow a greater number of people to sit outside under shelter the capacity of the external area remains as existing. Therefore it is not considered reasonable to assume that this proposal will increase activity and noise levels to a degree that would warrant refusal.
- 6.27 It is further considered that the although there will be an increase in the number of large umbrellas / jumbrellas within the rear external area, the scale and design of these structures would not cause an unacceptable level of harm to the visual amenity local residents currently enjoy.
- 6.28 Therefore, it is felt that the amenity of neighbouring occupiers is not compromised to such an extent that it would constitute a refusal of this application.

### **Equalities Considerations**

- 6.29 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.30 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
  - (c) Foster good relations between people who share a protected characteristic and persons who do not share it.
- 6.31 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 6.32 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 6.33 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

6.34 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:  
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

6.35 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

### **Conclusion**

7.0 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) London Plan (March 2015) and the National Planning Policy Framework (2012).

7.1 It is consequently felt that the retrospective scheme does not harm or detract from the locally listed building or the Blackheath Conservation Area or negatively affects the amenities of the neighbouring properties. As such, it is considered that the changes are acceptable regardless of the works being applied for retrospectively.

8.0 **RECOMMENDATION: GRANT PERMISSION** subject to the following conditions:

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

PWB01a Rev C; PWB01b Rev C; Received 16th March 2016

1951/04 Rev D; 1951/05 Rev D; 1951/06 Rev C; 1951/07 Rev C Received 11th April 2016

OS Plan; PWB 07a V1a Rev D; PWB 07b Rev C received 23<sup>rd</sup> May 2016

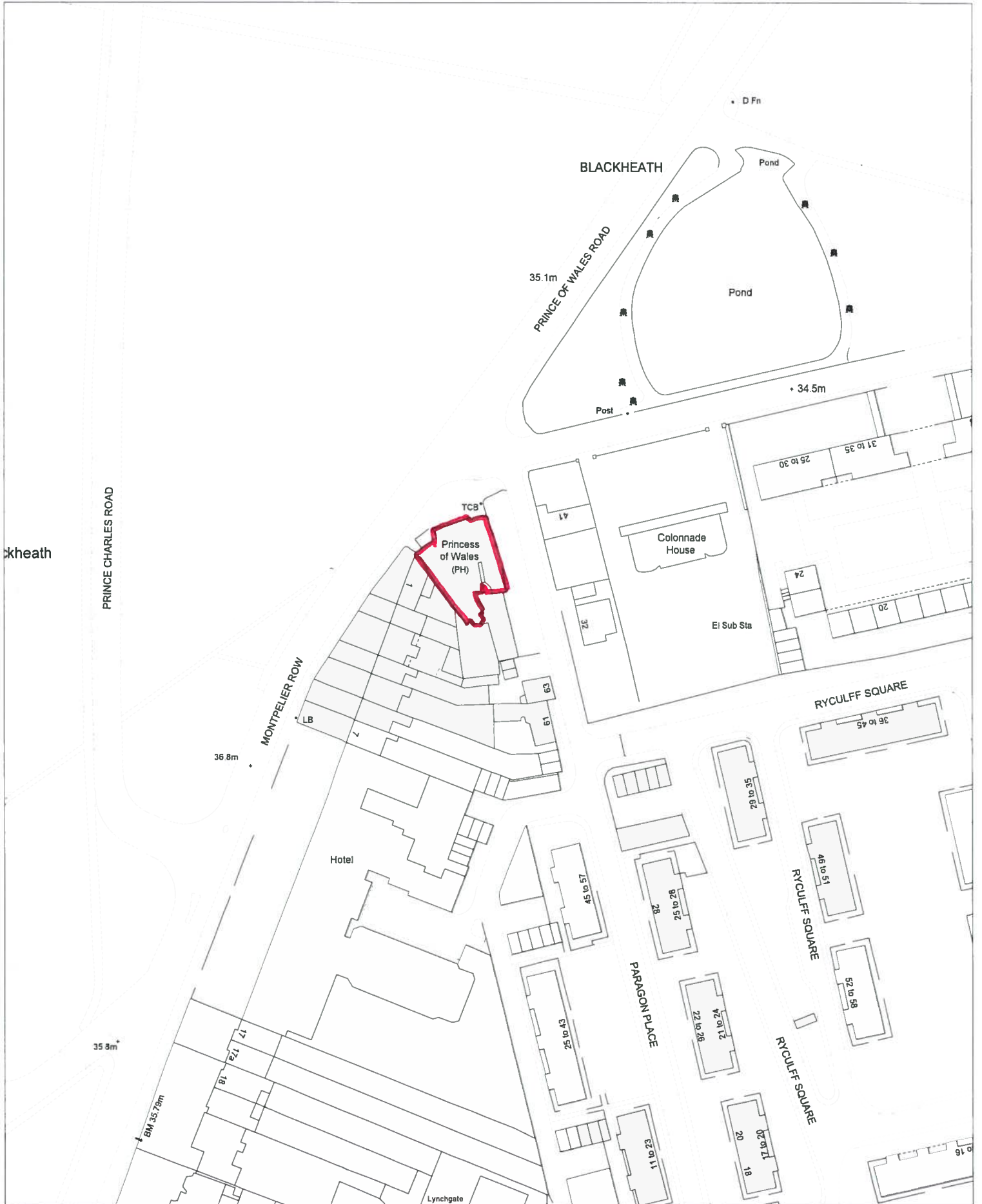
**Reason:** To ensure that the development is retained in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

### **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, revised information being submitted.

# Princess of Wales, 1A Montpelier Row, SE3



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Committee	PLANNING COMMITTEE A	
Report Title	133 Deptford High Street	
Ward	Deptford	
Contributors	Elizabeth Donnelly	
Class	PART 1	02 JUNE 2016

Reg. Nos. DC/16/095204

Application dated 20.01.2016

Applicant DP9 Ltd

Proposal The demolition of the existing building and the construction of a six storey building with basement to provide a 70 room hotel (Use C1) together with the reprovision of a church hall (Use D1) at 133 Deptford High Street SE8.

Applicant's Plan Nos. A\_P00\_P001 Rev P01; 14005\_A\_P00\_P002 Rev P01; 14005\_A\_P00\_011 Rev P01; 14005\_A\_P00\_012 Rev P01; 14005\_A\_P00\_021 Rev P01; 14005\_A\_P00\_022 Rev P01; 14005\_A\_P00\_031 Rev P01; 14005\_A\_P00\_032 Rev P01; 14005\_A\_P00\_033 Rev P01; 14005\_A\_P00\_102 Rev P01; 14005\_A\_P00\_201 Rev P01; 14005\_A\_P00\_301 Rev P01; 14005\_A\_P00\_302 Rev P01; 14005\_A\_P00\_400 Rev P01; 14005\_A\_P00\_401 Rev P01; 14005\_A\_P00\_402 Rev P01; 14005\_A\_P00\_403 Rev P01; Statement of Community Involvement; Report on Phase 1 Preliminary Risk Assessment; Report on a Ground Investigation; Engineering Design and Construction Method Statement; Construction Dusk Risk Assessment; Archaeological Desk-Based Assessment; Economic Impact Statement; Energy and Sustainability Statement; Framework Travel Plan Statement; Draft Construction Logistics Plan; Delivery and Servicing Plan; Transport Assessment; Planning BRE Daylight/Sunlight Report; Planning Statement; Noise Assessment for Planning; Townscape Heritage and Visual Impact Assessment Received 20<sup>th</sup> January 2016; 14005\_A\_P00\_101 Rev P02; 14005\_A\_P00\_103 Rev P02; 14005\_A\_P00\_202 Rev P02; Design and Access Statement Received 3<sup>rd</sup> February 2016;

Background Papers

- (1) This is Background Papers List
- (2) Case File DE/156/133/TP
- (3) Local Development Framework Documents
- (4) The London Plan

Designation

District Centre  
Conservation Area

**1.0 Property/Site Description**

- 1.1 The application site is 475.28sqm and is located on the western side of Deptford High Street, with the Deptford Station immediately north and the Deptford Project to the west. The site adjoins the Church of our Lady of Assumption to the south.
- 1.2 The existing building is 4 storeys and fronts Deptford High Street, comprising 2 retail units at ground floor and 6 residential units and a live work unit above. The church hall which serves the Church of our Lady of Assumption is located at the rear of the site.
- 1.3 The site is located in an area of significant change and bound by several regeneration projects, the most notable is the Deptford Project, now rebranded Deptford Market Yard, which includes significant public realm improvements. The site shares its rear and side boundary with the station forecourt which forms part of the Deptford Project public realm improvements.
- 1.4 The site is located within a designated Regeneration and Growth area and as part of Deptford high Street, also forms part of a district primary shopping frontage.
- 1.5 The application site is located within the Deptford High Street Conservation Area which merges into St Paul's Conservation Area to the north of the site, the other side of the railway bridge.

**2.0 Planning History**

- 2.1 1989: Planning permission was granted for the construction of a part 2/ part 4 storey building on land adjoining the Church of our Lady of Assumption at 133 Deptford High Street, comprising two retail shops on the ground floor and 6 two-roomed self contained flats on the upper floors together with a church hall at the rear with a one-bedroomed flat/ work space above (outline application).
- 2.2 1990: The reserved matters attached to outline application were granted.

**3.0 Current Planning Applications**

The Proposals

- 3.1 The applicant seeks permission for the demolition of the existing church hall, 2 ground floor retail units and 7 residential units in order to provide a 6 storey building comprising a 70 bedroom hotel and a replacement church hall at ground floor.

### *Scale, massing and siting*

- 3.2 The building would be sited between the existing Our Lady of Assumption Church and the planter strip along the Deptford Station forecourt, which forms part of the Deptford Project.
- 3.3 The building would have a maximum height of 19.15m including the plant projection at roof level (0.5m high) The building steps back in two places; at first floor level, the building steps back by 2.7m, with the fifth floor stepped a further 3.8m back from the front elevation. It would therefore be 38.1m in depth at ground floor, 35.5m in depth at first floor to fourth floor level with a reduced depth of 27.7m at fifth floor level. The building would be 11.6m wide.

### *Architectural treatment/ detailed design*

- 3.4 The ground floor eastern (front) and northern (station facing) elevations would comprise shop front glazing with anodised aluminium frames. The full height shop front glazing panels would continue along the church hall façade but incorporate an applied graphic for screening purposes. Further along the northern elevation, an internal mural/art installation would screen the electrical intake room and WC. At ground floor level, the western (rear) elevation of the building would be bronze anodised aluminium panelling that would screen the service zone of the building.
- 3.5 There would also be a series of light wells along the base of the northern elevation, presenting a 'hit and miss' arrangement. The design of the proposed light wells reflect the landscaping scheme that is approved for the station forecourt and would consist of an internally raised (350mm above the planter) light box at ground level and light wells that would sit above the planter, allowing light into the basement. The Design and Access Statement does however refer to an alternative option in the event that the planter is removed. This option would involve the extension of the paver to the edge of the northern boundary of the proposed development together with an internal light box raised to a lesser extent.
- 3.6 The first to fourth floor levels would be anodised aluminium rain screen cladding and high performance windows in aluminium casing.
- 3.7 The top floor would comprise highly reflective glass and reflective solid panelling/ an obscured interlayer. There would also be projecting vertical fins that would be treated in a lighter grey anodised aluminium finish.
- 3.8 It is proposed that green roof is proposed on top of the first and fourth floor roofs where the building steps back and at fifth floor, which is the top of the building.
- 3.9 There would also be two signage zones on the proposed building. They would be located on the eastern and northern elevations at ground floor level, 2750mm above ground level. The signage zone on the eastern elevation would be 660mm wide and 11,315mm in length. On the northern elevation, it would also be 660mm wide, but 8,150mm in length. No signage details have been proposed.

### *Internal arrangement/ Access/ Servicing*

- 3.10 The entrance to the proposed hotel would be on the eastern elevation at ground floor level, with the hotel lobby located along Deptford High Street and to the northern corner of the station forecourt. The church hall would be located at the

centre of the ground floor plan and the existing entrance from the church into the church hall would be retained. The church hall would have a Gross Internal Area (GIA) of 312sqm.

- 3.11 It is proposed that a single central core is located towards the front, on the right hand side of the building. It would allow access to all floors, from basement level upwards. In addition to this, a secondary core would be located to the rear for servicing purposes. There would also be rear access to/from the building as part of the service zone to the rear.
- 3.12 In a typical floor plan (first to fifth floor), a central corridor links the core to each hotel room.
- 3.13 Cycle storage would be located at ground floor level within the building. It is proposed that refuse is collected from the rear of the building with all refuse stored in the basement in 4 x 1,100 litre wheeled Eurobins.

*Proposed accommodation*

- 3.14 The proposed hotel would have 70 rooms. The table (Table 1.1) below illustrates how these rooms would be arranged within the building:

Table 1.1

<b>Level</b>	<b>Rooms</b>
Basement	<b>6</b>
Ground	<b>0</b>
First	<b>14</b>
Second	<b>14</b>
Third	<b>14</b>
Fourth	<b>14</b>
Fifth	<b>8</b>
<b>Total</b>	<b>70</b>

- 3.15 Table 1.2 below outlines the room size category that each of the proposed rooms fall into:

Table 1.2

<b>Level</b>	<b>Room at 13.5 - 15 sqm</b>	<b>Room at 16 sqm</b>	<b>Room at 19 - 20 sqm</b>	<b>Room at 20 - 22 sqm</b>
Basement	3		1	2

Ground				
First	8	4		2
Second	8	5		1
Third	8	5		1
Fourth	8	5		1
Fifth	6	2		
<b>Total</b>	<b>41</b>	<b>21</b>	<b>1</b>	<b>7</b>

### Supporting Documents

#### Archaeological Desk-Based Assessment

- 3.16 This document states that the site is considered to have a generally low archaeological potential for Roman and Medieval evidence and low potential for all remaining past periods. However, past post-depositional impacts have been severe as a result of past construction and demolition.
- 3.17 It concludes that the proposed development is considered unlikely to have an archaeological impact. On this basis, further archaeological mitigation measures are not considered necessary.

#### Construction Dust Risk Assessment

- 3.18 This Assessment has considered the dust emission magnitude for four activities; demolition, earthwork, construction and trackout. The overall risk of the dust impact for each of the four activities was considered to be 'low', with regards to both the dust soiling impact and risk on human health.
- 3.19 The report outlines various mitigation measures and recommends that they should be included within an Air Quality and Dust Management Plan which should be submitted as part of a Construction Management Plan prior to the commencement of works.
- 3.20 Following the implementation of the recommended measures, the impact of emissions during the construction of the development would be 'not significant'.

#### Daylight/ Sunlight Report

- 3.21 This report outlines the findings of a comprehensive study of the impact of the proposed development on the relevant rooms in all of the surrounding dwellings. The tests were undertaken in accordance with the BRE Report 209 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' (second edition, 2011).
- 3.22 The study concludes that the proposal adheres to the BRE guidelines and does not reduce sunlight or daylight to existing surrounding properties.

### Design and Access Statement

- 3.23 This document supports the planning application and seeks to explain how the design proposals have evolved through the pre-application process in response to the sites characteristics, surrounding context and consultation with Lewisham Council and the local community.

### Economic Impact Statement

- 3.24 This statement suggests that the proposed development would play a role the regeneration of the town centre. Most specifically in relation to job creation at a range of levels, the attraction of inward investment, the generation of additional spending which would be captured by the local economy and generally supporting the tourism section within London.

### Energy and Sustainability Statement

- 3.25 This statement suggests that the proposed development is capable of achieving a 44.18% improvement in carbon dioxide emissions over Building Regulations 2013 Part L. This has been achieved by the following strategy, in line with the 'Be Lean, Be Clean, Be Green' hierarchy.
- 3.26 This document demonstrates that the use of a highly efficient building fabric, the use of on site CHP unit to deliver 60% of annual hot water demand and air source heat pumps would achieve the above stated improvement percentage.

### Engineering Design and Construction Method Statement

- 3.27 This statement provides information on the site, the proposed alterations and their impact on the site, the building and the adjoining building whilst providing information on how the works will be constructed.

### Ground Investigation Report

- 3.28 This report states that the findings of the Phase 2 site investigation have demonstrated that in the context of a commercial use of the site, the concentrations of determinants analysed were not present in sufficient quantities to pose any risks to end-users of the site, adjacent residents, site construction workers, landscaping or building materials.
- 3.29 However, due to the amount of Made Ground encountered at the site, the report recommends that an assessment of the potential for ground gas at the site is undertaken. It also recommends that any remedial measures suggested in this report should be subject to formal approval.

### Noise Assessment

- 3.30 The Noise Assessment conducted concludes that the noise exposure of the site is moderate and that the acoustic performance requirements placed on the building will need to be commensurate with the exposure. The report outlines requirements necessary to achieve the noise levels provided in British Standard 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

- 3.31 It also assesses the impact of the development upon neighbouring uses, including noise emissions from a fixed building plant. Achievement of the derived noise limit can be expected to result in a 'low impact'.

#### Phase 1 Preliminary Risk Assessment

- 3.32 A preliminary risk assessment was carried out to explore the potential for contamination at the site and to evaluate whether any remediation may be required for the protection of the end-user and other sensitive receptors from the presence of potential contamination.
- 3.33 The assessment identified a number of potential unacceptable risks relating to sensitive receptors on site. It is suggested that the most viable method of assessment would be via a Quantitative Risk Assessment (Site Investigation) with the following objectives: Provide information for further characterisation of the site in relation to potential pollution from industrial use of the site and from local industry.

#### Planning Statement

- 3.34 This statement sets out a full assessment of the proposed development in relation to national, regional and local planning policy and considers the proposal to comply with the relevant policies.

#### Statement of Community Involvement

- 3.35 This document outlines the details of the pre-application consultation that has been undertaken to ensure that local residents and stakeholders have had an opportunity to comment on the emerging proposals in advance of the submission.

#### Townscape and Visual Impact Assessment

- 3.36 This assessment concludes that the proposed development would have a major and beneficial impact on its close context and a negligible to minor impact on its wider environment. Further to this, it is suggested that where visible the development would add positively to local views, contribute positively to the settings of heritage assets and to the local townscape character.
- 3.37 The proposed development is considered to be of a high design quality with high quality materials which will enhance the existing character of the local streetscape.

#### Transport Assessment

- 3.38 This document concludes that the site is suitable for the proposed development as it is well connected by public transport to Central London and it would be car free, therefore generating minimal traffic movements.
- 3.39 The document includes a Delivery and Servicing Plan which identifies that the hotel would generate a minimal number of servicing and delivery trips during peak hours. The hotel operator is however required to make all reasonable endeavours to encourage the use of smaller and more efficient delivery vehicles.

- 3.40 A Draft Construction Logistics Plan (CLP) is included, outlining suggested commitments necessary to minimise impact on the local highway. It is envisaged that the preparation of a final CLP would be a condition of any planning consent.
- 3.41 The Travel Plan sets out how site users would travel to and from the development by modes other than the private car. It is considered that the Travel Plan is sufficiently robust to deliver more sustainable travel choices in relation to the site whilst maintaining a degree of flexibility to enable the Travel Plan to respond to the changing circumstances.

#### **4.0 Consultation**

- 4.1 This section outlines the consultation carried out by the applicant prior to submission and the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors. The Deptford Society and the Deptford High Street Association, Network Rail and U+I PLC (adjoining land owners) were consulted. Any responses received are detailed below (see point 4.5 onwards).

#### **Pre-Application Consultation**

- 4.3 Prior to the submission of this application, the applicant team conducted an accessible and visible exhibition. The applicant team identified community groups and other key stakeholders, including ward Councillors, in the area of the application site. Those identified were invited to the exhibition.
- 4.4 The applicant team also made the above stakeholders aware that they were happy to provide further information and meet them at their convenience.

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

- 4.5 A letter of support was received from a representative of the Roman Catholic Diocese of Southwark. Their comments are outlined below:
- the existing church hall has poor acoustics and inadequate facilities and is of poor design and function
  - the proposal will deliver a much improved community facility for the congregation to use and enjoy
  - the Church has been proactively engaged in the pre-application design process and endorses the specific improvements included in the application
  - the Church is also fully supportive of the overall development and the proposed hotel use that will provide the necessary funding to procure the delivery of the new hall
  - it would be also be beneficial for the local economy



- 4.6 A further letter of support was received from the Deptford High street Association. Their comments are outlined below:
- the hotel would be extremely beneficial to the High Street
  - the increased numbers of people moving about will increase the safety of the area and the possibility of an evening economy, it will also help the Albany Theatre, the existing retailers and the renowned markets – it will take us into a new era
  - the church will have a modern hall, with toilet facilities and baby changing rooms
  - it will also add to our heritage, with people able to visit and explore our history
- 4.7 One objection has been received from the Deptford Society. Their concerns are outlined below:
- proposed façade treatments fail; they prevent interaction between the building and the public spaces, for example, the whole ground floor elevation fronting the new market square is given over to ‘back of house’ (services/refuse storage) and the majority of the north elevation will comprise solid backed mural which would prevent any reading of the space or interaction with the station yard
  - increased vehicular activity and movements through the square
  - likelihood of the back-door becoming run down and unkept
  - treatment of east elevation does not integrate or engage with the High Street, rather exacerbates an existing pinch point
  - quality of accommodation at basement level; a better location for the hall be either partly or fully in the basement with the hotel rooms at raised ground level?
  - relationship between the new and existing adjoining building is inadequate; the form and massing is not subservient, illustrates over development
  - hotel rooms on the south side will suffer from lack of view, daylight and sunlight which would result in poor quality accommodation; should the building be converted to flats would be totally unacceptable
  - the missed opportunity to reinstate the buttress once lost from the north east corner of the church annex is disappointing
  - the building would cast a significant shadow on the new station square which combined with wind funnelling would make the square less conducive to social or café uses and attract from local public amenity
  - overlooking will increase with the introduction of more hotel bedrooms and with impermanent tenancy.

Written Responses received from Statutory Agencies

4.8 The following responses were received from internal consultees:

Lewisham Design Review Panel (DRP)

The proposal was reviewed by Lewisham's DRP on two occasions. The summary below relates to the feedback from the most recent visit:

- arrangement, with hotel lobby facing towards Deptford High Street is considered to be successful
- support option of providing a retail kiosk to NW corner as it would provide a more active element to the public realm frontage
- floor to ceiling heights of 2.5m seem appropriate, queried whether 450mm is sufficient for structure and services, applicant to draw up details before submission
- support the setting of the signage behind the glazing
- all rooms have access to daylight; plan layout greatly improved since first DRP
- church hall is disappointing; relationship between church and church hall needs consideration
- quality of the façade system and the approach to the detailing is generally supported; application submission should be accompanied by 1:5, 1:20 and actual material samples.

In light of the above, it should be noted that since the above comments were received from the Lewisham DRP, the scheme has been altered to successfully address the queries and comments raised.

Highways and Transportation

- No objections raised.

Ecological Regeneration Officer

- Inconsistencies between the Design and Access Statement and the living roof and parapet detail drawings.
- The Design and Access Statement shows a biodiverse roof of 80-150mm substrate; officers should ensure that these details are approved. It should be noted that the substrate should be undulating.

*In response to this, the detailed drawings were revised to reflect the biodiverse roof shown within the Design and Access Statement. Officers also requested that the plans were amended to ensure that the undulating nature of the living roof is secured.*

Environmental Health Officer

- The standard land contamination condition as recommended by their soil investigation should be added to the permission.

- Happy for the recommendations within the submitted noise report to be followed
- If there is a church use of the ground floor, a condition requiring adequate soundproofing between the hall and the hotel rooms should be added.

## **5.0 Policy Context**

### Introduction

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

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

A local finance consideration means:

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

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

### National Planning Policy Framework

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

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

Other National Guidance

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

London Plan (March 2015)

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

Policy 1.1 Delivering the strategic vision and objectives for London

Policy 2.13 Opportunity areas and intensification areas

Policy 2.14 Areas for regeneration

Policy 2.15 Town centres

Policy 3.8 Housing choice

Policy 3.14 Existing housing

Policy 4.1 Developing London's economy

Policy 4.5 London's visitor infrastructure

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 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Accessible London: Achieving an Inclusive Environment (2004)

Town Centres Supplementary Planning Guidance (2014)

Housing (2016)

Sustainable Design and Construction (2006)

London Plan Best Practice Guidance

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

Development Plan Policies for Biodiversity (2005)

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

Wheelchair Accessible Housing (2007)

Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy

Spatial Policy 2 Regeneration and Growth Areas

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 6 Retail hierarchy and location of retail development

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 9 Improving local air quality

Core Strategy Policy 10 Managing and reducing the risk of flooding

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

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

Core Strategy Policy 18 The location and design of tall buildings

Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

Core Strategy Policy 21 Planning obligations

Development Management Local Plan

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

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

DM Policy 1 Presumption in favour of sustainable development

DM Policy 2 Prevention of loss of existing housing

DM Policy 11 Other employment locations

DM Policy 12 Hotels

DM Policy 13	Location of main town centre uses
DM Policy 14	District centres shopping frontages
DM Policy 22	Sustainable design and construction
DM Policy 23	Air quality
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 35	Public realm
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens
DM Policy 41	Innovative community facility provision

Planning Obligations Supplementary Planning Document (February 2015)

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

Shopfront Design Guide Supplementary Planning Document (March 2006)

- 5.13 This document seeks to promote good design in order to enhance the character and appearance of the borough as a whole. The guide advises on the use of sensitive design and careful attention to detail and that whilst shopfront design encompasses a wide variety of styles and details there are certain basic rules that apply everywhere.

**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 hotel accommodation
- d) Highways and Traffic Issues
- e) Noise
- g) Impact on Adjoining Properties
- h) Sustainability and Energy
- i) Flood Risk, Ecology and Environmental Mitigation
- k) Planning Obligations

Principle of Development

*Proposed use*

- 6.2 Deptford is defined as a Regeneration and Growth Area and is designated as a district town centre within the Core Strategy. It is within these designated areas that the provision of leisure development is considered to be most appropriate.

- 6.3 Policy 4.1 of the London Plan seeks to promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London. This includes London's visitor economy, with Policy 4.5 seeking to ensure that proposals support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors. As part of this, the Mayor seeks to achieve 40,000 net additional hotel bedrooms by 2036, of which at least 10% should be wheelchair accessible. In light of this, planning decisions should support and encourage the development of good quality budget category hotels.
- 6.4 Currently, Lewisham has few hotels and the borough has a small tourism sector, it is however highly connected to Central London and a number of high profile tourist attractions on the periphery of the borough. Therefore, there is an opportunity to encourage tourists to use Lewisham as a base for exploring attractions elsewhere, with new hotel developments helping to cater for both business and leisure needs as well as stimulating the local economy. It's wider benefits include an increase in the number and variety of local jobs and an increased market for local businesses through both employees and visitors, including a boost to the evening economy. In light of this, DM Policy 12 states that the Council will encourage the provision of hotels in appropriate locations, with a preference given to those in highly accessible sections of town centres, in close proximity to train stations or other locations where there is good public transport access.
- 6.5 In line with the above policy framework, the Council is supportive of the development of hotels within the borough. The application site, which is in a district town centre and a highly accessible location due to its very close proximity to Deptford Station, is considered to be an appropriate location for the development of a new hotel. The principle of the proposed hotel use is therefore supported.
- 6.6 The proposed development also seeks to re-provide the church hall. This is considered to be in line with Core Strategy Policy 19 which seeks to ensure that a range of community facilities are provided, protected and enhanced across the borough. A letter of support has also been received from the RC Diocese of Southwark. As well as outlining support in relation to the overall scheme, it referred to the beneficial nature of the church hall reprovision, especially with regards to the quality of the facility and the positive impact that this would have upon the community/ congregation.
- 6.7 Further to this, the proposed building has been designed to ensure that the proposal would result in no net loss of facilities, rather incorporating a new church hall into the design of the hotel. This is considered to be acceptable.
- 6.8 The proposed development would however give rise to the loss of seven residential units and two retail units. Officers must therefore have regard to the loss of these units in order to fully assess the principle of the proposed development.

*Loss of retail units*

- 6.9 In relation to the loss of the retail units, Core Strategy Policy 6 identifies Deptford as a district centre. The application site itself is also sited within a designated

primary frontage. This policy therefore seeks to ensure that essential services are maintained and contribute to the vitality and viability of the district centre. Furthermore, DM Policy 14 aims to protect the retail function of the district centres and sets out a criteria against which the loss of retail units within these areas should meet. This criteria refers to the loss of ground floor level retail and seeks to ensure that such proposals would:

- not harm the predominant retail character of the shopping frontage;
- not create an over-concentration of non-retail uses so as to create a break in the retail frontage of 3 or more non-A1 uses together, and maintain 70% of A1 uses in the primary shopping frontage;
- generate a significant number of pedestrians visits, thereby avoiding the creation of an area relative inactivity in the shopping frontage;
- occupy vacant unit, having regard to both their number within the district centre as a whole and the primary frontage and the length of time the unit has been vacant;
- not result in adverse effects caused by crime, disorder and anti-social behaviour.

6.10 The proposed hotel would front Deptford High Street and would provide an active frontage that would generate a steady stream of pedestrian visits. The glazed design of the ground floor of the building would make the internal activity visible from the street and the station forecourt, an element of activity that the existing building does not provide. As pointed out within the objection received, the church hall façade, due to the need for increased privacy, together with the service zone of the building, would not provide the same level of transparency/activity at ground floor level as the hotel use. The design does however incorporate privacy screening in the form of applied graphic and an internal mural/art installation that is considered to add interest/ visual activity to these parts of the building.

6.11 In light of the above, it is not felt that the development would harm the predominant retail character of the shopping frontage, rather giving rise to a ground floor level that is compatible with the surrounding primary frontage and the public realm improvements on the neighbouring site and the regeneration of the adjacent railway arches in association with the Deptford Project. Furthermore, the regeneration of the adjacent railway arches and the resultant introduction of new retail offerings works together with the proposed development to ensure that there would not be an over-concentration of non-retail offerings as a result of the proposal.

6.12 The application site does not lie within a designated employment location, but as there is a retail provision at the ground floor of the existing building, the site would provide an element of employment as existing. However, given that the proposed hotel use would provide employment as further demonstrated below, the loss of the existing employment is considered to be acceptable.

*Loss of residential units*



- 6.13 Moving onto the loss of the existing residential units, London Plan Policy 3.14 states that the loss of housing should be resisted. This is further outlined in Core Strategy Policy 1 and DM Policy 2 which sets out a limited list of circumstances where a loss of housing would be considered. The proposal is not considered to fall into any of the prescribed circumstances.
- 6.14 Whilst the proposal would give rise to a loss of housing, the proposed development is considered to present wider regeneration benefits in line with London Plan policies which highlight the importance of the stimulation and growth of London's visitor economy. As outlined previously, in addition to providing a valuable contribution to London's and Lewisham's visitor economy, the proposed hotel development would also stimulate the local economy by way of increased employment opportunities and increased market for local businesses, including a potential boost for the local night time economy, which is an aspiration of the Core Strategy Spatial Policies. The letter of support from the Deptford High Street Association reiterates the above. It suggests that the hotel would give rise to a movement of people around the High Street area that would have a number of beneficial impacts, including, increased safety, the possibility of a night time economy, whilst helping the Albany Theatre, existing retailers and the renowned markets.
- 6.15 The submitted Economic Impact Assessment has sought to demonstrate the positive economic impacts of the proposed development. With regards to construction employment, whilst it has not been possible to accurately calculate how many jobs would be created on site during the construction period, based on a Construction Industry Training Board labour forecasting tool and an estimated building programme of 12 months, it is estimated that the development would give rise to an onsite peak of just over 195 workers on site.
- 6.16 Furthermore, the Assessment suggests that hotel jobs are particularly beneficial for target groups that can otherwise suffer exclusion from labour markets and as a result experience significant deprivation as well as offering flexible and part-time work attractive to those with responsibility for family care and want to live and work locally. It is also suggested that hotel operators tend to provide good skills and training opportunities for employees. Based on similar hotels within this market which offer a similar service, the proposed hotel would be expected to generate approximately 15 full time equivalent jobs, breaking down to approximately 9 full time jobs and 12 part time jobs. To ensure that local people do benefit from the creation of jobs within the borough, the Council uses planning obligations to secure a Local Labour and Business Scheme together with financial contributions (based on the amount of jobs generated) towards the training, support and recruitment of local people. In this instance, the proposed S106 agreement seeks to secure the commitment of the developer in this way.
- 6.17 In addition to the estimated employment generation, the assessment also suggests that employee and visitor spending would make a valuable increase in market for local businesses.
- 6.18 The above demonstrates the benefits of the proposed development in relation to the local economy and the associated local regeneration gains. It is however recognised that the delivery of new homes is also a priority for Deptford as a Regeneration and Growth Area. Nevertheless, it is noted that a significant amount of new housing has been delivered within the New Cross ward in the last

year. The Council's Annual Monitoring Report (AMR) demonstrates that 14% of the total housing and 33% of affordable housing delivered in 2014-15 across the borough was in New Cross. In close proximity to the application site, this includes the 121 units provided by the Deptford Project (DC/11/78175) and the 44 units provided by the 483-485 New Cross Road development (DC/13/83322; Appeal Ref: APP/C5690/A/13/2204610). There is also a live application to redevelop the existing Tidemill School buildings which would include the delivery of 210 residential units. Whilst this application has not yet been determined, it demonstrates the volume of new housing coming forward within the ward. Table 1.3 below outlines the new housing that has been approved within close proximity in number form:

Table 1.3

Development	No. of net additional residential units	Status
The Deptford Project (Octavius Street development) (DC/11/78175)	132	Completed
Faircharm, Creekside (DC/12/82000)	148	Under construction
483-485 New Cross Road (DC/13/83322)	44	Under construction
Kent Wharf, Creekside (DC/15/89953)	143	Under construction
Convoys Wharf (DC/02/52533)	3,500	Outline permission granted
Former Deptford Green School, Amersham Vale (DC/15/095027)	120	Subject to planning permission
Tidemill School buildings (Reginald Road/Frankham Street)	210	Subject to planning permission

- 6.19 The above table outlines the significant amount of new housing that is to be delivered within Deptford. It is therefore clear that in comparison to the net additional gain of residential units outlined above, the proposed development would give rise to a modest loss of poor quality residential units. The above new housing has also been designed to London Plan space standards, bringing large numbers of high quality residential units to the local area.
- 6.20 Further to this, the application site sits adjacent to the Deptford Project and is surrounded by the associated public realm works that will facilitate a revitalised market area. This project, which in addition to the above, includes the conversion of the railway arches into retail/ food and drink offerings, delivers huge regeneration benefits to Deptford.
- 6.21 Whilst the Deptford Project and the proposed development have been brought forward and progressed independent of one another, they are closely related due to their proximity and the wider benefits for the local area that they both present. Officers consider the Deptford Project to be an incredibly important project for Deptford, most specifically for the area surrounding the station, and feel that the proposed hotel is also very important in that it would further enhance this area. As expressed in greater depth in the design section of this report, the proposed development would give rise to a high quality and prominent building that, in light of its proximity to the station, would create a sense of arrival to Deptford for visitors, but also local people.
- 6.22 The siting of a hotel, predominantly aimed at providing for people visiting the area, against a backdrop of local street market activity and local entrepreneurs/ businesses operating from converted railway arches would be considered to provide a very positive image for Deptford and a strong and vibrant sense of place.
- 6.23 In conclusion, it is felt that the wider regeneration benefits of the proposed scheme, especially in regard to its contribution to London's visitor economy and the local economy, outweighs the impact of the loss of the existing residential units. Officers therefore consider the principle of development, subject to the detail and viability of the scheme, to be acceptable.

#### Design and heritage

- 6.24 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.
- 6.25 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. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit, optimising the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

- 6.26 In specific relation to Lewisham, Core Strategy Policy 15 outlines how the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.27 Further to this, DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 6.28 As the application site is located within the Deptford High Street Conservation Area and is visible from the St Paul's Conservation Area, regard will also be had to Core Strategy Policy 16 and DM Policy 36 which seek to manage new development affecting designated heritage assets in a manner that sustains and enhances their heritage significance, including the contribution of their setting.

#### *Scale and massing*

- 6.29 The existing building is a four storey block that steps down to a pitched roofed two storey element to the rear which accommodates the church hall. Beyond this, there is a 9.4m rear yard. It adjoins the church building to the south and is set 3m proud of this building. The external finish of the building combines brickwork and render, with the majority of the north facing elevation windowless and covered in graffiti. There is also a high brick wall on the northern boundary of the site. Complete demolition is proposed, which gives rise to no objections as the building is not of architectural or historic merit.
- 6.30 The proposed building would be 6 storeys and seeks to infill the plot boundaries, presenting an increase in footprint from the existing building. The ground floor of the building would be set flush with the front boundary of the site and along Deptford High Street. At first floor level, the building steps back from the High Street. This reflects the existing street frontage along Deptford High Street where the buildings present a step back from the street at first floor level (and above). The proposed building further steps back at fifth floor level, reducing the prominence of the top storey on the High Street. Further to this, the rear (western) and side (southern) elevation of the building pulls away from the back/side of the church at first floor level.
- 6.31 The Deptford Society raised the concern that the proposed building does not integrate or engage with the High Street. However, officers would argue that the form of the building, especially with regards to the pop-out ground floor level, takes its queues from the existing buildings within the high street frontage. As well as emphasising the entrance of the building and the ground floor activity arising from the hotel lobby/bar area, it is considered to respect and complement

its high street setting, whilst enhancing the character and appearance of the surrounding Conservation Area through the restoration of the historic building line on this site. The massing and form of the building has been negotiated at length with officers at pre-application stage and at Lewisham DRP. The pop out ground floor and recessed upper floors have the support of the Council's conservation officer.

- 6.32 The proposed development would give rise to a significant increase in scale and massing in comparison to the existing building, especially when viewed from the north (station) and the west (rear). Nevertheless, the 8 storey Deptford Project is larger in scale than the proposed building and would sit in the backdrop of the hotel. The Townscape Heritage and Visual Impact Assessment includes verified views that enable the assessment of the visual impact of the proposed building from key views.
- 6.33 The proposed building would be most prominent when viewed from View 3 (Deptford High Street, under the rail viaduct) and View 4A (Deptford Station, southern terrace). The building would obscure side views of the church from the north together with sections of the Deptford Project which are currently visible. Whilst it would give rise to a loss of this view, the church is not considered to express significant heritage value or character from this view point. Further to this, the proposed building is considered to provide a positive contribution to this space, providing a well-defined edge to the space between the Station and the Site which will, as part of the wider Deptford Project improvements, accommodate a new market square. It is also felt that the larger scale of the proposed building and the presence of the northern elevation would mark an important sense of arrival for those travelling from Deptford Station, as well as an effective mediator between the Deptford Project and the lower scale of the High Street buildings.
- 6.34 View 5 (Deptford Station ramp, close to Rochdale Way) demonstrates that the proposed building would be visible from the Deptford Station ramp. Again, whilst the building would be close up against the church, it would appear a similar height and would not extend beyond the church's rear elevation. The Deptford Society have suggested that the relationship between the proposed building and the adjoining building is inadequate due to the form, massing and resultant lack of subservience. It is noted that the proposed building presents an increase in scale and massing when compared to the existing building. However, this is not objectionable in principle and it is felt that the architectural treatment of the proposed building and the glazed fifth floor, which gives rise to a lightweight and subservient addition to the top of the building, would lessen the overall impact of the building with regards to its scale and massing in relation to the surrounding spaces and existing buildings. The proposed building is therefore considered to sit comfortably within its context from this view point and within the newly emerged content of this part of Deptford High Street.
- 6.35 As illustrated by View 9 (Deptford High Street, just south-east of the site), the setting back of the main massing of the building is considered to reduce the prominence of the building both within the street frontage and in relation to the neighbouring church building which is set back significantly from the pavement edge. It would also increase the visibility of the station from the southern approach to the station and views of the church from the north. The improved visibility of the church from the surrounding Deptford High Street Conservation

Area is considered to provide a positive contribution to the streetscene and the surrounding heritage asset.

- 6.36 In light of the above, the proposed building is considered to be acceptable with regards to form, scale and massing.

*Architectural appearance/ detailed design*

- 6.37 As described above, horizontally, the building is divided into three distinct levels. Each level adopting their own material expressions, but vertically bound by an articulated gridded façade which provides a uniformity and defines window placement.
- 6.38 The full height glazing at ground floor level gives rise to an active frontage along the eastern elevation and a visually active elevation where applied graphic and internal mural/art installation are used to achieve privacy and screening. It is proposed that this would give rise to a vibrant frontage, essential to ensuring that the design of the proposed building lends itself to the town centre/ primary shopping frontage location.
- 6.39 The limited palette of materials, which relies heavily on the use of anodised aluminium, effectively breaks up the massing of the building through the use of vertical fins and glazing. The use of glazing and reflective panelling at roof level ensures that the building is fit for purpose (privacy wise) whilst also giving rise to a lightweight nature that reduces the bulk of the fifth floor, especially where viewed against the sky. At pre-application stage, the applicant organised a site visit for officers to see the use of anodised metallic cladding combined with glazing and glazing with applied graphic on a school in Southwark (SMAA Foreshore School). The site visit, together with the sample board, detailed elevations, sections and CGIs that accompany this application submission, demonstrate that the proposed materials are of a very high quality and would work effectively together to provide a highly contemporary, interesting and attractive building which is befitting for this important site.
- 6.40 The proposed development includes a servicing zone to the rear elevation that would be most prominent from the Market Yard. The objection received from the Deptford Society raises a design concern that the back door would become run down as a result of concentrated servicing functions. Officers recognise that the treatment of this elevation lends itself to the functionality of this part of the building and as a result, does not provide the same level of interest that the rest of the building does. However, the proposed treatment/materials are considered to reflect the high standards of the overall building and therefore, officers are satisfied that this part of the building would provide adequate durability, without facing deterioration as a result of intensive use.
- 6.41 The proposed building adjoins the Our Lady of Assumption Church to the south and therefore relates by proximity to this historic neighbouring building. The contemporary nature of the proposed building would create a juxtaposition with the church with regard to architectural style, rather than emulate a pastiche copy. The vertical expression of the proposed building and proposed window openings is considered to relate well to the narrow window openings of the church and the general vertical nature of the building.

- 6.42 The setting of the proposed building is mixed in character as existing, comprising the Deptford Project, which is highly contemporary in design, and surrounding heritage assets such as the carriage ramp, the railway arches and the Deptford High Street Conservation Area. It is therefore felt that the proposed building would be compatible with its setting; it would sit comfortably with, whilst making a high quality and positive contribution to, the surrounding collection of architectural styles.
- 6.43 The proposal also outlines signage zones on both the front (eastern) and side (northern) elevation. They would face onto Deptford High Street and the station respectively. From a visibility point of view, these are considered to be in appropriate locations given the directions that visitors would generally be approaching the building from. In terms of design, the proposed signage strategy would restrict any signage to a limited area at ground floor level. As a result, it is felt that any signage would appear modest and subservient to the proposed building and would not detract from the architectural character of the building, nor the character and appearance of the surrounding area. It is proposed that the signage strategy is secured by condition. And further to this, the signage itself, for example, displaying the hotel operator's name/ branding, would require planning permission. The Council would therefore assess the acceptability of any proposed signage upon the submission of a separate application.
- 6.44 In light of the above, the proposed development is considered to be of an exceptionally high quality design that would create a positive effect on the image of the borough. It is therefore acceptable with regards to its architectural appearance.

#### *Deliverability*

- 6.45 The deliverability of a scheme is a consideration within the NPPF and the viability and deliverability of development should be considered in plan making. The NPPF states that to ensure viability, the cost of requirements should, when taking into account the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable.
- 6.46 The proposed development involves the use of high quality materials that are considered to be integral to the acceptability of the scheme, especially given the prominence of the building in relation to its location within this important regeneration area together with its close proximity to the station. The application submission provides detailed drawings, CGIs and material samples that demonstrate the buildability of the development and the inherent quality of the design approach.
- 6.47 It is also important to note that the proposed hotel has significantly reduced in scale with regards to room numbers since initial pre-application discussions. This was due to the large amount of windowless rooms that an increased amount of rooms would have given rise to. Officers requested that a Viability Assessment was incorporated in the application submission in order to demonstrate the viability and deliverability of a 70 room hotel in the context of the costly nature of the high quality materials proposed and likely return for a hotel of the proposed calibre in this location.

- 6.48 Based on the accepted Viability Assessment which has been reviewed by Lambert Smith Hampton on behalf of the Council, the scheme as proposed is considered to be viable and deliverable.
- 6.49 As discussed, the proposed materials have been reviewed by officers, supported by the high level of detail submitted, and are considered to be of an exceptional quality. It has also been outlined that the design quality of the proposal is inherent to the acceptability of the scheme and it has been proven by the Viability Assessment that a viable hotel can be delivered to the proposed standard of design. It is therefore proposed that the materials and architectural details are secured by condition. It should also be noted at this stage, that given how integral the design quality is to the acceptability of the scheme, any future attempt to alter or reduce the quality of design or materials would not be acceptable as a minor material amendment. Instead, it would require the principles of the proposal to be reconsidered.

### Hotel Accommodation

#### *Quality of accommodation*

- 6.50 The scheme proposes to accommodate 70 rooms on the site, all in the form of double bedrooms. There are no prescriptive policy requirements for hotel room sizes or mix besides the requirements in relation to wheelchair accessibility (discussed below). Policy 4.5 of the London Plan does however state that Council's should support and encourage the development of good quality budget category hotels. Although the proposed hotel offers double bedrooms only, the application demonstrates that the rooms would be of varying sizes, ranging from 13.5sqm to 22sqm. This is considered to be positive in that it would add diversity to the price range of rooms within the proposed hotel.
- 6.51 In order to ensure that the proposal provides a high quality hotel offering, officers raised objections to the number of windowless rooms that were proposed at the initial pre-application stage. The amended scheme reduced the overall number of rooms, removing all windowless rooms and reducing the amount of bedrooms at basement level. There are bedrooms proposed at basement level, nevertheless, the design of the building incorporates light wells which allow natural light into the basement bedrooms. All other rooms would receive natural light through at least one window; the corner rooms would have two windows each. As a result, all of the proposed bedrooms would receive natural daylight.
- 6.52 With regards to the basement level accommodation, as outlined in the Design and Access Statement, the neighbouring scheme involves a planter strip that runs alongside the northern boundary of the site. At pre-application stage, the applicant conversed with both U+I Plc and Network Rail in order to explore the possibility of removing the planter due to the restrictions it places on the amount of light available to the basement rooms via the originally proposed light wells. Whilst the removal of the planter is the preferred option, the applicant was unable to finalise such discussions prior to submission, thus providing an alternative option. This includes the internal raising of the light boxes, a further 350mm above the planter, so that the basement rooms would receive the same amount of light as originally designed, without the planter. Officers are satisfied with the above approach and whilst not the preferred arrangement, it demonstrates that



the building can still be designed to allow light to successfully reach the basement rooms should the planter remain in-situ.

- 6.53 The Deptford Society have also raised concerns in relation to the location of hotel rooms within the basement with regards to the quality of accommodation provided. They have questioned whether it would be better for the church hall to be located at basement level, with all rooms above ground level. It should be noted that the proposal seeks to replicate an existing relationship as far as the positioning of the church hall is concerned. The proposed arrangement would mean that the existing access from the church to the church hall would be maintained and largely unaffected. As well as supporting this, it is important to outline that the siting of basement level accommodation is not uncommon, especially in central London hotels.
- 6.54 Further to this, as there are 6 bedrooms located at basement level together with bedroom windows that look out onto the side elevation of the church, it is recognised that the outlook is limited to some of the bedrooms. Nevertheless, as all rooms would receive natural light and the likely operator would be a budget/business offering, whereby travellers would typically stay for a few days and spend little time in their rooms, this is considered to be acceptable.
- 6.55 The proposed bedrooms are considered to be of a size that would enable them to accommodate double beds and necessary furniture. The ground floor supporting spaces would also ensure that the hotel provides the expected facilities, such as food, drink, together with the servicing zone to the rear of the basement floor which facilitates the hotel.
- 6.56 Based on the arrangement and articulation of the building, including floor layouts and window/light well positionings, officers are satisfied that the building is highly capable of delivering a high quality hotel offering. It is however vital in terms of supporting the overall regeneration of the town centre that the quality of this type of use is secured in operational terms as well as design, especially with regards to preventing a more hostel type offering. This also includes the 'active' use of the ground floor of the building which is crucial to the compatibility of the proposed building in its primary shopping frontage/ town centre location.
- 6.57 As a hotel operator has not yet been secured, but the capability of the building to deliver a high quality hotel offering has been demonstrated, it is considered that with the imposition of suitable conditions to ensure the delivery of the ancillary spaces and ground floor lobby area together with the use of planning obligations to require the hotel operator to have agreed to lease or to occupy the building prior to any works commencing, the quality of the hotel operation presented as part of the submission could be secured. In order to ensure the quality of the hotel operator, the proposed S106 agreement requires any operator to be rated by AA and/or Visit Britain or have an equivalent rating.
- 6.58 In light of the above, the quality of the proposed hotel accommodation is considered to be acceptable.

#### *Accessibility*

- 6.59 Improving the availability of hotel accommodation that is genuinely accessible to all is a particular priority in Policy 4.5 and 7.2. It has been found that many disabled people find it difficult to find suitable and affordable hotel accommodation

in London, with only around half of current demand for accessible hotel bedrooms met. Demand for accessible rooms is likely to increase in the future, as barriers to access and participation reduce and as demographic trends lead to an increase in the number of disabled people.

- 6.60 As outlined earlier in this report, Policy 4.5 states that 10% of hotel bedrooms should be wheelchair accessible. Appendix B of the Town Centres Supplementary Planning Guidance (2014) provides guidance on accessible and inclusive design and provision with an aim to encourage all hotel operators to provide an inclusive hotel experience. This requires the whole hotel premises and experience to be welcoming and accessible, achieved through the integration of an appropriate physical environment, room fit out and equipment and management practises.
- 6.61 It also encourages the preparation of an Accessibility Management Plan (AMP) to ensure that the management and operation of facilities are fully considered at the outset of the design and that accessibility and inclusion are monitored and maintained throughout the life of the development.
- 6.62 The application submission has stated that 7 of the proposed hotel bedrooms would be wheelchair accessible rooms in line with the 10% provision required by the London Plan. This is demonstrated within the Design and Access Statement. It is however considered necessary that the an Accessibility Management Plan is provided by the applicant to ensure that the accessibility measures are fully implemented, monitored and maintained throughout the life of the development, especially in a context where the operator is currently unknown. It is therefore proposed that this is secured by condition.

#### Highways and Traffic Issues

- 6.63 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site. Safe and suitable access to the site should be achieved for all people. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.64 Core Strategy Policy 14 'Sustainable movement and transport' supports this policy approach and promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans. Core Strategy Policy 7 'Climate change and adapting to the effects' and Core Strategy Policy 9 'Improving local air quality' further promote sustainable transport.
- 6.65 Development Management Policy 29 'Car parking' aims to ensure the effective implementation of car limited development and other parking standards, to help minimise congestion and reduce vehicle emissions.
- 6.66 Due to the high level accessibility of the site, it is proposed that the hotel would be a car free development. It is however recognised, as also highlighted by the

objection received, that the site would generate some vehicular trips resulting from deliveries, taxis and guests who choose to drive and park in the town centre.

a) Access

- 6.67 The proposed hotel would adjoin the Market Yard to the rear. It is possible for vehicles to access the Market Yard which is part of the new area of public realm associated with the Deptford Project from the southern access (by the carriage ramp) and exit from the northern access (by the railway station forecourt). The café/restaurants and commercial units that front this space will be serviced by vehicles using the southern and northern accesses. The current plans are for this market to operate from Thursday to Sunday from 09.00 to 18.00. Servicing plans for this vehicle access arrangement have been approved for the Market Yard.
- 6.68 In addition to this, the existing Deptford Market takes place on three days per week, this includes Wednesday, Friday and Saturdays between 09.00 and 18.00. The High Street is also closed from a point just south of the site from 08.00 to 19.00 on Saturdays. This would restrict vehicular access to the servicing zone of the proposed building (rear).
- 6.69 At the southern entrance to the Market Yard, waiting and loading is restricted at any time. There are also various loading restrictions/provisions on the High Street.

b) Servicing, deliveries and refuse

- 6.70 In terms of servicing trip rates, the proposed hotel development would be expected to give rise to a daily delivery and collection of linen, a waste collection 4 times per week (frequency adjusted based on quantity of waste) and a weekly food and drink delivery. This would generate about 10 to 11 vehicle movements per week; this is considered to equate to 3 two way trips by Other Goods Vehicles (OGVs) per day.
- 6.71 The arrangements for the collection, treatment and disposal of waste would be the responsibility of the hotel either via a private company or a commercial contract with the Council. Whilst the details of refuse collection are not fully known, the Delivery and Servicing Plan outlines that refuse would be collected from the rear of the building, with refuse storage in the basement which would comprise 4 x 1,100 litre wheeled Eurobins. It also suggests that on collection days, the bins would be brought up to ground floor level and stored in an area underneath the staircase adjacent to the hotel's service door.
- 6.72 The preliminary Waste Management Strategy set out within the Delivery and Servicing Plan, is considered to demonstrate that the development is capable of operating in conjunction with and maintaining an appropriate strategy. It is however proposed that full details of the proposed strategy are required prior to the commencement of works.
- 6.73 In relation to general delivery timings, the Delivery and Servicing Plan refers to the flexibility of the proposed use with regards to the 24 hour operation of hotels. As a result, it suggests that the ability to receive deliveries outside of market hours is easily catered for. Officers are therefore satisfied that the proposed building could be serviced without conflicting with the surrounding markets.

6.74 However, in light of the importance of not conflicting with the servicing and operation of surrounding existing/ approved uses, it is proposed that a detailed Delivery and Servicing Plan, including a Waste Management Strategy, is secured via legal agreement.

*c) Cycle Parking*

6.75 Policy 6.9 of the London Plan states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3 and the guidance set out in the London Cycle Design Standards.

6.76 Table 6.3 requires hotels to provide 1 long-stay cycle parking space per 20 bedrooms and 1 short-stay space per 50 bedrooms. The proposed development seeks to provide cycle parking for both guests and staff within the basement of the hotel which is accessible by a lift at the rear of the building. Access to this part of the building would however be controlled by the hotel reception desk. The basement cycle store would comprise a dedicated space with 5 cycle parking spaces. This is in line with the above requirements with regards to the number of spaces provided. In order to ensure that the provision would be secure, convenient and accessible, it is proposed that full details of the proposed cycle storage is required by condition.

6.77 Further to this, the applicant has proposed to provide 10 additional cycle spaces to satisfy the London Plan requirement in relation to short stay cycle parking. The spaces would be located outside of the application site and would therefore be available for use by visitors to the High Street. Nevertheless, as this provision would fall outside of the application site, it is proposed that the applicant financially contributes to a forthcoming Council-led public realm improvement scheme for Deptford High Street that includes the delivery of additional cycle parking to the High Street/station area. It is proposed that this is secured within the S106 agreement.

*d) Car Parking*

6.78 Policy 6.13 of the London Plan states that in locations with high public transport accessibility, car free developments should be promoted (while still providing for disabled people). More specifically in relation to hotel uses, the London Plan outlines that in locations with a PTAL of 4-6, on-site provision should be limited to operational needs i.e. parking for disabled, taxis, coaches and deliveries/servicing. With regards to coaches, it suggests that developments should provide for 1 coach parking space per 50 rooms.

6.79 As the application site is in a highly accessible location, the proposed development does not include a provision for off-street parking. It would however be expected to generate a small demand for parking resulting from those guests who choose to visit the hotel by car.

6.80 The surrounding side streets are within a Restricted Parking Zone (RPZ) which restricts parking from 9am to 6pm Monday to Friday and 9am to 1.30pm on Saturdays in order to overcome car parking resulting from the high street, market and station. There is also short term parking provision on the high street which supports the local businesses.

- 6.81 Officers are satisfied that existing restrictions would be sufficient to ensure that hotel guests would not be able to park within the surrounding streets for the duration of their stay. There is a public car park within 180m of the site which would offer an alternative parking provision if guests were to drive. Officers are however satisfied that the car free nature of the proposed development and the limited long stay parking opportunities would adequately encourage guests to use sustainable modes of transport to visit the hotel.
- 6.82 With regards to coach parking, the applicant suggests that coach access to the proposed hotel is unlikely to be a regular occurrence. However, the Transport Assessment has identified a site within the town centre that could accommodate a coach for the set down and pick up of hotel guests. This is located 245m from the application site and is within Giffin Street, adjacent to the Tideway Centre where there is a lay-by that has been provided to cater for school coaches. Officers are satisfied that if the necessity for coach set down/ pick up arises, this would provide an acceptable solution.
- 6.83 Table 6.2 (Car parking standards) states that non-residential development should provide at least one accessible on or off street car parking bay designated for Blue Badge holders, even if no general parking is provided.
- 6.84 The application submission addresses disabled car parking and refers both to the nearby car park which includes 3 designated spaces for vehicles displaying blue badges and the possibility of providing the Council with a financial contribution. The contribution would allow the Council to create a parking space along the east side of the High Street underneath the railway bridge. This space would be 35m from the entrance to the hotel.
- 6.85 As mentioned in relation to cycle parking, the Council-led public realm improvement scheme also includes improvements to on street parking at Deptford High Street. Internal discussions have taken place and it has been agreed that a disabled parking space could be provided as part of these works. It is therefore considered appropriate that a financial contribution is secured from the applicant in lieu of these works. It is felt that this provision, together with the existing disabled spaces within the nearby car park, is sufficient to satisfy the policy requirement in relation to disabled parking.
- 6.86 As mentioned above, Core Strategy Policy 14 seeks to ensure that proposals include a Travel Plan that is line with the Transport for London guidance. The application submission includes a Framework Travel Plan Statement which aims to support and encourage more sustainable travel for hotel employees and guests in the context of a car free development. The submitted document sets out the Travel Plan measures, a management strategy and a marketing and promotional strategy in the context of the accessibility of the site. Officers are satisfied that the proposed development is capable of effectively reducing congestion, relieved parking pressure, making the site more accessible and improving travel choice. Given the importance of a robust Travel Plan, especially in the context of a car free development and the policy position regarding sustainable movement and transport, it is proposed that a Travel Plan is secured by the legal agreement and prepared in conjunction with the hotel operator.

*e) Construction*

- 6.87 The Transport Assessment includes a draft Construction Logistics Plan. It outlines the possibilities for construction vehicle loading and unloading locations. These include the area of public space to the rear (west) of the site, the space to the north of the site and on Deptford High Street, which would involve the temporary relocation of the zebra crossing for the duration of the construction works.
- 6.88 The options have been discussed with the adjoining land owners (U+I Plc and Network Rail). Loading from Deptford High Street is favoured by the interested parties, due to the impact of the other options upon the market and concerns relating to safety of commuters going to/from the station. The details provided includes a Swept Path Analysis that demonstrates that a tipper truck would be able to wait park at the front of the site and still enable a HGV to pass along the High Street.
- 6.89 With regards to Construction Management, the submission refers to construction traffic management measures and general site management that would be adopted to ensure that the construction work does not give rise to conflict with vehicle and pedestrian movement, neighbouring amenity and the operation of surrounding development and uses. Officers are satisfied by the measures outlined in the document, but as outlined below would seek final measures/procedures by condition.
- 6.90 Officers would require full details of construction logistics and management as part of a final Construction Logistics Plan (CLP) which should be prepared in conjunction with the appointed contractors.

#### Noise

- 6.91 Policy 7.15 'Reducing noise and enhancing soundscapes' of the London Plan states that development proposals should seek to reduce noise by separating new noise sensitive development from major noise sources wherever practicable through the use of distance, screening, or internal layout in preference to sole reliance on sound insulation. Development Management Policy 26 'Noise and vibration' seeks to ensure that external noise levels can be satisfactorily controlled and managed by the noise sensitive development.
- 6.92 A Noise Assessment was submitted which outlines the results of a noise survey undertaken in relation to the site. The report made a series of recommendations in relation to the façade design and the sound insulation necessary to ensure that the acceptable internal noise levels can be achieved. This includes the necessity of alternative proposals (rather than the opening of windows) for the ventilation of the rooms. For example, whole house ventilation or acoustically treated window/wall ventilator.
- 6.93 It is therefore felt that with the acoustic specification outlined within the submitted document, the proposed development can be expected to achieve a suitable internal noise environment, taking into consideration the nature of the building.
- 6.94 As the hotel operator is not yet known, the noise emissions from the fixed building plant has been considered on a worst case scenario basis. In relation to this scenario, the achievement of the derived noise limit can be expected to result in a 'low impact'. This is considered to be acceptable.

- 6.95 Nevertheless, as the proposed development includes a church hall at ground floor level, officers consider it appropriate to ensure that the relevant areas of the building are appropriately soundproofed so that noise transference from the church hall into the hotel rooms is controlled. This has not been addressed within the application submission, it is therefore proposed that this is controlled by condition.
- 6.96 Subject to following the recommendations set out in the Noise Assessment report, the proposed development is considered capable of achieving acceptable internal noise levels and would not give rise to an unacceptable impact upon the amenities of the closest residential occupiers. The proposed development is therefore considered to be acceptable with regards to noise.

#### Impact on Adjoining Properties

- 6.97 Core Strategy Policy 15 'High quality design for Lewisham' seeks to ensure that proposed development is sensitive to the local context. Officers therefore expect proposed developments to be designed in a way that will not give rise to significant impacts upon the amenities of existing neighbours and future occupiers.
- 6.98 With regards to daylight and sunlight impacts of the proposed development, a BRE Daylight/Sunlight Report has been submitted which outlines the findings of a comprehensive study of the impact of the proposed development on the relevant rooms in all of the surrounding residential properties. This includes 124 Deptford High Street and the Octavius Street development (the Deptford Project). The BRE guideline test results demonstrate that the proposal adheres to the BRE guidelines and does not reduce sunlight or daylight to existing surrounding properties.
- 6.99 The results of the detailed study indicate that all of the windows would retain daylight values in excess of the 0.8 BRE guideline test, with no loss of daylight whatsoever in a large number of instances. The Annual Probable Sunlight Hours (APSH) test results confirm that, in accordance with the BRE Guidelines, there would be no noticeable adverse loss of sunlight by virtue of retaining 0.8 of the former value (i.e. no greater than 20% loss or no greater than 4% loss of the annual probable sunlight hours). This is acceptable.
- 6.100 With regards to the outlook of the residential units opposite (no. 124 Deptford High Street), the proposed building would be 6 storeys in height and result in an increase in scale and massing when compared to the existing building. The building does however provide a set back on upper levels where the existing building projects forward. The Deptford Society also raise objection to the increased overlooking that the hotel would give rise to. Whilst this would give rise to a change in outlook for the occupiers, it would not be a significant impact, nor unacceptable, especially in the context of this High Street location. The separation distance between the proposed development and the Octavius Street development would sufficiently offset any significant impacts relating to outlook and overlooking between these two buildings.
- 6.101 Further to this, the Deptford Society state that the proposed building would cast a significant shadow on the new station square which, when combined with wind funnelling, would make the square less conducive to social uses, negatively

impacting upon local public amenity. Due to the orientation of the application site, the proposed building would overshadow the surrounding public realm to an extent. However, it is considered important to note that there is an existing building of 5 storeys and therefore, an established amount of overshadowing which is expected in urban areas. In addition to this, as outlined previously, the proposed building is considered to provide a positive contribution to the overall regeneration of the local area, as well as providing an enhanced sense of place to the immediate surrounding area which includes the Market Yard referred to by the objectors. In light of this, it is felt that a slight increase in overshadowing, that would be concentrated over the planter opposed to the Market Yard which has the majority activity, is outweighed by the overall positive contribution that the proposal is considered to present the area.

- 6.102 In light of this, and the findings of the Noise Assessment referred to above, the proposed development would not be considered to give rise to significant impacts upon the amenities of surrounding residential properties, nor the amenities of members of the public using the surrounding open spaces. The proposed development is therefore considered to be acceptable in this regard.

#### Sustainability and Energy

- 6.103 Policy 5.3 'Sustainable Design and Construction' of the London Plan states that the highest standards of sustainable design should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. In light of this, all proposed developments should demonstrate that sustainable design standards are integral to the proposal. Core Strategy Policy 7 'Climate change and adapting to the effects' requires the Council to apply London Plan policies relevant to climate change.
- 6.104 Further to this, Policy 5.2 'Minimising Carbon Dioxide emissions' of the London Plan outlines that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
1. Be lean: use less energy
  2. Be clean: supply energy efficiently
  3. Be green: use renewable energy
- 6.105 London Plan Policy 5.6 states that where future network opportunities are identified, proposals should be designed to connect to these networks. It also refers to the District Heating Manual for London (April 2014) which provides planning guidance on this matter, within which it is advised that new development should only be future proofed to connect to a future network, where the development falls "within an Energy Master Plan (EMP) that proposes a heat network".
- 6.106 Core Strategy Policy 8 'Sustainable design and construction and energy efficiency' outlines the Council's commitment to prioritising the reduction of the environmental impact of all new development. It outlines the focus on minimising the overall carbon dioxide emissions of the development while improving sustainability aspects through sustainable design and construction, to meet the



highest feasible environmental standards during design, construction and occupation.

- 6.107 The proposed development would be required to make carbon emission reductions in accordance with the London Plan's Energy Hierarchy as explained above whilst meeting a 35% carbon emissions reduction over the current Building Regulations Part L 2013 minimum requirements.
- 6.108 The Energy and Sustainability Statement outlines how the proposed development would be capable of achieving a 44.18% carbon emission reduction; the break down of this energy saving is outlined below.
- 6.109 In line with the 'Be Lean' stage of the energy hierarchy, the solar gain arising from the east/west orientation of the proposed building and the highly efficient building fabric proposed would result in an annual carbon emission reduction of 7.67%. The 'Be Clean' stage requires energy to be supplied efficiently. A Combined Heat and Power (CHP) is considered to be feasible and would provide for 60% of the hot water demand arising from the proposed development. It would be capable of providing a 26.1% carbon emission reduction. At the 'Be Green' stage, an array of renewable energy technologies have been considered in relation to the nature of the proposed development. The use of Air Source Heat Pumps has been proposed and are considered capable of achieving a further carbon emission reduction of 18.19%. The applicant has confirmed that the Air Source Heat Pumps would be located within the plant room on the 5th floor behind a series of louvres on the south façade.
- 6.110 In light of the above, the proposed development is considered to be acceptable with regard to sustainability and energy. It is proposed that Energy and Sustainability Statement is secured by condition in order to ensure the delivery of the above proposed measures to minimise carbon dioxide emissions.

#### Flood Risk, Ecology and Environmental Mitigation

##### a) Flood risk

- 6.111 As demonstrated by the Environment Agency's flooding maps, the site is located in a Flood Zone 1. Flooding resulting from rivers or the sea is therefore considered to be very unlikely. Further to this, flood risk from surface water is also considered to be very low. Officers are therefore satisfied that the proposed development would not be affecting by an unacceptable flood risk.

##### b) *Living Roofs*

- 6.112 London Plan Policy 5.11 outlines that major development proposals should be designed to include roof planting (especially green roofs) to deliver on a number of objectives, including adaptation and mitigation of climate change, sustainable urban drainage, enhancement of biodiversity and accessible roof space. DM Policy 24 'Biodiversity, living roofs and artificial playing pitches' requires all new development to take full account of biodiversity and geodiversity in development design. More specifically to living roofs, new living roofs are required to be designed to include an extensive substrate base and developers should enter into an agreement which guarantees 80% coverage in 5 years.

- 6.113 The proposed living roof would have an undulating substrate base ranging between 80-150mm in depth. It would comprise a London living roof seed mix, plug planted sedum, plug planted wildflower and special cornflower mix. Officers are satisfied that the proposed living roof would satisfy the above policies and enhance the biodiverse quality of the proposed building. Ecology officers also raise no objections to the proposed living roof. It is proposed that the above details are secured by condition, together with the further submission of a management strategy detailing how the living roof would be maintained and monitored for a period of at least 5 years post installation.

*c) Land Contamination*

- 6.114 Policy 5.21 'Contaminated Land' states that the Mayor supports the remediation of contaminated sites and outlines that appropriate measures should be taken to ensure that development of previously contaminated land does not activate or spread contamination. In response to this, DM Policy 28 'Contaminated land' seeks to ensure that contamination is properly addressed.
- 6.115 Following a Phase 1 Preliminary Risk Assessment, a number of potential unacceptable risks relating to sensitive receptors on site were found. As a result, a Phase 2 Site Investigation was undertaken and outlined the need for an assessment of the potential for ground gas at the site and recommends that any remedial measures suggested in the report should be subject to formal approval.
- 6.116 In light of the above, it is considered necessary that further works are undertaken. It is therefore proposed that further investigation work is required by condition.

Archaeology

- 6.117 Further to this, the NPPF states that there are parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are heritage assets.
- 6.118 The Archaeology Assessment states that the site is considered to have a generally low archaeological potential for Roman and Medieval evidence and low potential for all remaining past periods. However, past post-depositional impacts have been severe as a result of past construction and demolition.
- 6.119 It concludes that the proposed development is considered unlikely to have an archaeological impact. On this basis, further archaeological mitigation measures are not considered necessary. Officers are satisfied with the conclusions of the report and consider the proposal acceptable in this regard.

Planning Obligations

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

development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

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

6.121 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.

6.122 The applicant has provided a planning obligations statement (with the Planning Statement) outlining the obligations that they consider are necessary to mitigate the impacts of the development.

6.123 The proposed heads of terms are as follows:

- Financial contribution towards public realm and High Street improvements (£40,000)
- local labour obligations
- Employment and Training Contribution (£7950)
- Full Green Travel Plans
- Full Delivery and Servicing Management Plan to be implemented and enforced in perpetuity
- Restriction on the commencement of development until a hotel operator has been contractually secured
- Legal fees
- Monitoring fees (£3500)

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

## **7.0 Local Finance Considerations**

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

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

- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.
- 8.0 Community Infrastructure Levy**
- 8.1 The above development is CIL liable.
- 9.0 Equalities Considerations**
- 9.1 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 9.4 In this matter there is no impact on equality.
- 10.0 Conclusion**
- 10.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 10.2 The proposed use and high design quality is considered to offer a hugely positive contribution to Deptford as a designated Regeneration and Growth area. In addition to contributing to London’s visitor economy, it is considered to provide wider benefits to local regeneration, including local employment opportunities and a boost to Deptford’s evening economy.
- 10.3 Further to this, set amongst Deptford High Street, Deptford Station, the station forecourt and the Deptford Market Yard development, the proposed building is expected to introduce a prominent addition and strong sense of arrival to a key location and an important regeneration area.
- 10.4 In light of this, and for the reasons outlined within this report, the proposed development is considered to be acceptable, subject to the proposed conditions and legal agreement.

## 11.0 **RECOMMENDATION (A)**

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

- Financial contribution towards public realm and High Street improvements (£40,000)
- Local labour obligations
- Employment and Training Contribution (£7950)
- Full Green Travel Plans
- Full Delivery and Servicing Management Plan to be implemented and enforced in perpetuity
- Restriction on the commencement of development until a hotel operator has been contractually secured
- Legal fees
- Monitoring fees (£3500)

## **RECOMMENDATION (B)**

Upon the completion of a satisfactory Section 106 in relation to the matters set out above, authorise the Head of Planning to Grant Permission subject to the following conditions:-

### **Conditions**

#### *Time Limit*

- (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.

#### *Approved Plans*

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

14005\_A\_P00\_P001 Rev P01; 14005\_A\_P00\_P002 Rev P01; 14005\_A\_P00\_011 Rev P01; 14005\_A\_P00\_012 Rev P01; 14005\_A\_P00\_021 Rev P01; 14005\_A\_P00\_022 Rev P01; 14005\_A\_P00\_031 Rev P01; 14005\_A\_P00\_032 Rev P01; 14005\_A\_P00\_033 Rev P01; 14005\_A\_P00\_102 Rev P01; 14005\_A\_P00\_201 Rev P01; 14005\_A\_P00\_301 Rev P01; 14005\_A\_P00\_302 Rev P01; 14005\_A\_P00\_400 Rev P01; 14005\_A\_P00\_401 Rev P01; 14005\_A\_P00\_402 Rev P01; 14005\_A\_P00\_403 Rev P01; Statement of

Community Involvement; Report on Phase 1 Preliminary Risk Assessment; Report on a Ground Investigation; Engineering Design and Construction Method Statement; Construction Dusk Risk Assessment; Archaeological Desk-Based Assessment; Economic Impact Statement; Energy and Sustainability Statement; Framework Travel Plan Statement; Draft Construction Logistics Plan; Delivery and Servicing Plan; Transport Assessment; Planning BRE Daylight/Sunlight Report; Planning Statement; Noise Assessment for Planning; Townscape Heritage and Visual Impact Assessment Received 20<sup>th</sup> January 2016; 14005\_A\_P00\_101 Rev P02; 14005\_A\_P00\_103 Rev P02; 14005\_A\_P00\_202 Rev P02; Design and Access Statement Received 3<sup>rd</sup> February 2016; 14005\_A\_P00\_410 Rev P02 Received 25<sup>th</sup> 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.

Land contamination

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

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

requirements, necessary for the remediation of the site have been implemented in full.

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

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

**Materials/ design quality**

- (4) The development shall be constructed in full accordance with the architectural details and materials (namely, anodised aluminium panelling; anodised aluminium ventilation grills; anodised aluminium doors; anodised aluminium projecting vertical fins; corrugated anodised aluminium rain screen; glazing with obscured interlayer; high performance windows with anodised aluminium casing) outlined on plan nos: 14005\_A\_P00\_201 Rev P01; 14005\_A\_P00\_202 Rev P02; 14005\_A\_P00\_400 Rev P01; 14005\_A\_P00\_401 Rev P01; 14005\_A\_P00\_402 Rev P01; 14005\_A\_P00\_403 Rev P01; Building Materials sample board; Design and Access Statement, unless otherwise approved and agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policy 15 High quality design for Lewisham and Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014).

**Construction Logistics and Management Plan**

- (5) No development shall commence on site until a Construction Logistics Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall demonstrate the following:-
- (a) Rationalise travel and traffic routes to and from the site.

- (b) 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 vehicle activity.
- (c) Measures to deal with safe pedestrian movement.

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.

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

Cycle parking

- (6)
  - (a) A minimum of 5 secure and dry cycle parking spaces shall be provided within the development as outlined within the Planning Statement (paragraph 7.82.)
  - (b) Within 3 months of the commencement of development, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.
  - (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

Wheelchair units/ accessibility/ inclusive design

- (7)
  - (a) Within 3 months of the commencement of development, an Accessibility Management Plan (AMP) produced in accordance with Appendix B: Accessible Hotels (paragraph B.9) of the London Town Centres SPG (July 2014) shall be submitted to and approved in writing by the Local Planning Authority.
  - (b) The proposed development shall provide 7 wheelchair accessible rooms as stated within the Design and Access Statement (page 47 – 52). They shall be retain in perpetuity.

**Reason:** To ensure that the proposed development achieves the highest standards of accessible and inclusive design in hotel developments in accordance with Policy 4.5 London’s visitor economy of the London Plan (2015) and Appendix B of the London Town Centres Supplementary Planning Guidance (SPG) (July 2014).

Noise



- (8) The development shall be carried out in full accordance with the Noise Assessment hereby approved, implementing the mitigation measures recommended where necessary.

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

Sound insulation

- (9) (a) Within 3 months of the commencement of development, full written details, including relevant drawings and specifications of sound insulation against noise where the hotel bedrooms party the church hall shall be submitted to and approved in writing by the Local Planning Authority.
- (b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.
- (c) The soundproofing shall be retained permanently in accordance with the approved details.

**Reason:** To ensure that the mixed uses within the building do not conflict and to achieve good quality hotel accommodation in accordance with Policy 4.5 London's visitor economy of the London Plan (2015) and DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

Energy performance/ water efficiency

- (10) The development shall be constructed in accordance with the Energy and Sustainability Statement hereby approved.

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

Plumbing and piping

- (11) 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 and Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation

areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014).

### Signage

- (12) All signage shall be restricted to the signage zones outlined on plan nos. 201 Rev P01 and 202 Rev P02 and the Design and Access Statement (page 35) hereby approved, unless otherwise approved and agreed in writing by the Local Planning Authority.

**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 and Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014).

### Living roof

- (13) (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. 410 Rev P02 and the Design and Access Statement (page 39) hereby approved and maintained thereafter.
- (b) Prior to the commencement of this part of the development (including the construction of the roof), a statement outlining a management strategy detailing how the living roof would be maintained and monitored for a period of at least 5 years post installation shall be submitted to and approved in writing by the Local Planning Authority.
- (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 (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

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

### **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 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.
- (2) It should be noted that no details of signage, beyond the location and dimensions of signage zones, have been approved as part of this application. Any proposed signs would require planning permission.
- (3) Any scheme of sound insulation against airborne noise should aim to meet D'nT,w + Ctr dB of not less than 55 for walls, ceilings and floors where hotel bedrooms party the church hall.
- (4) 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>
- (5) 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.
- (6) You are advised that this permission must not be construed as overriding any legal rights which the existing tenant(s) of the property may have.

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04 May 2016

Elizabeth Donnelly  
Planning Officer  
South Team  
3<sup>rd</sup> Floor Laurence House  
London  
SE6 4RU

T [REDACTED]  
F [REDACTED]  
[www.lsh.co.uk](http://www.lsh.co.uk)

**Lambert Smith Hampton**  
United Kingdom House  
180 Oxford Street  
London  
W1D 1NN

Via email

Dear Elizabeth,

**Re: 133 Deptford High Street, SE8 4NS.**

- 1.1 Following the circulation of the BNP Paribas Real Estate letter dated 8<sup>th</sup> April 2016, as attached at appendix 1, you have asked that Lambert Smith Hampton (“LSH”) provide a response to the remaining matters to aid in finalising the financial viability and deliverability position in connection with the proposed development at 133 Deptford High Street.
- 1.2 BNP Paribas have maintained that the current proposal is viable and indicates that the residual land value exceeds the benchmark land value by [REDACTED]

**Potential Lessee**

- 1.3 The Applicant has stated that discussions are on-going with a number of hotel operators and heads of terms have been agreed however details are confidential at this stage. The Applicant has agreed to provide LSH with sight of the heads of terms on a confidential basis and we would summarise the salient points as follows:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- The heads of terms are subject to contract, landlord/tenant board approval and satisfactory planning consent.

1.4 LSH would note that the deliverability of the proposed scheme is dependent upon board approval which is in turn subject to obtaining the necessary planning consent for the proposed development.

**Wheelchair Access**

1.5 LSH are satisfied that the development proposal will provide sufficient wheelchair access in accordance with DM Policy 12 of the Local Development Plan.

**Build Cost**

1.6 LSH have been provided with an elemental cost plan and referred the scheme to our in-house Cost Project Management team who have concluded that the costs appear reasonable.

**Car Parking**

1.7 LSH would note that the heads of terms indicate that 2 car parking spaces are to be provided however development proposals are for a car free scheme. BNP Paribas have confirmed that the Applicant is aware and comfortable with a zero parking scheme.

**Church Hall**

1.8 We understand the Applicant is purchasing the air rights above the existing church hall for between [REDACTED] and [REDACTED]. We are informed from the latest response by BNPRE that a deal has been struck in the order of [REDACTED] with the owners of the church however it is unclear how the

Applicant has arrived at this figure. For the purpose of our assessment we have reflected this sum within our appraisal.

### Benchmark Land Value

- 1.9 We are advised that the ground floor retail units are now vacant and extend to approximately 1,438 ft<sup>2</sup>. The Applicant has adopted a total rent of [REDACTED] per annum for both units equating to [REDACTED] ft<sup>2</sup> overall. This has been capitalised at a net initial yield of [REDACTED] and indicates a capital value of [REDACTED] equating to [REDACTED] overall.
- 1.10 BNP Paribas have not provided any retail investment comparables in support of the yield adoption. LSH are of the opinion that the yield adopted is low given the size of the existing retail units and likelihood of securing a local independent trader of poor covenant strength on short lease terms.
- 1.11 We would consider the following transaction to be relevant;
- **124 Deptford High Street** – The property extends to approximately 6,236 ft<sup>2</sup> and is let to Poundland at a passing rent of £120,000 p.a for a term of 15 years from June 2012 with a tenant break option in year 10. The property was sold in May 2015 for £1.9m reflecting a net initial yield of 6.3%.
- 1.12 In consideration of the above LSH have adopted a yield of 8% allowing for a 6 months letting period and 6 months rent free. This indicates a capital value of £335,000 equating to 232ft<sup>2</sup> overall.
- 1.13 The existing residential accommodation has been assessed by BNP Paribas at £526/ft<sup>2</sup> and have confirmed that the existing accommodation extends to the following ;

Unit	Size m <sup>2</sup>	Size ft <sup>2</sup>	£/ft	Unit Value
1	42	452	£527	£238,204
2	41	441	£527	£232,407
3	41	441	£527	£232,407
4	46	495	£527	£260,865
5	39	419	£527	£220,813
6	39	419	£527	£220,813
Live/Work	76	818	£527	£431,086
<b>Total</b>				<b>£1,836,595</b>

1.14 In support of the above BNP Paribas have had regard to the following comparable transactions;

Date of Sale	Address	Size ft <sup>2</sup>	Value	£/ft <sup>2</sup>
18 July 2014	110g Deptford High Street	441	£189,995	£430
7 January 2014	115a Deptford High Street	355	£160,000	£450
13 June 2013	115b Deptford High Street	409	£150,000	£366
11 March 2013	110d Deptford High Street	495	£160,000	£323
				<b>Av £392/ft<sup>2</sup></b>

1.15 We would note that no further information has been provided with regards to the existing condition, specification, repair or occupancy of the existing residential accommodation as is reasonably required to inform an understanding of freehold vacant possession values. LSH have not carried out an inspection and unable to comment on the above.

1.16 In the absence of any recent sales evidence LSH have had regard to Land Registry Data as a guide to the potential value of the existing residential accommodation.

1.17 In accordance with the latest land registry data the London Borough of Lewisham has witnessed an average flat increase of 58% in the period between March 2013 and the latest reported figures as at February 2016. According to land registry data the average price of a flat in the London Borough of Lewisham as at February 2016 was £379,617.

1.18 Applying the uplift in accordance with Land Registry data indicates a rate of c.£619/ft<sup>2</sup> equating to the following unit values;

Unit	Size m <sup>2</sup>	Size ft <sup>2</sup>	£/ft	Unit Value
1	42	452	£619	£279,788
2	41	441	£619	£272,979
3	41	441	£619	£272,979
4	46	495	£619	£306,405
5	39	419	£619	£259,361
6	39	419	£619	£259,361
Live/work	76	818	£619	£506,342
<b>Total</b>				<b>£2,157,215</b>



1.19 In consideration of the above LSH have assessed the combined benchmark land value of the existing residential and retail accommodation at [REDACTED]

### Investment Comparables

1.20 BNP Paribas have provided a number of investment sale comparables the majority of which comprise large room numbers and located in a superior location. The following transactions have been provided;

Address	No. Beds	Price (£)	£/bed	Date	Yield	Comments
85 York Road, SE1	234	£48m	£205,000	2013	4.36%	The property is situated within a superior location and let to Whitbread Group at a rent of £2.211m
22-32 West Cromwell Rd, SW5	125	£22.77m	£182,000	2013	4.50%	The property is situated in a superior location and let to Premier Inn
20 St Mary At Hill, EC3R	184	£40m	£217,00	2013	4.60%	The property is situated in a superior location and let to Premier Inn for a term of 35 years with a tenant break option in year 25.
356-364 Grays Inn Rd, WC1X	n/a	£54.1m	n/a	2013	5.20%	The property is situated within a superior and is let to Travelodge.
Harewood Rd, NW1	69	£15.35m	£222,000	2011	5.20%	The property is situated within a superior location and is let to Travelodge.
Travelodge, Stratford, E15	188	£18m	£95,744	2014	5.00%	The property is let to Travelodge for a term of 25 years from 2012 at a passing rent of £963,500 per annum equating to £5,125 per rm.
Regency Hotel, 100 Queens Gate, SW7	n/a	n/a	n/a	2015	3.80%	n/a
The Abingdon, 54 Abingdon Rd, W8	n/a	n/a	n/a	2015	4.10%	n/a
The Apex, 32-38 Uxbridge Rd, W5	n/a	n/a	n/a	2015	4.50%	n/a
Grove House, 2-6 Orange Street, WC2H	n/a	n/a	n/a	2015	4.50%	n/a
St Ermin's Hotel, Caxton Street, SW1H	n/a	n/a	n/a	2015	4.50%	n/a
Travelodge, Bakers Rd, UB8	n/a	n/a	n/a	2014	4.88%	n/a

## GDV

- 1.21 BNP Paribas have applied a rent of [REDACTED] (inclusive of the technical fee) per room in accordance with the terms agreed by the Applicant and potential lessee. This has then been capitalised at a net initial yield of 4.75% equating to a capital value of [REDACTED] per room. The total GDV for the hotel has been assessed at [REDACTED]
- 1.22 Although a number of investment comparables have been included no further commentary has been provided with regards to which transactions the Applicant has relied upon to form their opinion of value.
- 1.23 In addition to those investment transactions provided by the Applicant LSH have carried out some further research and would consider the following transactions to be comparable to the subject;
- **Premier Inn, 25-27 Dalston Lane, E8** – The property comprises 90 bedrooms arranged over 6 floors. The property is let to Premier Inn at an annual rent of approximately £508,000 per annum equating to £5,644 per room and was sold in June 2013 for £9m reflecting a net initial yield of 5.65%.
  - **Travelodge, 7-19 Amhurst Road, E8** – The property comprises a mixed use building comprising retail at ground floor and 80 bedrooms let to Travelodge until 2040. The property was sold in March 2016 for £13.5m reflecting a net initial yield of 5.88%. We have been advised by the selling agent that the lease to Travelodge was agreed at a rent of £4,500 per room in 2014.
- 1.24 The above comparables are similar in terms of the number of bedrooms and occupy similar emerging secondary retail locations situated within close proximity to public transport links.
- 1.25 The above comparables indicate a yield range of between 3.88% and 5.88% depending on covenant strength, lease terms and location. In consideration of the above LSH have adopted a net initial yield of 5.00%.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 1.28 LSH have modelled our assessment on the basis of the agreed rent contained within heads of terms taking into account the additional costs paid by the Applicant. Should these change or be incorrect then this will have an impact upon our viability assessment.
- 1.29 A copy of our appraisal is attached at appendix 2.

**Project Programme**

- 1.30 We have not been provided with the current occupancy/lease details of the existing residential accommodation and it is unclear when the Applicant can gain full vacant possession. LSH have therefore adopted a project programme along the following lines;

Programme	Months
Pre – Construction	3
Construction	15
Sale rate	1
<b>Total</b>	<b>19</b>

**Conclusions**

- 1.31 LSH have applied the aforementioned assumptions to the proposed scheme the results of which are shown in the table below:

Table 1: Scheme Viability	
	Value (£)
Benchmark Land Value	████████
Residual Land Value	████████
<b>Surplus</b>	████████

- 1.32 As can be seen in the above table the proposed scheme can be considered financially viable and indicates a surplus of ██████████
- 1.33 Following the review of the heads of terms and in consideration of the above LSH would note that in order for the scheme to be considered deliverable the following points need to be satisfied;

████████████████████

- Planning consent;

- Details of the tenant requirements which are to be supplied to the landlord.

I trust that the above is all in order but should there be anything else that you require then please do not hesitate to get in touch.

Yours sincerely,

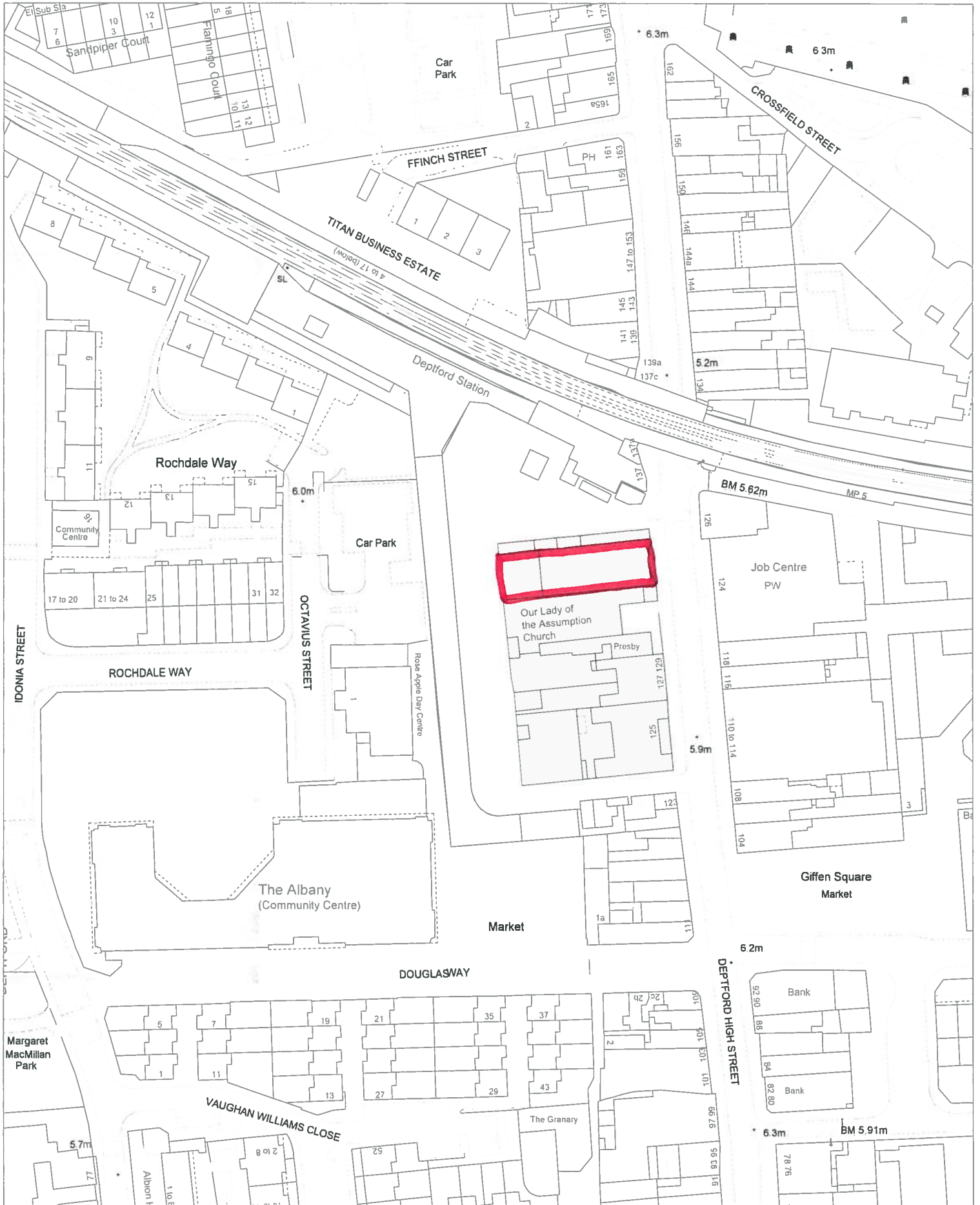
# Appendix 1

## BNP Paribas Letter

# Appendix 2

## Development Appraisal

# 133 Deptford High Street



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Committee	PLANNING COMMITTEE (A)	
Report Title	The Talma Public House, 109 Wells Park Road SE26	
Ward	Sydenham	
Contributors	Geoff Whittington	
Class	PART 1	Date: 2 June 2016

Reg. Nos. DC/14/87819

Application dated 3 June 2014, amended 10 January 2015

Applicant Ms C Syson

Proposal The alteration and refurbishment of The Talma Public House, 109 Wells Park Road SE26, together with the construction of a 3-storey rear extension and an additional storey at roof level to provide 2, one bedroom and 1, two bedroom self-contained flats, and 1, two bedroom self-contained maisonette, together with the provision of refuse and cycle stores.

Applicant's Plan Nos. S.00; EX.05; EX.06; EX.07; EX.08; GS.01; Lifetime Homes Assessment; Design & Access Statement; Sustainability Statement (Received 3 June 2014)

GE.00 Rev 4; GE.01 Rev 4; GA.01 Rev 3; GA.02 Rev 3; GA.03 Rev 2; GA.04 Rev 2; GA.05 Rev 4; GA.06 Rev 4; GS.00 Rev 4; GS.01 Rev 4 (Received 10 January 2015)

Background Papers

- (1) Case File LE/73/109/TP
- (2) Local Development Framework Documents
- (3) The London Plan (2015 as amended)
- (4) The NPPF

Designation PTAL 2

## **1.0 Property/Site Description**

1.1 The Talma Public House is a mid-Victorian building occupying the corner of Wells Park Road and Coombe Road. Primarily of yellow London stock brick with red brick detailing, the building has three storeys, with two bays facing Wells Park Road and three bays facing Coombe Road. The roof is of low pitch set behind a parapet wall, which features a white rendered frieze at high level.

1.2 The building is canted around the corner with an original entrance on the corner and curved brick feature, which together with the frieze is likely to have once had advertising lettering applied. The pub frontage has had some alteration to the windows and the corner doorway, but original tiling and a large cornice remain. The windows are historic timber double hung timber sashes with horns and central glazing bars, set in reveals with cills and curved window arches embellished with

composition stone springings. The building retains original chimneys, and there is a pub sign on a pole of traditional painted type.

- 1.3 At the rear of the building is a single-storey addition that leads out to a small external garden area that was formerly used by customers of the public house. The land is currently in the ownership of the Council, however there has been a long term agreement for the pub to use it for amenity purposes.
- 1.4 The building is not nationally or locally listed, nor is it in a conservation area, however officers consider it to be an undesignated heritage asset, being the only Victorian building remaining within the immediate vicinity.
- 1.5 The pub was last in full operation in 2013, however the upper floors have remained occupied for residential purposes. The upper floors are not self-contained and are ancillary to the A4 use, once occupied by former public house landlords.
- 1.6 The surrounding area is predominantly residential in character. The adjacent building is a 3-storey residential block providing flatted accommodation. A local convenience store lies to the east of the site.
- 1.7 Wells Park Road is not a particularly busy highway, but experiences a high level of on-street parking. A local bus route operates along there, whilst to the east of the site, bus routes operate along Kirkdale, which leads down to Sydenham Train Station to the south-east. The PTAL for the area is 2, where on a scale of 1-6, 6 is excellent.

## **2.0 Planning History**

- 2.1 No planning history.

## **3.0 Current Planning Application**

- 3.1 The current application, which has been subject to amendments since the original submission, proposes the following:
  - The construction of a 3-storey extension to the rear of the existing building, spanning the full width and measuring 2.1 metres deep, constructed in materials to match the existing.
  - The construction of a mansard extension to the roof of the building, measuring 2.7 metres in height, with facing materials including natural slate and lead clad dormers. The roof addition would be built partly over the proposed 3-storey extension.
  - The use of the first, second and third floors for (C3) residential, comprised of 2, one bedroom and 1, two bedroom self-contained flats, and 1, two bedroom self-contained maisonette.
  - The reconfiguration of the existing ground floor bar area, together with use of the basement area for associated kitchen facilities and public toilets. A wheelchair accessible toilet would be located at ground floor.
  - The existing pub frontage would be largely retained, with the only alteration being the formation of a new doorway fronting Wells Park Road, providing separate access to the upper floor units.

**Table 1: Proposed Residential Occupancy (London Plan minimum requirement in brackets)**

<b>Unit</b>	<b>Occupancy</b>	<b>Floor area</b>	<b>Bed 1</b> <i>(11.5sq.m)</i>	<b>Bed 2</b> <i>(7.5sq.m)</i>	<b>Kitchen/ Living/ Diner</b>
01	2B3P	68.8sq.m (61)	13.5	9	29.8 (25)
02	1B2P	50sq.m (50)	14.2	n/a	25.8 (23)
03	1B2P	50.5sq.m (50)	14.2	n/a	26.8 (23)
04	2B3P	61sq.m (61)	15.5	10.3	25.1 (25)

#### **4.0 Consultation**

##### Neighbours and Local Amenity Societies

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

##### Written Responses received from Local Residents

- 4.3 Subsequent to the submission of amended plans, re-consultation procedures were undertaken on 23 January 2015. Four letters were received, objecting to the proposed development, on the following grounds:
- The ground floor pub premises would be so small to be uneconomic;
  - Flats above bar areas have proven that future residents can and do object to such bars carrying out their legitimate business;
  - Key to the viability of pubs is the provision of 'live-in' accommodation for landlords and their families;
  - No alternative fire exit for the flats;
  - Siting of refuse bins;
  - The additional storey on the roof would change the character of the building entirely – destroying the character.
- 4.4 The Sydenham Society objects to the planning application for the following reasons:

'The Talma has been designated a "Heritage Asset". This is defined as "a building...place...identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.

'In the Society's opinion, the new roof level storey as proposed is both inappropriate and poorly configured. Its over-dominant scale, the unfitting specification of roofing material (aluminium sheet is not a traditional material) and its lack of relationship between the base contour of the new roof and the existing perimeter (particularly the quadrant at the northwest corner), as established by the enclosing parapet wall, are out of keeping in a heritage building situated on such a prominent corner site. The Talma is conspicuously visible from all the streets from which it is approached (reference Sydenham Society letters of 1- 3 -14, paragraph 1 and 15-8-14, paragraphs 1 & 2).

'Existing chimneys ascending above the party wall parapet will be over-topped by the proposed new upper floor. This will have the effect of making them unfit for the expulsion of combustion gases from internal rooms. More importantly, it will hugely diminish their visual impact and contribution to the building outline which makes these chimneys salient features of the roof-scape as existing.

'The current scheme is self-evidently an over-development of this relatively small domestic scale building. The excessive cramming of residential accommodation into such a modest volume has given rise to poor room "stacking" on the northern side of the building. The living / dining area in the top floor flat sits above two bedrooms in the maisonette that occupies the northern end of the first and second floor.

'Living / dining areas as shown on the deposited plans for units 2 and 3 are less than 3.20m in width, which is a minimum width for ensuring that occupants can pass around room furniture and fittings (reference Design Bulletin 6, "Space in the Home").'

- 4.5 Cllr Liam Curran objects due to concerns that the provision of separate flats would affect the viability of the public house.

(Letters are available to Members)

## **5.0 Policy Context**

### Introduction

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

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

A local finance consideration means:

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

- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made

in accordance with the plan unless material considerations indicate otherwise.' The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

#### National Planning Policy Framework

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

#### Other National Guidance

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

#### The London Plan (2015 as amended)

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

Policy 3.9 Mixed and balanced communities  
Policy 3.16 Protection and enhancement of social infrastructure  
Policy 6.3 Assessing effects of development on transport capacity  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.12 Road network capacity  
Policy 6.13 Parking  
Policy 7.4 Local Character  
Policy 7.5 Public Realm  
Policy 7.6 Architecture

#### Nationally Described Space Standard

- 5.7 Technical housing standards – nationally described space standard (2015)

## London Plan Supplementary Planning Guidance (SPG)

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

Housing (2016)

### Core Strategy

5.9 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the London Plan and the Development Management Local Plan (2014), 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
CS Policy 1	Housing provision, mix and affordability
CS Policy 14	Sustainable movement and transport
CS Policy 19	Provision and maintenance of community and recreational facilities

### Development Management Local Plan

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 17	Restaurants and cafés (A3 uses) and drinking establishments (A4 uses)
DM Policy 20	Public houses
DM Policy 22	Sustainable design and construction
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
DM Policy 35	Public realm
DM Policy 37	Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest
DM Policy 43	Art, culture and entertainment facilities

## **6.0 Planning Considerations**

6.1 The main planning considerations include:

- Principle of converting the upper floors to residential units;
- Scale and appearance of the proposed extensions, including impact upon the character of the undesignated heritage asset;
- Standard of residential accommodation;
- Visual impact upon the amenities of neighbouring occupiers;
- Parking matters;
- Sustainability.

### Principle of the Change of Use of the Upper Floors to Residential (C3)

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

6.3 Policy 3.3 Increasing Housing Supply of The London Plan (March 2015) establishes a housing target for the Borough of 13,847 additional dwellings for the plan period 2015-2025.

6.4 While Lewisham is on target to achieve those figures, the policy also states that boroughs should seek to exceed the housing supply targets set through enabling the bringing forward of previously developed land. The policy requires such additional homes to be in accordance with other policy objectives within the London Plan such as Policy 3.5 Quality and design of housing developments and Policy 7.8 Heritage assets and archaeology.

6.5 The public house last operated in late 2013, and the ground floor premises have remained vacant. The premises have been marketed since 2013 for continued public house use, however interest has generally been to convert the entire building into flatted accommodation, reflecting the national trend of pub conversions.

6.6 The Talma has recently been marketed by Fleurets, and they advise that;

'We have had the Talma listed for sale on our website since 22nd June 2015, the total period of our instruction to date. Since our appointment as agents, we have distributed the sales particulars to 105 matching applicants on our database. We have received a small number of enquiries, all from developers, so far resulting in one informal offer of £400k, which was immediately rejected by the client.'

6.7 The existing ancillary upper floors of the public house have been in short-term lease residential occupancy, however the accommodation has suffered neglect and poor maintenance. The applicant advises that the income of the pub had been insufficient to maintain the building in its entirety, whilst landlords in recent years have not resided on the premises. Due to its large floor area, it is considered the residential space could be better utilised.

6.8 The applicant is seeking to convert the existing residential floorspace to provide two self-contained flats, and a self-contained maisonette, which would represent a change of use from the established (A4) Drinking Establishment. The proposal would retain the use of the public house at ground level, with the provision of kitchen

facilities within the existing basement area. Whilst the former ancillary accommodation on the upper floors would be lost, it is not uncommon for publicans to reside off-site.

- 6.9 Concern has been raised regarding the provision of self-contained residential accommodation on the upper floors and the subsequent impact it may have upon the viability of the pub by way of future residential occupiers complaining about noise and disturbance relating to the use.
- 6.10 Officers consider that it is possible for self-contained flats to coexist with ground floor A4 uses without the latter giving rise to unacceptable nuisance to the former. Officers would seek to ensure the flats would be provided with sufficient levels of internal insulation measures to prevent the future occupiers experiencing significant noise nuisance and inevitable disturbance from the operation of the pub. This would extend to noise from the associated external area to the rear of the pub, and would likely require windows to be provided with acoustic glazing/ ventilation.
- 6.11 In regard to the hours of operation of the A4 use, this would be subject to the agreement of the Council as licensing authority, therefore a planning condition specifying opening hours of the pub is not considered necessary.
- 6.12 The existing external rear yard area is currently in Council ownership, however the pub has been permitted for many years to allow customers to use the space, whilst refuse is stored there. The application proposes that commercial and residential occupiers would have access to the yard to store refuse bins and bicycles. It is unlikely the yard would be considered suitable for redevelopment in the future due to site constraints and close proximity of neighbouring dwellings. Nevertheless, it is acknowledged that alternative storage space may be provided for the proposed residential units within the ground floor lobby area, whilst a refuse bin enclosure may be accommodated to the corner of the forecourt adjacent to the front entrance, subject to scale and appearance.
- 6.13 In summary, officers raise no objections to the principle of residential use, and consider the conversion would provide the necessary income to renovate and maintain the building and public house for future years. Given DM Policy 20, it is recommended a condition be included to ensure the ground floor of the building would be retained as A4 public house, unless the local planning authority formally confirms otherwise.

#### Proposed Extensions - Impact on the Undesignated Heritage Asset

- 6.14 DM Policy 37 states the Council will protect the local distinctiveness of the Borough by sustaining and enhancing the significance of non-designated heritage assets, ensuring they continue to contribute to the richness of the historic environment.
- 6.15 DM Policy 20 Public Houses states the Council will only permit a change of use or redevelopment of a public house after an assessment of the ability and appropriateness of the building and site to accommodate an alternative use or uses without the need for demolition or alterations that may detract from the character and appearance of the building.
- 6.16 The Talma Public House is considered to be an undesignated heritage asset of significance for the following reasons:
- It is a well preserved and solid example of mid-Victorian public house;



- Considered to be a building of architectural quality;
- Significant streetscape value as a positive historic building on a prominent corner site providing a strong reference point in an area where there has been much change and re-development during the 20<sup>th</sup> century.

- 6.17 In Planning terms, a heritage asset is '*a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.*' Since the building is identified by the Council as an undesignated heritage asset, conservation concerns are a material consideration in considering this application.
- 6.18 This does not necessarily negate altering or extending such a building, however the proposal must be sympathetically designed whilst respecting the character and heritage of the building.
- 6.19 The applicants have engaged with officers to seek an appropriate form of extension that meets with this criteria. The application originally proposed a flat roof extension that was of a contemporary approach, however officers considered it to be an inappropriate addition that would fail to complement the character of the existing building.
- 6.20 The current mansard roof extension is considered more appropriate for this particular building type. The extension would measure 2.7 metres in height, set back 0.8m from the edge of the building, whilst being sited behind an existing parapet wall that would serve to minimise its overall scale and bulk. The use of slate tiles to the roof would complement the existing building, whilst the siting and proportions of the proposed dormers would be acceptable, aligning with the existing openings.
- 6.21 In some circumstances, mansard roofs are considered appropriate for traditionally designed commercial buildings of the 19<sup>th</sup> century. In this case, the relationship between the roof addition and the existing Victorian period building would be acceptable, introducing a new element that would be compatible and respectful of the existing architectural character.
- 6.22 The proposed 3-storey extension to the rear of the building would measure 2.1 metres deep, spanning the full width of the building. Facing brick would match the existing, whilst the rear elevation would incorporate windows at first and second floors. It is considered the extension would be acceptable in scale and appearance, relating well with the existing building.
- 6.23 The siting of the roof extension would ensure sufficient space to retain the existing chimneys, serving to preserve the character of the building.
- 6.24 Details of the proposed ventilation and fume extraction system for the commercial kitchen of the public house have not been submitted at this stage. The provision of a flue to the rear elevation of the building has been discussed with the applicant and Conservation officer, and subject to appearance and siting, no objections to the principle are raised. However, preferred approach would be the incorporation of a ventilation system within the retained chimneys, which would provide a less conspicuous alternative. A condition will require the submission of this information, including technical specifications prior, to the commencement of works.
- 6.25 Taking the above into account, it is considered that the proposed extensions would be of appropriate height, scale and massing, and would preserve and enhance the

character of the building. Officers consider that the proposed development would facilitate the restoration and repair of the building, which would assist in preserving the character of the undesignated heritage asset.

#### Standard of Residential Accommodation

- 6.26 DM Policy 20 states the proposed change of use of a public house for residential use will only be acceptable where the Council is satisfied that residential use is acceptable, the accommodation to be provided is to be of the highest quality and meet the requirements outlined in DM Policy 32.
- 6.27 Policy 3.5 'Quality and design of housing developments' of the London Plan sets out the minimum floor space standards for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and circulation.
- 6.28 The Technical housing standards – nationally described space standard March 2015, together with the London Plan Housing Standards (2016) and Lewisham's Residential Standards SPD (amended 2012) sets out the standard of accommodation required from new housing development.
- 6.29 The proposal is for the provision of 2, one bedroom and 1, two bedroom self-contained flats, and 1, two bedroom self-contained maisonette. The floor areas for each unit would comply with the minimum floorspace housing standards, as detailed in Table 1. All rooms would be appropriately sized and ensured of good circulation, in accordance with guidance. Each habitable room, including kitchen/ living/ diners, would exceed the London Plan SPD requirements. Floor to ceiling heights would meet with the minimum requirement of 2.3 metres.
- 6.30 All units would be provided with sufficient outlook and natural light intake, with the two bedroom units being dual aspect. The single aspect units would be west facing, which is acceptable considering the Council will generally resist single aspect north facing units.
- 6.31 The London Plan Housing SPG states that a minimum of 5sq.m of private outdoor space should be provided for 1-2 person dwellings. In this case, no flats would be afforded amenity space due to the constraints of the site. The area is however served by existing public space, with Sydenham Wells Park lying a short walking distance (0.1km) to the west of the application site, providing children's playspace – thereby serving to mitigate the lack of private amenity space within the scheme.
- 6.32 Building Control officers have advised that the provision of a single means of access for the residential units would suffice, and that a separate fire escape would not be required. However, the applicant would be expected to propose fire retardant insulation measures between the ground floor residential lobby area and the A4 use.
- 6.33 The flats would provide a good level of accommodation subject to having satisfactory levels of insulation to prevent future residential occupiers experiencing noise nuisance from the operation of the pub. This would extend to noise nuisance from the external area at the rear associated with the pub, which would require windows to be provided with sufficient acoustic glazing and ventilation. As hours of operation of the A4 use would be subject to the agreement of the Council as licensing authority, a planning condition specifying opening hours of the pub is unnecessary.

### Impact on the Amenity of Neighbouring Occupiers

- 6.34 DM Policy 32 states that new residential development must 'provide a satisfactory level of privacy, outlook and natural lighting for both its future residents and for its neighbours.'
- 6.35 It is not considered that the proposed development would have any adverse impact on neighbour amenity as the mix of uses within the building would remain largely the same as at present, albeit the provision of residential accommodation would increase.
- 6.36 The proposed extensions would not impact significantly upon the existing outlook or natural light intake of neighbouring properties, neither would there be any unacceptable overlooking or loss of privacy. The original scheme proposed a roof terrace to Unit 04, which has since been removed.
- 6.37 Details of the proposed ventilation and fume extraction system for the commercial kitchen of the public house will be requested by condition to ensure there would be no unacceptable impact upon neighbouring occupiers.

### Highways

- 6.38 Policy 6.13 of The London Plan states; 'The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car-parking provision that can undermine cycling, walking and public transport use.' 'In locations with high PTAL, car-free developments should be promoted.'
- 6.39 The site does not provide sufficient space for any off street car parking. The site is located within close proximity to bus routes that operate along Wells Park Road, whilst there are on-street parking opportunities within the immediate area.
- 6.40 A dry, secure cycle store for residential occupiers would be provided, accessed from the external courtyard to the rear of the pub. A minimum of 5 spaces would be required, in accordance with The London Plan. This would be ensured by condition.
- 6.41 Highways officers have raised no objections to the proposal, and are satisfied it would not result in any unacceptable increase in on-street parking.
- 6.42 In regard to refuse and recycling, residential and commercial bin stores would be located to the rear of the building, with collection from Coombe Road. The refuse details are considered acceptable.

### Sustainability

- 6.43 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.
- 6.44 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be Lean: use less energy
2. Be clean: supply energy efficiently
3. Be green: use renewable energy

Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

- 6.45 Relevant policies within the London Plan Core Strategy would need to be addressed in any submission. London Plan Policy 5.2: Minimising Carbon Dioxide Emissions establishes an energy hierarchy based around using less energy, in particular by adopting sustainable design and construction (being 'lean'), supplying energy efficiently, in particular by prioritising decentralised energy generation (being 'clean') and using renewable energy (being 'green').
- 6.46 The applicant has submitted a Sustainability Statement in support of the application, which satisfactorily addresses sustainability issues, confirming that Code Level 4 would be achieved.
- 6.47 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes, though residential development is still expected to meet code level in regard to energy performance and water efficiency.
- 6.48 The Ministerial Statement advised from 1 October 2015, the standard for energy efficiency in new residential development will be a 19% reduction in CO2 emissions over Building Control requirements, which is equivalent to Code Level 4.
- 6.49 In regard to water efficiency, from 1 October 2015 new development is expected to achieve a consumption of 110 litres per person per day, including a 5 litre allowance for external water use.
- 6.50 In this case, considering the proposal relates to the conversion of an old building, with the retention of much of the original fabric, officers acknowledge it would be difficult to achieve the new requirements. The applicant has advised they would seek to engage with Building Control should planning permission be granted in respect of energy and water efficiency.

## **7.0 Community Infrastructure Levy**

- 7.1 The above development is liable for Lewisham CIL.

## **8.0 Equalities Considerations**

- 8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

8.4 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

## **9.0 Conclusion**

9.1 The proposed change of use of the upper floors of the Talma from residential accommodation ancillary to the A4 Drinking Establishment use to 4no self-contained units is considered to be acceptable, making better use of the existing upper floor layouts, which would ensure the undertaking of internal maintenance.

9.2 The pub would be retained at ground floor, whilst being expanded into the existing basement to provide new kitchen facilities and public toilets. The applicant has indicated there is some interest regarding the leasing of the ground floor premises for public house use. Officers welcome the retention of the public house use, and consider its viability would not be compromised by the proposed self-contained flats, subject to appropriate conditions.

9.3 Officers consider the proposed extensions to the Victorian building to be appropriate in scale and appearance, respecting and maintaining the character of the undesignated Heritage Asset.

9.4 Subject to appropriate conditions to protect the future residential occupiers from any adverse impact from noise from the ground floor commercial use, and to remove any permitted development change of the A4 accommodation without the written approval of the Council, the scheme is recommended for approval.

## **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:

S.00; EX.05; EX.06; EX.07; EX.08; GS.01; Lifetime Homes Assessment; Sustainability Statement (Received 3 June 2014)

GE.00 Rev 4; GE.01 Rev 4; GA.01 Rev 3; GA.02 Rev 3; GA.03 Rev 2; GA.04 Rev 2; GA.05 Rev 4; GA.06 Rev 4; GS.00 Rev 4; GS.01 Rev 4 (Received 10 January 2015)

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

- (3) (a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB L<sub>Amax</sub> (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
- (b) Development shall not commence until details of a sound insulation scheme complying with paragraph (a) of this condition have been submitted to an approved in writing by the local planning authority.
- (c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

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

- (4) (a) No development shall commence until full written details, including relevant drawings and specifications of the proposed works of sound insulation against airborne noise to meet  $D'nT,w + Ctr$  dB of not less than 55 for walls and/or ceilings where residential parties non domestic use shall be submitted to and approved in writing by the local planning authority.
- (b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.
- (c) The soundproofing shall be retained permanently in accordance with the approved details.

**Reason:** In the interests of residential amenity and to comply with DM Policy 26 Noise and vibration, DM Policy 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).

- (5) (a) No development shall commence on site until samples of all external materials and finishes to be used on the building have been submitted to and approved in writing by the local planning authority, including: Natural slate (mansard roof); Lead cladding and Aluminium framed windows (dormers); and London Stock brickwork, as stated on Plan nos GE:00 Revision 4 and GE.01 Revision 4.
- (b) The scheme shall be carried out in full accordance with those details, as approved, and permanently retained thereafter.

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

- (6) (a) The residential and commercial refuse storage facilities hereby approved shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

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

- (7) (a) A minimum of 5 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

- (8) (a) No development shall commence until detailed plans and a specification of the appearance of and the equipment comprising a ventilation system, which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s) and anti-vibration mountings where necessary) are submitted to and approved in writing by the local planning authority.
- (b) The ventilation system shall be installed in accordance with the approved plans and specification before use of the development hereby permitted first commences and shall thereafter be permanently maintained in accordance with the approved specification.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 17 Restaurants and cafes (A3 uses)

and drinking establishments (A4 uses) of the Development Management Local Plan (November 2014).

- (9) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, and any approved fume extraction 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).

- (10) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the areas of the building identified for A4 Drinking Establishment use - ground floor and basement - shall be used only for this purpose and shall not be used for any other purpose (including any other purpose set out in the Schedule to the Town and Country Planning (Use Classes) Order 1987, or an any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

**Reason:** To safeguard the established A4 Drinking Establishment use and to comply with Policy 19 Provision and maintenance of community and recreational facilities of the adopted Core Strategy (July 2011) and DM Policy 20 Public houses of the Development Management Local Plan (2014).

## **INFORMATIVES**

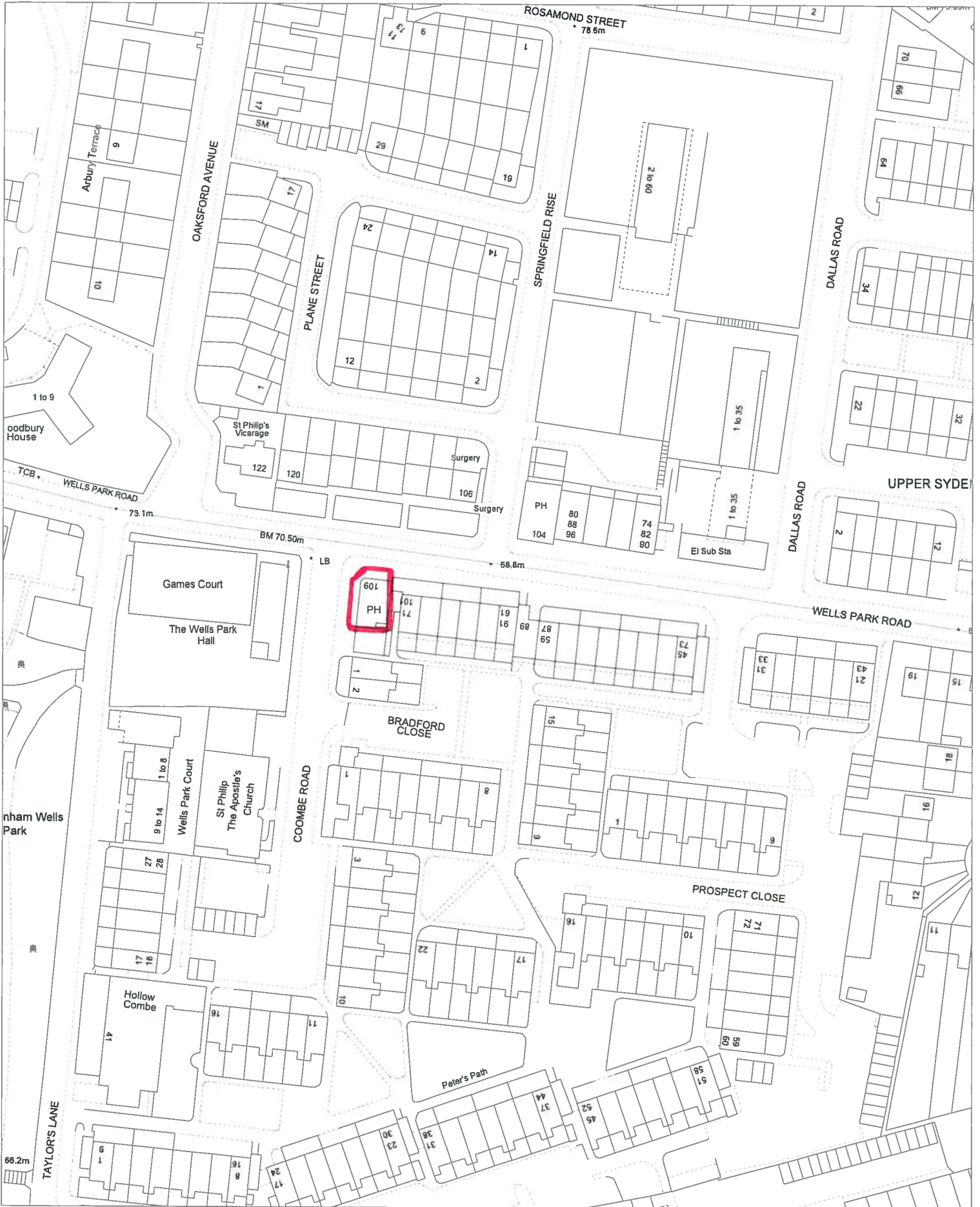
- (A) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (B) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- (C) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.



- (D) **Pre-Commencement Conditions:** The applicant is advised that Conditions (3) Sound Insulation, (4) Soundproofing, (5) External Materials and (8) Ventilation Equipment, require details to be submitted prior to the commencement of works due to the importance of: minimising disruption on local residents and future occupiers; and securing quality design to ensure the approved scheme would be delivered as envisaged in the planning submission.

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# The Talma, 109 Wells Park SE26



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