

PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 14 SEPTEMBER 2017 TIME 7.30 PM**

PLACE: **COMMITTEE ROOMS 1 & 2 - CIVIC SUITE**

Members of the Committee are summoned to attend this meeting:

**Membership
Councillors:**

**Abdeslam Amrani (Chair)
Jacq Paschoud (Vice-Chair)
Andre Bourne
Obajimi Adefiranye
Amanda De Ryk
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, 5 September 2017**

**For further information please contact:
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If recording causes a disturbance or undermines the proper conduct of the meeting, then the Chair of the meeting may decide to stop the recording. In such circumstances, the

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| | PLANNING COMMITTEE (A) | |
| Report Title | DECLARATIONS OF INTERESTS | |
| Class | PART 1 | Date: 14 SEPTEMBER 2017 |

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: 14 SEPTEMBER 2017 |

MINUTES

To approve the minutes of the meeting of Planning Committee (A) held on the 3rd August 2017.

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the PLANNING COMMITTEE (A) held in ROOMS 1 & 2, CIVIC SUITE, LEWISHAM TOWN HALL, CATFORD, SE6 4RU on 3rd August 2017 at 19:30.

PRESENT: Councillors Amrani (Chair), Jacq Paschoud (Vice Chair), Bourne, De Ryk, Till, Raven, Walsh.

OFFICERS: Suzanne White – Planning Service, Paul Clough – Legal Services, Amanda Ghani – Committee Co-ordinator

APOLOGIES: Councillors Jeffrey, Adefiranye & Kennedy.

1. DECLARATION OF INTERESTS

There were no declaration of interests.

2. MINUTES

Members approved minutes for Planning Committee (A) held on 22nd June 2017.

3. Land Adjacent to 51 Marischal Road, SE13 5LE (Item 3 on the agenda)

The Planning Officer Suzanne White outlined details of the proposal for the retrospective change of use from a workshop (Use Class B1c) to a tyre changing and selling business (Sui Generis). The officer gave an overview of the history of the activities on site and the number and content of objections received.

The new leaseholder had been bailing tyres, using heavy machinery and the tyres were then being collected by large trucks. Due to an enforcement enquiry activities were reduced to tyre fitting only.

Discussions took place between members and the planning officer regarding a possible resumption of tyre bailing on site. The officer confirmed that since tyre bailing would be considered a B2 planning use, it is not an activity that would be considered acceptable in a residential area. This application had been submitted as a result of Planning Enforcement being made aware of this use.

Discussions also centred on impacts on the highway with regards to intensity of deliveries, servicing and noise generated by existing activity on site.

The planning officer directed members to paragraph 6.24 in the officers report regarding delivery and servicing and paragraph 6.15 regarding noise. Although the existing use will generate noise, the officer stated that it would not be expected to be so severe given the tools being used and due to the level of background noise around the site.

The Committee received verbal representation from the current leaseholder of the site AK Tyres and Wheels, who has been in business on the site for 3 years. Confirmation was given that tyre bailing had stopped on site and that deliveries take place to the site once or twice a week. The leaseholder opined that previously, the tyres he gathered were mostly exported and since cessation the tyres were being dumped.

Members questioned the leaseholder as to why planning permission was not sought before the commencement of tyre bailing in 2015. The leaseholder stated that he was unaware this activity constituted a different use class and would need permission.

Further discussions were had around operating times. The leaseholder explained that if a customer came in just before closing time, work would be carried out on the vehicle which could extend past the designated closing time; which would be done behind locked front gates. Cllr Walsh sought clarification of operating times and asked the planning officer if it was possible to re-word Condition 3 to ensure all operations ceased at a certain time. Members also queried why arc lights were left on during the night. The leaseholder said there was no reason to have the lights on and if they had been left on it was an oversight.

The committee received verbal and written/visual representation from Councillor Reid who spoke under standing orders on behalf of the residents who objected. The councillor read from a prepared statement, copies of which were distributed to members. Specific points the Councillor wanted clarification on included development being restricted in accordance with application plans, delivery times, trading hours, lighting on site.

The planning officer stated that if the leaseholder was using land behind the rear gardens of properties in Marischal Road, this could be unlawful. However, this application does not relate to this area. The officer also confirmed that no application had been submitted for advertisement consent, which is required.

Councillor Walsh proposed new delivery times of between 9.30-3.30. Councillor De Ryk proposed a boundary treatment that would demarcate the area of land the present application relates to in relation to the whole site.

Members discussed amending current conditions and decided that with regards to Condition 3, Sunday and Bank holiday operating hours should be removed and the wording changed to have all activity cease at 6.30pm Monday-Saturday. Members also sought amendments to Condition 4 by having timers on lighting, Condition 2, limiting delivery times and adding a condition regarding boundary treatment.

Councillor Walsh proposed a motion to accept the officer's recommendation, with new conditions and grant planning permission. It was seconded by Councillor De Ryk.

Members voted as follows:

FOR: Councillors Amrani (Chair), Bourne, De Ryk, Walsh and Paschoud (vice-chair).

AGAINST: Councillor Till.

ABSTAINED: Councillor Raven.

RESOLVED: That planning permission be granted in respect of application No. DC/16/098512 subject to the conditions outlined in the report and the amended conditions 2, 3 and 4 and new condition regarding boundary treatment.

4. 8 Eliot Place, SE3 0QL (Item 4 on the agenda)

The Planning Officer Suzanne White described the application site, noting that it is located within the Blackheath Conservation Area and within the curtilage of a Grade II listed building (No 8). She also noted that No8 is part of a semi-detached pair including 7 Eliot Place, also Grade II listed. She outlined the history of the application site and stated that the application is for retrospective planning permission for the retention of a trellis and single-storey garden structure in the rear garden of No. 8. The application was originally granted permission in January 2014 but was quashed after a Judicial Review due to the Council's failure to consult the adjoining neighbour at No.7. The application was now being re-determined and being brought before this committee due to four letters of objection having been received by the Council from neighbouring properties.

The Planning Officer briefly outlined details regarding the principle of development, impact on amenity and design. Photographs taken by Planning Officers during site visits and by the neighbouring occupier at No7 were shown to members. The objections outlined in the report were listed in summary.

Members questioned the Planning Officer over the application, including the length of time the applicant has lived at the property and the distance of the application structure from the main dwelling house and neighbouring dwellings. It was confirmed that other structures exist in neighbouring gardens.

The Committee received verbal, written and visual representation from Mr Lock and Matthew Horton QC. As a preliminary, Mr Horton outlined his resume. He noted that the present committee was different in membership to that which had considered the application originally in 2014.

Mr Horton stated that a recounting of the site's history would in itself take longer than his allotted 5 minutes to speak. He also stated that he was unsure whether Members had read the background papers and that the poolhouse in Mr Lock's garden was not larger than the proposed outbuilding on the application site.

Mr Lock distributed copies of photographs of his rear garden and the applicant's garden, showing the application structure in various states of being built and as it appeared when it was originally completed. Copies of the Oral Objection on Behalf of William Lock ESQ., the Owner of the Adjoining Property, No.7 Eliot Place, SE3, were distributed to members and was read out in full to members by Mr Horton. The oral objection is appended to these minutes (Appendix A).

Councillor Bourne asked if Mr Lock had any photographs that had been taken recently of the application structure, to which Mr Lock replied he had not. Members questioned Mr Lock over the effects felt by having the application structure in various states of being built and as it now appears. Mr Lock stated that the application structure was built directly next to the part of his garden that he uses the most. The top of the application structure is visible when sitting on benches in this part of the garden. As a consequence Mr Lock said he does not use this part of the garden as much as he used to.

Members acknowledged the exquisite nature of Mr Lock's garden but questioned whether it was fair to expect ones neighbours to share his level of taste. Mr Lock was also asked that in the interest of neighbourliness, could a compromise not be reached between himself and the applicant.

Mr Horton interrupted members to remind them that his client was not suggesting that the applicant could not build in her back garden. Moreover, the issue in hand was ensuring the design of the structure and trellis was of the "highest quality" as stated in Policy 15 of the Core Strategy and referred to in the conclusion of the officers report which states that the overall design is considered to be of "sufficiently high quality" rather than "highest quality".

Councillor Walsh asked what was being asked for in terms of "highest quality" and how reasonable was such a request and on balance was this development not reasonable.

Mr Horton reminded members that the Council is obliged to apply their policies and this should be done.

Paul Clough, the Councils legal representative, partially agreed with Mr Horton but also stated that section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 states that special regard should be paid to the desirability of preserving the setting of a listed building. A similar requirement is to be found in section 72 of the same Act, which calls for special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. In the National Planning Policy Framework, paragraph 133 of Chapter 12 – Conserving and enhancing the historic environment states that "*Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent*". Mr Clough asked members to consider whether in light of this development, any harm had occurred to the listed buildings or the conservation area. Mr Clough stated that "the Council could depart from Policy 15 of the Core Strategy due to the proposal having little or no impact of the relevant listed buildings or the Conservation Area".

Mr Horton addressed members by stating that the test is, is what is proposed of the highest quality. If this was not addressed his client would seek redress at the High Court. Mr Horton stated that there was no reference to recent advice from Historic England in the officer's report and that the proposal cannot be justified by screening, even though the application structure is now less visible from Mr Lock's property than when originally erected. Mr Horton said he was troubled that members had not undertaken a site inspection and had not read about the history of this site before this committee meeting.

Mr Lock said that the applicant's building was ok but not when placed in this setting. He stated that when building his pavilion, he took the setting into consideration and as such his buildings cannot be seen by neighbours.

The Chair asked members to consider what highest quality was and that it would mean different things to different people. The committee must be fair and equal to all residents.

Mr Horton interrupted saying fairness was not to be judged.

Councillor Walsh spoke to members reminding them that they had looked at heritage areas before. He asked for clarity on how contemporary design was to be considered in a heritage setting.

The Planning Officer reminded members that the application should be judged against the development plan as a whole, which includes the London Plan and Development

Management Local Plan and not just on Policy 15 of the Core Strategy. She referred members to paragraphs 6.30-6.32 of the officer's report regarding the use of contemporary materials and paragraph 60 of the NPPF which states that planning decisions should not impose architectural styles or tastes on development. In summing up, the Planning Officer said that due to the simple design of the single storey structure, it neither apes the appearance of a genuine historic building or draws attention away from the listed buildings and garden setting. It is a successful design which causes no harm to the conservation area and therefore preserves it.

Councillor Till moved a motion to accept the officer's recommendation and grant planning permission. It was seconded by Councillor Bourne

Members voted as follows:

FOR: Councillor Amrani (Chair), Raven, Paschoud, Walsh, Till and Bourne.

ABSTAINED: Councillor De Ryk

RESOLVED: That planning permission be granted in respect of application No. DC/13/85586.

5. 58 Pepys Road, SE14 (Item 5 on the agenda)

Suzanne White, the Planning Officer outlined details of the proposal for the construction of a single storey extension on the rear elevation, noting key changes made in this application and how they have addressed the previous application's reasons for refusal. Members discussed window alignment and materials with the officer.

The Committee received verbal representation from Malcolm Bacchus from the Telegraph Hill Society. Concerns were raised over the proposed roof lights and he disagreed with the statement made in paragraph 6.8 of the officer's report, regarding light spillage. The stacking of units was also a concern, with regards to living rooms above bedrooms and this was something Mr Bacchus believed had not been answered in the report. Furthermore, he considered the design to be poor, very modern and uncompromising.

Further discussions between members and the Planning Officer took place. Although amendments to the scheme had been made, members still had concerns regarding the fenestration not lining up with existing windows, the UPVc materials and overall design of the extension being considered poor and the possibility of light pollution due to the roof lights.

Councillor Walsh moved a motion to reject the officer's recommendation to grant planning permission. It was seconded by Councillor De Ryk.

Members voted as follows:

FOR: Councillors Amrani (Chair), Paschoud (Vice-Chair), Bourne, Raven and Till.

RESOLVED: That the application DC/16/098786 be refused due to poor design and materials.

6. 50 Bargery Road, SE6 2LN (Item 6 on the agenda)

The Planning Officer outlined details regarding the construction of a single storey extension and the installation of two replacement side windows. The scheme has been revised with a reduction in the extension's depth and change of roof pitch, resulting in an increase in maximum height and a reduction in eaves height. The Planning Officer spoke about planning considerations and listed the objections.

The Committee received verbal representation from the architect, Cherry Bailey, who spoke about her design. She was accompanied by structural engineer, Ade Ogunrinde.

There were no questions from members so Councillor Walsh moved a motion to approve the officer's recommendation and grant planning permission. It was seconded by Councillor Bourne.

Members voted as follows:

FOR: Councillors Amrani (Chair), Paschoud (Vice-Chair), De Ryk, Raven, Bourne, Walsh and Till.

RESOLVED: That planning permission be granted in respect of application No. DC/17/100931, subject to the conditions outlined in the report.

7. Land behind 26-32 George Lane (Item 7 on the agenda)

On 31 March 2016 Planning Committee A granted permission for application DC/15/090510. The permission included a number of pre-commencement conditions.

The Planning Officer outlined details of the proposal and condition 5b regarding the external detailing. The Planning Officer highlighted the proposed high quality materials. Members discussed the simplicity of the design and palette of materials. Councillor Walsh noted the brick work being dark in the submitted drawing.

The Committee received verbal representation from the architect, Chris Mole who showed members brick samples he had brought along.

No further discussion took place and Councillor Amrani asked members if they considered the submitted information sufficient to be able to approve the materials and discharge the condition.

Members voted unanimously to approve the discharge of the condition.

RESOLVED: That Condition 5b be discharged in respect of application No. DC/17/100485.

8. Our Lady and St Philip Neri RC Primary School, 208 Sydenham Road, SE26 5SE (Item 8 on the agenda)

On 7 October 2016 Planning Committee A granted permission for application DC/16/096041. The permission included a number of pre-commencement conditions.

The Planning Officer outlined details of the proposal and condition 12a regarding boundary treatments. The officer highlighted the differing proposed boundary treatments and materials proposed.

Members discussed with the Planning Officer where the railings would be sited and whether that could entail large banners being subsequently erected on the railings as a way of obscuring views into the school site. The Planning Officer confirmed that the position of the railings would be unlikely to precipitate a need for the school to do this.

No further discussion took place and Councillor Amrani asked members if they were happy to approve the boundary treatments and discharge the condition. Members voted unanimously to discharge the condition.

RESOLVED: That Condition 12a be discharged in respect of application No. DC/16/096041.

The meeting ended at 9.55pm.

Chair

3 August 2017

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|--------------|-------------------------------------|---------------------------------|
| Committee | PLANNING COMMITTEE A | |
| Report Title | 4A CLARENDON RISE, LONDON, SE13 5ES | |
| Ward | LEWISHAM CENTRAL | |
| Contributors | Russell Brown | |
| Class | PART 1 | 14 th September 2017 |

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|------------------------------|--|
| <u>Reg. Nos.</u> | DC/16/098621 |
| <u>Application dated</u> | 04.10.2016 |
| <u>Applicant</u> | Sivan Covil Trust |
| <u>Proposal</u> | A retrospective application for the installation of an extraction and ventilation system with two flues to replace the existing at 4a Clarendon Rise, SE13. |
| <u>Applicant's Plan Nos.</u> | KND/10/16/315; KND/ 10/ 16/ 315A; KND/ 10/ 16/ 315B; KND/ 10/ 16/ 315B; KND/ 10/ 16/ 315D; KND/ 10/ 16/ 315E; KND/ 10/ 16/ 315F; Noise Impact Assessment Received 21st October 2016 Design & Access Method Statement Received 3rd November 2016 Kitchen Extract Fan Acoustic Commissioning; Kitchen Extract Odour Comments Received 15th December 2016 Incense Fan Noise Measurements Received 6th March 2017 |
| <u>Background Papers</u> | (1) Case File LE/735/4A/TP (2) Core Strategy (June 2011) (3) Development Management Local Plan (November 2014) (4) London Plan (March 2015, furthered altered in March 2016) |
| <u>Designation</u> | Area of Archaeological Priority PTAL 6b Flood Risk Zones 2 and 3 Local Open Space Deficiency Major District Centre Adjacent/Affecting Conservation Area |
| <u>Screening</u> | N/A |

1.0 Introduction

- 1.1 This application was presented at Planning Committee A on 11th May 2017, but it was resolved that the decision be deferred pending a noise assessment being carried out on site by the Council's Environmental Protection team.

1.2 A copy of the original committee report is provided in Appendix A.

2.0 Planning Considerations

- 2.1 Noise generating development must not have an adverse impact in order for the occupiers of adjoining or nearby properties to have a healthy and high quality of life. It is noted that flues and other ventilation equipment can cause detrimental impacts in terms of noise, vibration and odour because of their location, the nature of the equipment installed and lack of mitigation. In this case, the subject extraction / ventilation system has led to complaints regarding noise and odour.
- 2.2 An Environmental Protection Officer from the Council has attended site and taken independent measurements in order to assess the accuracy or otherwise of the noise report that was submitted with the planning application. The assessment compared the levels against the background noise measured at the time and considered the report's approach in following the BS4142 (British Standard) methodology.
- 2.3 The report assessed both the flue serving the kitchen and the one linked to the room where incense is sometimes burnt. Measurements were taken within the rear garden of 6 Mercia Grove, which directly backs onto the flat roof where the flues are located, and measurements were also taken from there.
- 2.4 The assessment found that if the fan within the kitchen is set at a speed of 2.5 then it would result in a 3dB increase in noise. This correlates with the findings within the submitted noise report and is considered to be acceptable since the increase in noise would not be significant.
- 2.5 However, the kitchen fan can be turned up to a speed of 10. A fan speed of 6 was tested and there was an increase of 9dBA in the rear garden of 6 Mercia Grove as well as an increase of 10dBA on the background noise. The BS4142 2014 states that "if noise is 10 dB or higher than the background noise level then this is an indication of a significant adverse impact".
- 2.6 In terms of the fan used to extract the emissions from the burning incense, when measured on its own, there was a clear rattling sound from the fan and when comparing against the background there was a 10dB increase at 200Hz, which could have been contributed to by the rattling sound. Had the fan been fixed and the noise mitigated, for example enclosing the fan, Officers would have considered it to be acceptable in its own right. As it is, however, it adds to the adverse acoustic impact experienced by neighbouring properties.
- 2.7 It has thereby found that the noise reports submitted with the application were accurate when the fans were operating at a speed of 2.5, but it did not state that the fans could be turned up nor did it explicitly state at which fan speed the extraction system was tested.
- 2.8 The assessment was undertaken on a weekday when there is less cooking done than at a weekend, and certainly less than any day that assumes religious significance for the temple. As such, Officers consider that it is very probably that the fan speed is increased in those circumstances and therefore have to give weight to that point. Furthermore, there are no methods of physically restricting the speed of the fans that have been installed, nor are Officers satisfied nor aware

of any other mitigation that could make the noise impact acceptable. Indeed, during the course of the application, the applicant carried out a number of measures that were being proposed had the extraction system been found to be unacceptable.

- 2.9 Officers therefore recommend that the previous recommendation at Planning Committee A is overturned to a planning refusal and the matter referred to the Councils Planning Enforcement Team due to it being inappropriate for use in relation to a kitchen associated with the cooking of hot foods with the subsequent adverse noise impact and its location close to residential properties. Furthermore, the Environmental Protection Officer has advised that the internal environment for those people in the kitchen would not be pleasant if the fan speed was set much higher than 2.5, like at 6, as the air would not be cleared.
- 2.10 In terms of odour, this is subjective as pointed out in the submitted odour report. However, Officers did not smell any odours emanating from the extraction system, both at fan speeds of 2.5 and 6, while cooking was occurring. It is therefore considered that, without substantiated evidence to the contrary, the associated odour complaint is without foundation.
- 2.11 Therefore, Officers are of the opinion that the proposal is unacceptable, as it would result in a significantly adverse noise impact on the nearby residential properties contrary to London Plan Policy 7.15 and DM Policy 26.
- 2.12 It is not considered reasonable nor enforceable to recommend approval subject to conditions restricting the certain types of cooking. Although the kitchen is vegetarian, there would be no feasible way of enforcing this.

3.0 Equality Considerations

- 3.1 Members are referred to paragraph 7 of the original report in respect of Equality considerations.
- 3.2 Officers remain of the view that the planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Equality Act 2010, and therefore it has been concluded that there is no impact on equality.

4.0 Conclusion

- 4.1 Officers have 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 2016) and the National Planning Policy Framework (2012).
- 4.2 After further assessment, it is considered that the extraction and ventilation systems as installed and applied for, would cause an unacceptable level of harm to the amenity of nearby occupiers in terms of noise. It is not considered that there are conditions, which could reasonably be imposed to mitigate the issues arising which have resulted in the recommendation to refuse planning permission.

5.0 **RECOMMENDATION: REFUSE PLANNING PERMISSION** for the following reason:

- 1) The extraction and ventilation system, by reason of noise and vibration, as evidenced by noise testing, in the absence of sufficient mitigation, results in an adverse impact upon the quality of life and amenity for neighbouring occupiers contrary to Policy 7.15 Reducing noise and enhancing soundscapes of the London Plan (March 2015, furthered altered in March 2016) and DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

INFORMATIVES

Positive and Proactive Statement: The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought before the application was submitted. Whilst the application was recommended for approval at Planning Committee, it was deferred and further investigations have found that the development would be unacceptable and no solution is considered possible.

The applicant is advised that following this refusal of planning permission, this matter will be referred to the Council's Planning Enforcement team.

4A Clarendon Rise – site plan



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Appendix A

**4A CLARENDON RISE, LONDON, SE13 5ES
Committee Report**

11th May 2017

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| Committee | PLANNING COMMITTEE A | |
| Report Title | 4A CLARENDON RISE, LONDON, SE13 5ES | |
| Ward | LEWISHAM CENTRAL | |
| Contributors | Russell Brown | |
| Class | PART 1 | 11th May 2017 |

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|------------------------------|--|
| <u>Reg. Nos.</u> | DC/16/098621 |
| <u>Application dated</u> | 04.10.2016 |
| <u>Applicant</u> | Sivan Covil Trust |
| <u>Proposal</u> | A retrospective application for the installation of an extraction and ventilation system with two flues to replace the existing at 4a Clarendon Rise, SE13. |
| <u>Applicant's Plan Nos.</u> | KND/10/16/315; KND/ 10/ 16/ 315A; KND/ 10/ 16/ 315B; KND/ 10/ 16/ 315B; KND/ 10/ 16/ 315D; KND/ 10/ 16/ 315E; KND/ 10/ 16/ 315F; Noise Impact Assessment Received 21st October 2016 Design & Access Method Statement Received 3rd November 2016 Kitchen Extract Fan Acoustic Commissioning; Kitchen Extract Odour Comments Received 15th December 2016 Incense Fan Noise Measurements Received 6th March 2017 |
| <u>Background Papers</u> | (1) Case File LE/735/4A/TP (2) Core Strategy (June 2011) (3) Development Management Local Plan (November 2014) (4) London Plan (March 2015, furthered altered in March 2016) |
| <u>Designation</u> | Area of Archaeological Priority PTAL 6b Flood Risk Zones 2 and 3 Local Open Space Deficiency Major District Centre Adjacent/Affecting Conservation Area |
| <u>Screening</u> | N/A |

1.0 Property/Site Description

- 1.1 The application site is located on the west side of Clarendon Rise, just to the south of the River Quaqy and the junction with Lee High Road (A20).

- 1.2 The site incorporates the main temple building, built post 2008, a two storey plus roofspace building attached to the south west side of the temple and three other two storey buildings, a gabled industrial unit, a warehouse building and a flat roofed structure containing a kitchen on the ground floor and staff facilities including an admin office upstairs. All three are accessed via the shared gated entrance on Clarendon Rise and this application relates to the latter.
- 1.3 The application building is located in the south west corner of the site and features a ventilation system and two flues, which were upgraded in late 2016 following neighbour complaints. However, this building is not subject to the planning conditions that relate to the main temple building in respect of noise, hours of use (between 07:30 and 21.30) and cooking (only the preparation of food related to offerings).
- 1.4 The site has been in use as a place of worship (Use Class D1) since the 1990s and forms part of the London Sivan Centre, owned by the London Sivan Kovil Trust, who also use the adjacent two storey building, Riverside House at 12a Lee High Road, as a cultural / community centre. The surrounds are otherwise largely commercial in nature with some residential flats on the floors above.
- 1.5 The site is adjacent to the Mercia Grove Conservation Area, not subject to an Article 4 direction, nor is it a listed building or within the vicinity of any. It is in a Major District Centre (Lewisham), an Area of Archaeological Priority, Flood Risk Zones 2 and 3 and has a PTAL rating of 6b.

2.0 Relevant Planning History

- 2.1 Planning permission was **granted** on 6th April 1994 for Alterations and the change of use of part of 4A Clarendon Rise SE13 for street trader's storage.
- 2.2 Planning permission was **granted** on 8th September 1994 for alterations and the change of use of part of 4A Clarendon Rise SE13 to a place of worship, together with the retention of a single storey porch link.
- 2.3 Planning permission was **granted** on 8th February 1996 for the continued use of part of 4A Clarendon Rise SE13 as a place of worship.
- 2.4 Planning permission was **granted** on 21st September 1998 for the continued use of part of 4A Clarendon Rise SE13 as a place of worship.
- 2.5 DC/05/59034/FT: The construction of a new glazed timber framed lobby to the front of 4a, Clarendon Rise SE13, together with a pitched roof to part of the existing temple. **Granted and implemented.**
- 2.6 DC/06/61499/X: The demolition of the front entrance lobby at the temple building at 4a Clarendon Rise, SE13 and the construction of an extension to the western end of the building, alterations to the elevations, the alteration to the roof profile of the northern temple building (increase to the ridge height and an extension to create a gable end) and the creation of an entrance in the elevation to Clarendon Rise. **Granted.**

- 2.7 DC/08/67975/X: The demolition of existing single storey lobby structures and existing warehouse building (in use as a temple) at 4a Clarendon Rise SE13 and construction of a larger building to be used as a temple. **Granted.**
- 2.8 DC/09/71358/X: The demolition of the existing single storey lobby structures and warehouse building (in use as a temple) at 4a Clarendon Rise SE13 and construction of a larger building with elevational detailing, to be used as a temple. **Granted.**
- 2.9 DC/09/72244/X: The demolition of the existing single storey lobby structures and warehouse building at 4a Clarendon Rise SE13 and construction of a larger building with elevational detailing, incorporating a first floor extension with Juliette balcony to the rear (west) elevation for use as a temple. **Granted and implemented.**
- 2.10 DC/09/73080/X: The installation of an extract flue to the side elevation and internal alterations to the toilets and kitchen areas of 4a Clarendon Rise SE13.
- 2.11 Refused for the following reasons:
1. The installation of the extraction flue by reason of its height, design, close proximity and siting to adjacent dwellings in Mercia Grove would not be compatible with the character and setting of the surrounding development within the immediately adjacent Mercia Grove Conservation Area. It would therefore represent an inappropriate and visually obtrusive development detrimental to the character and visual amenities of the locality contrary to Policy 15 High quality design for Lewisham, and Policy 16 Conservation areas, heritage assets and the historic environment of the adopted Core Strategy (June 2011), Policies URB 3 Urban Design, URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas and HSG 4 Residential Amenity in the adopted Unitary Development Plan (2004).
 2. The installation of the extraction flue lacks adequate means of ventilation to deal with cooking odours and as such the installation would be detrimental to the residential amenities of neighbouring residential properties in Mercia Grove by reason of adverse smell and noise effects, contrary to Policy ENV.PRO 9 Potentially Polluting Uses and Policy ENV.PRO 11 Noise Generating Development in the adopted Unitary Development Plan (2004).

3.0 Current Planning Application

- 3.1 Retrospective planning permission is sought for the installation of an extraction and ventilation system with two flues situated 3m from the roof's southern edge. The pre-existing situation (i.e. before 2012) was the location of one flue to the southern part of the flat roof close to the rear gardens of 5 and 6 Mercia Grove.
- 3.2 Given that the Noise Impact Assessment dated 18th October 2016 identified that the installed system would create noise levels of 57dB, which is 13dB above the background noise, the applicant sought to reduce vibration and noise levels by installing the following:
- Pleated panel filters
 - An Intrepid Energy Saver M7 Panel Filter
 - Metal Cased Carbon Filter
 - The O.N 100 ODOUR Neutraliser with the ESP 3000 E Pre-filtration unit

- 3.3 The latter was the only element that required an external change to the visual appearance of the equipment on the roof.
- 3.4 The equipment serves a kitchen that provides 100% vegetarian food (cooked rice and vegetable soup, sometimes vegetable curries served with rice so predominantly water-based cooking) free of charge to approximately 40 devotees of the temple from Mondays through to Thursdays and up to 100 on Fridays, Saturdays and Sundays. Sweet rice is also cooked and served during lunchtime and evenings. No external hot food is allowed to be brought in.

4.0 Consultation

- 4.1 No pre-application advice was sought, although conversations were had with the planning enforcement team as to whether planning permission was required. However, negotiations were also had with the Council's Environmental Health service in terms of the details and standard of the flue, noise and emissions.
- 4.2 The Council's consultation met the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.3 A site notice was displayed and letters were sent to 14 adjoining residents, Lewisham Central Ward Councillors and the Council's Environmental Health Department.

Written Responses received from Local Residents

- 4.4 Four objections were received from local residents, raising the following concerns:
- The size, design and position of the ducting close to the rear gardens of Mercia Grove is intrusive, and its size adds to the cooking smell.
 - The smell of cooking pervades rear gardens
 - The fans are incredibly noisy and operate as early as 05:00 and as late as 00:00 and beyond, contrary to a condition.
 - Planning permission was not sought for the installation of vents in the boundary walls of the rear gardens on Mercia Grove.
 - The applicants do what they like, have shown complete disregard for their neighbours, planning rules and the Council, and refusal of planning permissions have not been enforced in the past.
 - The ventilation systems are ugly to look at, visually intrusive and are not at all in keeping with the Conservation Area.
 - An objection is raised to the running of an industrial kitchen so close to back gardens, particularly in the summer when windows also have to be kept closed.
 - The kitchen should be closed immediately and moved to a more appropriate site with planning permission away from the Temple. The associated extraction equipment should be removed and disposed of.
 - The reasons given for the refusal of DC/09/73080/X are still relevant to this new application, regardless of the fact that they are slightly different systems.
 - Conditions were added to the approval of DC/08/67975/X for the redevelopment of the temple building preventing primary cooking using raw ingredients and restricting the use of the building for any other purpose than that which falls under Use Class D1. The applicants, by their own admission, are in breach of these conditions.

- The changes proposed to be made to the ventilation systems do not mitigate against the fact that they should not be there in the first place as they do not benefit from planning permission.
- The assertions made in the Design and Access Method Statement are questionable and inaccurate.
- The temple is also used as residential accommodation.

4.5 Of the issues raised, only those related to the current planning application are relevant planning considerations.

4.6 Environmental Health

In terms of noise have stated the operation of the flue satisfied British Standards BS 4142. With respect to odour nuisance the submitted information does indicate, that given the type of cooking and the scale of cooking that the system and mitigation added should be sufficient.

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 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, Development Plan Document (DPD) (adopted in June 2011), DMLP (adopted in November 2014) and policies in the London Plan (March 2016). 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 2015 (amended 2016)

- 5.6 On 10 March 2015 the London Plan (further altered in March 2016) as adopted. The policies relevant to this application are:

Policy 2.13 Opportunity Areas and Intensification Areas

Policy 2.15 Town centres

Policy 3.1 Ensuring equal life chances for all

Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision

Policy 7.15 Reducing noise and enhancing soundscapes

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 1 Lewisham Spatial Strategy

Spatial Policy 5 Areas of Stability and Managed Change

Core Strategy Policy 15 High quality design for Lewisham

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

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 26 Noise and vibration

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

6.0 Planning Considerations

- 6.1 The relevant planning considerations are the principle of development, design, the impact on the property and the character and appearance of the surrounding area as well as to the amenities of neighbouring residents, particularly noise and odour.

Principle of development

- 6.2 London Plan Policy 2.13 designates Lewisham, Catford and New Cross as Opportunity and Intensification Areas.
- 6.3 London Plan Policy 2.15 designates Lewisham as a Major Centre.
- 6.4 London Plan Policy 3.1 states that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities.
- 6.5 London Plan Policy 4.6 states that boroughs should support the continued success of London's diverse range of arts, cultural, professional sporting and entertainment enterprises and the cultural, social and economic benefits that they offer to its residents, workers and visitors.
- 6.6 Core Strategy Policy 19 states that the Council will work with its partners to ensure a range of health, education, policing, community, leisure, arts, cultural, entertainment, sports and recreational facilities and services are protected across the borough.
- 6.7 The principle of replacing the existing unfit-for-purpose ventilation and extraction equipment is considered acceptable. The building to which this application relates is associated with the temple given the associated activities which take place within, but is not subject to the same restrictive planning conditions, including those that relate to the primary cooking and the hours of use. However, it does retain its historic B1 or B2 use, at which time it had cooking facilities.
- 6.8 Officers also note that the condition restricting the place of worship use with ancillary storeroom, food preparation room and lobby relates only to the temple and any food preparation within the temple takes place at the front (Clarendon Rise) end of the building, and is mostly limited to fresh fruit.
- 6.9 As such, and given that the cooking is limited to rice and vegetarian food (no fish, meat or eggs) solely for the consumption of the temple attendees, then it is considered that permitting replacement ventilation and extraction equipment would not, as a consequence, approve a change of use to this building by default.
- 6.10 Therefore, the principle of development is acceptable subject to the equipment's impact on the building, surrounding area and residential amenity.

Design

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

potential of sites and is sensitive to the local context and responds to local character. Any adverse impact on neighbouring amenity, conservation areas and designated and non-designated heritage assets, biodiversity or open space will need to be addressed.

- 6.12 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations to existing buildings. An adequate response to the following detailed matters will be required in planning applications to demonstrate the required site specific design response:
- the creation of a positive relationship to the existing townscape to preserve an urban form which contributes to local distinctiveness such as building features and uses, roofscape, open space and views, taking all available opportunities for enhancement; and
 - 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.
- 6.13 DM Policy 31 states that development proposals for alterations and extensions will be required to be of a high, site specific, and sensitive design quality, and respect and / or complement the form, setting, period and detailing of the original buildings, including external features. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context. In addition, where it is necessary:
- details of plant, pipework and other mechanical equipment including ducts and flues should be included within the initial planning application and be enclosed within the envelope of the building or, where that is impracticable, sited where they will have the least visual impact.
- 6.14 The extraction duct is of utilitarian design and replaces an older existing duct. It is of similar design to other extraction ducts and although external to the building, can only be seen from adjoining rear gardens and the rear of nearby commercial buildings. In this respect, the context in which the flue is located is the rear of buildings which form part of Lewisham Town Centre and is one of a number of buildings which contains flues which are located to their rear. The applicants have sought to reduce its visual presence, which was one of the reasons for refusal of the previous scheme, by placing the vertical elements further from back gardens. Notwithstanding, it is considered appropriate that its visual impact is further mitigated by being painted matt black, and the application is conditioned to that effect.
- 6.15 Whilst Officers appreciate that the roof of this building and thereby the ducting, is visible from the adjoining Conservation Area, it is not considered that the increase in equipment, has a negative impact on the character and appearance of the adjoining heritage assets.
- 6.16 In addition, this building, like the other commercial buildings on site, is not of any architectural interest or importance such that its appearance is compromised by the provision of additional ventilation and extraction equipment. As stated previously, the development needs to be considered in its context which the rear of commercial properties which form part of the Lewisham Town Centre and a major shopping area. Understandably there is a balancing/judgement to be carried out given the design implications of the juxtaposition of commercial properties to residential/conservation area. Given the revised design and

mitigation in terms of finished treatment proposed, this application is considered to be acceptable in design terms.

Impact on the amenity of neighbouring occupiers, including noise and odour

- 6.17 London Plan Policy 7.15 states that development proposals should seek to manage noise by:
- a. avoiding significant adverse noise impacts on health and quality of life as a result of new development;
 - b. mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens on existing businesses;
 - c. improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity);
 - d. separating new noise sensitive development from major noise sources (such as road, rail, air transport and some types of industrial development) through the use of distance, screening or internal layout – in preference to sole reliance on sound insulation;
 - e. where it is not possible to achieve separation of noise sensitive development and noise sources, without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through the application of good acoustic design principles;
 - f. having particular regard to the impact of aviation noise on noise sensitive development;
 - g. promoting new technologies and improved practices to reduce noise at source and on the transmission path from source to receiver.
- 6.18 DM Policy 26 Noise and vibration states that the Council will require a Noise and Vibration Assessment for noise generating equipment, where appropriate, to identify issues and attenuation measures, prepared by a qualified acoustician. Where development is permitted, conditions may be attached to the planning permission to ensure noise insulation or other mitigation measures are undertaken.
- 6.19 There would be no physical impact on the amenities of neighbouring properties from the flue, and any visual impact could be mitigated by painting as discussed above.
- 6.20 However, it is recognised that extraction flues can give rise to noise and odour impact if not designed and attenuated appropriately. There are residential occupiers on all sides of the site, although those to the north are separated by the River Quaqy, those to the west by no. 12a and over 25m away, and those to the east by Clarendon Rise and at least 26m distanced; those dwellings to the south on Mercia Grove are the closest. The rear walls of these properties are at least 17m away, although Officers acknowledge that that their rear gardens of 14m or 15m in depth are bounded by the south side of the application building.
- 6.21 The technical information submitted by the applicant (full details of which are in the Current Planning Application section and has been assessed by the Councils environmental health noise officers) demonstrate that the noise levels generated by the equipment (43dB) is 1dBA below the ambient background noise level of 44dB and as such unlikely to cause a nuisance.

- 6.22 British Standard BS4142 states: “Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context”. However, this is caveated by the need for the equipment to be turned off before 22:00 as not to cause any disturbance. In this respect officers recommend that a condition be added to limit the hours of operation to 21.00 which is half hour before the closing times of the temple (07:30 - 21.30).
- 6.23 For completeness the technical report also considers a further second vent, unconnected to the kitchen extract ducts, which enables the venting of incense. Officers concur with the submitted report, which has shown that any impact would be negligible.
- 6.24 Complaints submitted in relation to the application state that cooking odour is a nuisance. Several visits to the site by officers have not identified any undue odour concerns. The extraction ducts are designed with odour mitigating controls. In addition, it is to be noted the temple does not carry out deep fat frying or cooking. The menu comprises vegetable based meals prepared by boiling, soups and curried sauces. In this respect it is not considered that a significant odour issue is/would occur from this building. It is also noted that there are several other restaurants to the west and north of the site, albeit at a greater distance, which would cook foods considered to have a high odour risk (frying and grilling of heavily spiced foods), which may have been the source of any odours prior to the kitchen extract system being turned on.
- 6.25 Therefore, the proposal is considered to be acceptable having regard to impacts on neighbouring amenity.

7.0 Equalities Considerations

- 7.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.2 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) Foster good relations between people who share a protected characteristic and persons who do not share it.
- 7.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 7.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of

Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

- 7.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty

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

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

8.0 Conclusion

- 8.1 Officers have 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 2015 (as amended) and the National Planning Policy Framework (2012).

- 8.2 It is considered that the installation of new ventilation and extraction equipment would be acceptable in principle and would not result in significant harm being caused to the building, the surrounds or to the amenities of neighbours.

9.0 RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

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

KND/10/16/315; KND/ 10/ 16/ 315A; KND/ 10/ 16/ 315B; KND/ 10/ 16/ 315B;
KND/ 10/ 16/ 315D; KND/ 10/ 16/ 315E; KND/ 10/ 16/ 315F; Noise Impact
Assessment Received 21st October 2016

Design & Access Method Statement Received 3rd November 2016

Kitchen Extract Fan Acoustic Commissioning; Kitchen Extract Odour Comments Received 15th December 2016

Incense Fan Noise Measurements Received 6th March 2017

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

2) (a) The ventilation and extraction equipment shall be painted in black (RAL code 9005) with a matt finish.

(b) The scheme shall be retained in perpetuity in accordance with those details as approved.

Reason: To ensure that the development achieves the necessary high standard and detailing so that local planning authority may be satisfied as to the external appearance of the ventilation and extraction equipment and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policies 30 Urban design and local character and 31 Alterations/extensions to existing buildings of the Development Management Local Plan (November 2014).

3) No ventilation or extraction equipment shall be operated on the premises before 07:30 or after 21.00 on any day of the week.

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

INFORMATIVES

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

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| Committee | PLANNING COMMITTEE A | |
| Report Title | 1B The Parade, Wells Park Road, London, SE26 6JD | |
| Ward | Forest Hill | |
| Contributors | Samuel James | |
| Class | PART 1 | 14 September 2017 |

Reg. Nos. DC/17/100260

Application dated 20.02.2017

Applicant Mr Biss

Proposal The external alteration of 1B The Parade, Wells Park Road, SE26, including the replacement of roof tiles, the replacement of two first floor windows to the side and one to the rear elevation, the installation of a window and Juliet balcony to the rear elevation, and the installation of 2 rooflights to the side roof slope.

Applicant's Plan Nos. 067 000; 067 001 Floor Plan; 067 001 Roof Plan; 067 002 Sections A B; 067 002 Section C; 067 005; 067 201 rev PA; 067 202 rev PA; 067 203; 067 204 rev PA; 067 205 rev PA; 067 206 rev PA; Design and Access Statement; Construction Method Statement

Background Papers (1) Case File LE/73/1B/TP
(2) Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)

Designation PTAL 3
Not located in a conservation area.
No Article 4(2) Direction

1.0 Property/Site Description

- 1.1 The application relates to a top floor studio flat contained within the original 2 storey rear projection of No.1 The Parade, Wells Park Road. The host building is a 2 storey, mid-terraced property which is finished in white painted render at the rear, and facing red London stock brick at the front. It would have originally been a single dwellinghouse, but has since been subdivided into separate properties 1a and 1b and 1c. Entrance to the property is through a shared front door and off a communal staircase at first floor level.
- 1.2 Wells Park Road is predominantly residential in nature, with Kirkdale shopping parade located approximately 45m east of the site. The Wells Park Medical Practice is located opposite the host property.
- 1.3 The property does not lie within a conservation area itself, but it is adjacent to the Jews Walk Conservation Area, which is located across the road, and the Halifax Street

Conservation Area is located to the north and the west, approximately 40m from the property. The Sydenham Park Conservation Area is located approximately 120m east of the property.

2.0 Planning History

2.1 No relevant planning history

3.0 Current Planning Applications

The Proposals

3.1 The refurbishment of 1B The Parade, Wells Park Road, SE26, including the replacement of the roof tiles, the replacement of two windows to the first floor side elevation and one to the rear elevation, the insertion of a window and a Juliet balcony to the rear elevation, and the installation of 2 rooflights to the side roof slope.

3.2 Works to the roof

The entire roof structure is to be replaced, including rafters, new insulation and tiles. 2 Velux rooflights are to be incorporated into the new roof. The rooflights would have approximate dimensions of 780mm x 980mm. New roof tiles would be to match the existing roof and the form of the roof would not be altered.

3.3 Works to the exterior

At the side elevation, the 2 timber sash windows are to be replaced with double glazed uPVC casement windows of the same dimensions.

At the rear elevation the existing aluminium casement window is to be replaced with a double glazed uPVC casement window of the same dimensions. A new opening would be created for the insertion of a 400mm diameter uPVC porthole window.

3.4 The Juliet Balcony

The existing timber sash window to the rear elevation is to be removed and the opening elongated so that the bottom would be 0.25m above floor level, and a uPVC door, and an iron balustrade installed to create a Juliet balcony.

4.0 Consultation

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

4.2 A site notice was displayed and letters were sent to 9 residents in the surrounding area as well as the ward Councillors for Forest Hill.

4.3 3 Neighbouring residents (2 from the same address) have raised objection to the proposal. The planning concerns raised are summarised below:

- The neighbours have expressed support for the general refurbishment of the flat.
- Concern has been raised that the installation of the Juliet balcony would increase overlooking opportunities into their rear garden area, which would detrimentally impact on their privacy whilst enjoying their garden.

- Concern has been raised that the insertion of the Juliette balcony would be out of character with the rear of the row of terraces along The Parade.
- Concern was raised over the possible impacts caused by light spillage from the proposed rooflights.

4.4 Some of the concerns raised which are not planning considerations relevant to the proposal include:

- There was a slight delay in putting up the site notice, however it was displayed for 6 weeks prior to the statutory expiry date, which exceeds the statutory requirement of 21 days.
- Error in the design and access statement, stating there are 2 flats at the property when in fact there are 3.
- Application form states that mezzanine would be for storage, but the construction method statement states it would be for 'additional habitable space'.
- Concerns raised over parking arrangements during the works.
- Concerns raised over means of emergency access out of the flat.
- Concerns raised over the lack of detail regarding the agent who drew up the plans and supporting information.

5.0 Policy Context

5.1 Introduction

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.

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, Development Plan Document (DPD) (adopted in June 2011), the Development Management Local Plan (adopted November 2014) and policies in the London Plan (March 2015). The NPPF does not change the legal status of the development plan.

5.2 National Planning Policy Framework

The NPPF was published on 27th 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)'.

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

5.4 Other National Guidance

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

5.5 The London Plan 2016

On 10 March 2016, the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 7.4 Local character

Policy 7.6 Architecture

5.6 Core Strategy

The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and the borough's statutory development plan.

The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 15 High quality design for Lewisham

5.7 Development Management Local Plan

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

The following policies are considered relevant to this application:

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

5.8 Residential Standards Supplementary Planning Document (Updated 2012)

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

6.0 Planning Considerations

6.1 The relevant planning considerations for the proposal are the impact on the character and appearance of the host building, together with any impacts upon neighbouring properties' amenity including on privacy.

Design

- 6.2 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.3 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. In addition to this, paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 6.4 In 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.
- 6.5 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.
- 6.6 DM Policy 31 requires development proposals for alterations to be of a high, site specific and sensitive design quality and to respect and/or compliment the form, setting period, architectural characteristics and detailing of the original building, including external features such as chimneys and porches. High quality matching or complimentary materials should be used appropriately and sensitively in relation to context.

6.7 Works to the roof

The proposed replacement of the entire roof, in tiles to match the existing roof is considered to be necessary works that would have no impact on the appearance of the host building. No objections are raised by officers to the proposed installation of rooflights as they would be located on the rear projection and would serve to improve the quality of the living accommodation and are considered to be of limited visual impact.

6.8 Works to the exterior

The 2 windows to the side elevation are to be replaced from timber to double glazed uPVC, and the 1 to the rear from aluminium to double glazed uPVC which is considered acceptable in non-conservation areas and at the rear of dwellings. The windows would be white, in keeping with the existing windows. No objections are raised to the installation of a new 'porthole' window at the rear which would be of limited visual impact.

6.9 Installation of Juliet balcony at the rear

The installation of a Juliet balcony in the place of an existing timber sash window would have some impact on the appearance of the rear of the host property and wider terrace. However, it is not considered that the impact would be significantly negative to warrant a reason for refusal on design grounds. Moreover, the Juliet balcony would be contained to the rear and would not be visible from the public realm. It is noted that any dwellinghouses could make this alteration under permitted development rights.

Neighbouring Residential Amenity

- 6.10 Core Strategy Policy 15 states that new development should be designed in a way that is sensitive to the local context. More specific to this, DM Policy 31 seeks to ensure that residential alterations should result in no significant loss of privacy and amenity to adjoining houses and their back gardens. It must therefore be demonstrated that proposed alterations are neighbourly and that significant harm will not arise with respect to overbearing impact, overshadowing, and loss of light, loss of outlook or general noise and disturbance. Regard must also be given to any impacts on privacy.
- 6.11 DM Policy 31 states that residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity including loss of sunlight and daylight to adjoining properties and their back gardens.
- 6.12 The proposed refurbishment works to the roof would have no significant impact upon neighbouring amenity, as the proportions of the building will remain the same and the refurbishment will be finished in materials to match the existing finish.
- 6.13 The proposed Juliet balcony would be installed at the same maximum height, and for the same width as the existing sash window. The opening would be elongated towards floor level, to incorporate a door situated 0.25m above floor level. It is acknowledged that the vertical enlargement of the window opening and the additional glazing that this would afford could lead to greater levels of perceived and realised overlooking from, as well as into, the host property. However, it is considered that this slightly increased opportunity for overlooking into the neighbouring gardens would not be significantly greater than the existing situation. Internally, the kitchen sink and worktops are against the wall so that the occupier would be looking away from the glazed door when using them. It is possible that the occupier could stand at the door opening or lean against the balustrade and look out directly onto neighbouring gardens, however, this same level of overlooking could be achieved by standing at or leaning against an open window. Notwithstanding the above, this level of overlooking is not uncommon within an urban setting of terraced houses.
- 6.14 Moreover, there are no windows of neighbouring properties facing the Juliet balcony which are within a close enough distance to be overlooked. In light of this it is considered that the impact of the Juliet balcony on the privacy of neighbouring occupiers whilst using their garden would not be significant enough to warrant refusal.
- 6.15 The proposed rooflights would not permit overlooking into any neighbouring properties, so there are no privacy concerns raised by these. An objector has raised concern that there may be light-spillage from the proposed rooflights to the neighbouring properties (not the objector's property). Rooflights at second floor level, would not usually be expected to cause a significant impact in terms of light spillage, especially when within a domestic property. It is acknowledged that the flats opposite are three stories and that the rooflights would be at roof level of a 2 storey building but the levels of internal lighting would not be expected to be so intense so as to have an impact on the second floor properties facing the rooflights. Moreover the separation distance from these properties is approximately 13m, which is sufficient to alleviate the impacts.
- 6.16 In light of the above discussion, the proposed development is considered to be acceptable with regards to impact upon neighbouring amenity.

7.0 Conclusion

- 7.1 The application's proposal have been considered against relevant planning policy set out in the Development Management Local Plan (2014), the Core Strategy (2011) London Plan (March 2016) and the National Planning Policy Framework (2012).

7.2 The proposed development is considered to be acceptable with regards to its design and and would not cause harm to the character and appearance of the host dwelling, adjoining conservation areas (Sydenham Park, Jews Walk and Halifax Street) or neighbouring amenity.

8.0 RECOMMENDATION: Grant Planning Permission subject to the following conditions:

Conditions

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

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

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

067 000; 067 001 Floor Plan; 067 001 Roof Plan; 067 002 Sections A B; 067 002 Section C; 067 005; 067 201 rev PA; 067 202 rev PA; 067 203; 067 204 rev PA; 067 205 rev PA; 067 206 rev PA; Design and Access Statement; Construction Method Statement

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

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

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

INFORMATIVES

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

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|--------------|--|-------------------|
| Committee | PLANNING COMMITTEE A | |
| Report Title | OUR LADY AND ST PHILIP NERI RC PRIMARY SCHOOL, 208 SYDENHAM ROAD, LONDON, SE26 5SE | |
| Ward | Sydenham | |
| Contributors | Amanda Ghani | |
| Class | PART 1 | 14 September 2017 |

Reg. Nos. DC/17/100284

Application dated 20/02/17

Applicant [Mr Jamie Goodwin]

Proposal Details submitted in compliance with Condition 18 specifications and programme of delivery regarding footpaths, lighting, waste bins and soft landscaping of the planning permission DC/16/096041 dated 7th October 2016 for the demolition of the existing buildings at Our Lady and St Philip Neri Primary School, 208 Sydenham Road SE26 and the construction of a three storey school building including a nursery, a multi-function sports court and a running track, together with the creation of a formal pedestrian access from Home Park, the provision of cycle and scooter spaces, refuse storage and associated landscaping works to provide the amalgamation of the Infant and Junior Schools

Applicant's Plan Nos. W01473-100 Rev.PO4; Works to Highways and Home Park Programme; Road Safety Audit Designers Response Statement (Scott White and Hookins); Street Lighting Standard Developers Specification (Skanska); Eco Steel Litter Bin Specifications (broxap); Proposed Highway Improvements Stage 1 Road Safety Audit ref JB16/594 Stage 1 RSA (F);

Background Papers

- (1) Case File LE/180/J/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation PTAL 3
Area of Archaeological Priority – Sydenham
Not in a Conservation Area
Not a Listed Building

2.0 Property/Site Description

2.1 The application relates to Our Lady and St Philip Neri primary school, which is located on the eastern intersection of Sydenham Road and Fairlawn Park.

3.0 Planning History

3.1 **DC/16/096041** - The demolition of the existing buildings at Our Lady and St Philip Neri Primary School, 208 Sydenham Road SE26 and the construction of a three storey school building including a nursery, a multi-function sports court and a running track, together with the creation of a formal pedestrian access from Home Park, the provision of cycle and scooter spaces, refuse storage and associated landscaping works to provide the amalgamation of the Infant and Junior Schools. **Approved**, 07/10/2016.

4.0 Current Planning Applications

The Proposals

4.1 The present application is for the discharge of conditions relating to the permission approved on the 7th October 2016 (ref. DC/16/096041) The demolition of the existing buildings at Our Lady and St Philip Neri Primary School, 208 Sydenham Road SE26 and the construction of a three storey school building including a nursery, a multi-function sports court and a running track, together with the creation of a formal pedestrian access from Home Park, the provision of cycle and scooter spaces, refuse storage and associated landscaping works to provide the amalgamation of the Infant and Junior Schools.

4.2 The application seeks to discharge Condition (18) – Improvements to footpaths, lighting, new waste bins and soft landscaping to Home Park

4.3 *18 (a) No development shall commence above ground level until details of the following works to Home Park (including drawings, specifications and a programme for delivery) have been submitted to and approved in writing by the local planning authority:*

4.4 *(19)(wrongly numbered in list of conditions for DC/16/096041) improvements to the footpaths and lighting in Home Park, between the entrance to the school (within the park) and Sydenham Road and between the entrance to the school (within the park) and Winchfield Road;*

4.5 *(i) new waste bins along the footpath within the Park between Sydenham Road and Winchfield Road; and*

4.6 *(ii) soft landscaping along the footpath within the Park between Sydenham Road and Winchfield Road.*

4.7 *(b) The development shall not be first occupied until the works referred to in paragraph (a) of this condition have been implemented in accordance with the details approved under the said paragraph (a).*

4.8 **Reason:** *In order to ensure that the park environment provides an appropriate access for the school in accordance with Core Strategy Policy 12 Open Space*

and environmental assets and Policy 15 High quality design for Lewisham of the Core Strategy.

5.0 Planning Considerations

5.1 In order to discharge this condition, the applicant submitted the following documents:

- 01-1415 – Works to Home Park Plan;
- Works to Highways and Home Park Programme;
- Street Lighting Standard Developers Specification;
- Eco Steel Litter Bin Specifications;

5.2 The application proposes the following:

5.3 Two new street lighting columns are proposed on existing pathways within Home Park. A new waste bin is proposed outside the junior access point. Three timber style planters 450mm high are proposed to be sited on the northern corner where the existing path around the park meets the rear access way to the School. Four anti-vandal surface mounted external lights would be secured directly on to the existing southern wall running along the access way. Vertical bar perimeter fencing measuring 2.4m high is proposed in lieu of the existing high level green timber and chain link combination fence. Climbing species to be planted at the base of the fencing. The fencing would be sited directly behind (southern elevation) the proposed sports court.

5.4 At Planning Committee A on the 6th October 2016 it was resolved that Condition 18 of the planning permission include new and additional lighting in areas of Home Park that are closest to the school along with works to footpaths, new waste bins and soft landscaping. As a consequence members resolved to remove delegated powers for this condition to ensure submitted details could be reviewed at a future committee. The proposed waste bin would be a black/grey steel eco litter bin. The two proposed lamp posts and wall lights would be to the specified Lewisham Council specifications. The materials, designs and layouts proposed by the applicant are considered to be of a high quality design and in keeping with the existing street scene and local area; enhancing the park environment and providing an appropriate access to the school.

6.0 Conclusion

6.1 The details submitted are considered sufficient to discharge Condition (18) Works to Home Park.

7.0 **Recommendation:** **Discharge** condition (18) – Works to Home Park

Informative

The applicant is advised that the following conditions requiring the submission of details remain undetermined:

4 - Site Contamination
6b - BREEAM
7 - Archeology
8a - External Materials
13a - Highways Works
14a- Travel Plan

Our Lady and St Phillip Neri – site plan



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