

## PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 19 OCTOBER 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, 10 October 2017**

**For further information please contact:**  
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	PLANNING COMMITTEE (A)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 19 OCTOBER 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: 19 OCTOBER 2017

## MINUTES

To approve the minutes of the meeting of Planning Committee (A) held on the 14<sup>th</sup> September 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 14<sup>th</sup> September 2017 at 19:30.

PRESENT: Councillors Amrani (Chair), Jacq Paschoud (Vice Chair), Bourne, De Ryk, Till, Raven, Walsh, Kennedy. (Councillor Kennedy arrived late and was unable to vote on Item no.3)

OFFICERS: Michael Forrester and Russell Brown – Planning Service, Paula Young – Legal Services, Amanda Ghani – Committee Co-ordinator

APOLOGIES: Councillors Raven and Adefiranye.

#### 1. DECLARATION OF INTERESTS

There were no declaration of interests.

#### 2. MINUTES

Members approved minutes for Planning Committee (A) held on 3<sup>rd</sup> August 2017.

#### 3. 4a Clarendon Rise, SE13 5ES (Item 3 on the agenda)

The Planning Officer Michael Forrester outlined details of the proposal for the retrospective application for the installation of an extraction and ventilation system with two flues to replace the existing.

The application was originally presented at Planning Committee A on 11<sup>th</sup> May 2017 but it was resolved that the decision be deferred pending a noise assessment to be carried out by the Council's Environmental Protection team. The assessment found that if the fan was set at a speed of 2.5 it would result in 3dB increase in noise which is considered acceptable as the increase in noise would not be significant. However, the fan speed can be turned up to 10 and when a speed of 6 was tested 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. A rattling sound was also evident during testing. Due to noise and vibration as evidenced in noise testing and the absence of sufficient mitigation regarding impact on neighbouring amenity; officers

recommended that the previous recommendation at Planning Committee A be overturned to a planning refusal and the matter be referred to the Council's Planning Enforcement Team.

The planning officer stated that an email received from the applicant, outlined that a speed restrictor could be installed to minimise the noise output.

Discussions took place between the officer and members regarding possible changes to the aesthetics of the fan, of which there are none, making sure that any restrictor could not be tampered with or over ridden.

An email from Councillor Egan in support of the application and the installation of a new control system to limit fan speed was tabled.

The Committee received verbal representation from Dr Sris Kandarajah, on behalf of the London Sivan Kovil Trust (LSKT) who read from a pre-printed email, copies of which were circulated to members. The points in the email broadly outlined included:-

1. The fan always operates at a speed of 2.5
2. Officers smelt no odours at speeds of 2.5 and 6 whilst cooking occurred
3. At speed of 6, noise found to be above acceptable level.
4. No occasions we need the fan to be above 2.5
5. Manufacturers confirmed they can fix fan to have a maximum speed of 2.5 which will be installed within next three weeks
6. Gas inspection on 24<sup>th</sup> August 2017 confirmed all appliances comply with requirements of 2.5 fan speed
7. LSKT is a registered charity provides free hot meals at lunch time to between 25-100 local people and has done so for 24 years

Councillor Walsh asked Dr Kandarajah whether it was necessary for the duct to be so large, noting its visual impact. Dr Kandarajah stated that it had been there for 6 years. Members asked Dr Kandarajah why the Trust had opted for this particular system and if the new control system when installed would be able to be tampered with. Dr Kandarajah stated that it would be tamper proof and said that there had been no complaints about the system when it was first put in.

The committee received verbal representation from Mr Rodriguez, resident at number 8 Clarendon Rise, Mr Murdoch, resident at number 4 Mercia Grove and Dr Spears. Mr Rodriguez said that the property was being used like a restaurant in that the kitchen/fan was in use 7 days a week and it was inappropriate to vent over residential properties. As such neighbouring occupiers were having their quality of life detrimentally affected.

Dr Spears told members that this ventilation system had only been on site 18 months, before which there had been a small chimney installed in 2012. The vent operation times can begin before 6am and not finish until after 12am. There are two fans and the noise and smell emanating from them means that windows must be kept closed and rear gardens cannot be enjoyed by neighbours. Dr Spears stated that she realised a ventilation system was needed, but that it should be moved over to the courtyard area.

Mr Murdoch said that Mercia Grove is in a conservation area, the ventilation system does not have planning permission and the size and siting of the duct needs to be looked at.

Councillor Jeffrey asked the objectors if any other fans in Lewis Grove had affected properties in Mercia Grove. Dr Spears answered that due to their proper siting, they had not. The Councillor stated that she had received complaints about the fans since 2010. Members

debated the methods of physically restricting the fans and their size. Councillor Walsh said that he had great sympathy for the Trust, however, they had been misled by their supplier who had sold them a system that was inappropriately large and unnecessary for their requirements.

Councillor De Ryk agreed and said that visual impact should be added as a reason for refusal, along with noise and vibration.

Councillor De Ryk proposed a motion to accept the officer's recommendation, it was seconded by Councillor Walsh

Members voted as follows:

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

RESOLVED: That the application DC/16/098621 be refused due to noise, vibration and detrimental visual impact.

4. 1b The Parade, Wells Park Road, SE26 6JD (Item 4 on the agenda)

The Planning Officer Michael Forrester outlined the application for a top floor studio flat contained within the original 2 storey rear projection of 1 The Parade, to include the replacement of roof tiles, two of the first floor windows and the installation of a window and Juliet balcony to the rear elevation and the installation of two roof lights to the side roof slope. The application is retrospective in respect of the two windows, two roof lights, Juliet balcony and door. The proposed porthole window has not been installed. The officer outlined the objections received. Members were asked to approve officer's recommendation to grant planning permission.

The Committee received verbal representation from Mr Biss the owner of the property. He stated that the Juliet balcony affords no additional view than already existing. Councillor Walsh directed his comment to Mr Biss stating that it was unacceptable to undertake any development without first gaining permission from the Council. Councillor Paschoud asked if Mr Biss was still looking for permission for the proposed porthole window, he confirmed that he was.

The Committee received verbal representation from Mr Krutell a neighbour living on the ground floor adjacent to No.1. His objection being the loss of privacy to his property due to differences in garden levels.

Members discussed these concerns.

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

Members voted as follows:

FOR: Councillor Amrani (Chair), De Ryk, Paschoud, Jeffrey, Kennedy, Till and Bourne.

ABSTAINED: Councillor Walsh

RESOLVED: That planning permission be granted in respect of application No. DC/17/100260.

Russell Brown (Planning Officer) left the meeting.

5. Our Lady and St Philip Neri RC Primary School, 208 Sydenham Road, SE26 5SE  
(Item 5 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 18 regarding specifications and programme delivery regarding footpaths, lighting, waste bins and soft landscaping. The officer highlighted the proposed treatments and siting of the lights and bin.

Councillor Amrani drew members' attention to Councillor Curran's objection regarding insufficient lighting in the park.

The Committee received verbal representation from Annabel McLaren from the Sydenham Society who was also representing Friends of Home Park and Friends of Fairlawn Park. Concerns were raised over existing parking in the area. Ms McLaren said that the School wanted to encourage vehicle parking in Winchfield Road as there was a greater parking opportunity here than on other roads. As a consequence she wanted to see a new footpath from the Winchfield Road entrance to the new school entrance within the park. Ms McLaren said it was imperative that there was an attractive school entrance to encourage parents and children to use it. The existing pathway is pot holed and in poor condition and as such should be upgraded.

Councillor Walsh stated that if the pathways were unsafe, then it would be up to the Council to resurface them and this would fall outside the scope of the condition. Councillor Walsh said he thought the proposed lighting to be adequate around the school area.

Councillor Walsh moved a motion to approve the officer's recommendation and discharge the condition. It was seconded by Councillor Jeffrey.

Members voted as follows:

FOR: Councillors Amrani (Chair), De Ryk, Bourne, Kennedy, Walsh and Jeffrey

AGAINST: Councillor Paschoud (Vice-Chair)

ABSTAINED: Councillor Till

RESOLVED: That Condition 18 be discharged in respect of application No. DC/17/100284.

The meeting ended at 8.35pm. Chair

14<sup>th</sup> September 2017



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Committee	PLANNING COMMITTEE A	
Report Title	Beckenham Place Park, BR3	
Ward	Bellingham	
Contributors	Suzanne White	
Class	PART 1	19 <sup>th</sup> October 2017

<u>Reg. Nos.</u>	(A) DC/16/099042 (FUL) (B) DC/16/099043 (LBC)
<u>Application dated</u>	08.11.17 [as revised up to 12.09.17]
<u>Applicant</u>	London Borough of Lewisham (Regeneration and Asset Management)
<u>Proposal</u>	The proposed regeneration of part (west of rail line) of Beckenham Place Park, Beckenham Hill Road, BR3 comprising of: the rebuilding and change of use of the stable block to include a café (A3) and education use (D1); alterations to and change of use of the Gardener's Cottage for volunteer use (D2); alterations to and refurbishment of Southend Lodge and extension of associated park depot, including the provision of new storage buildings; alterations to and refurbishment of the Gatehouse; demolition of park storage and toilet structures; excavation to provide a lake and wetland area with associated boardwalk areas; relocation and extension of car park; and extensive landscape works including re-contouring of land, re-surfacing of existing paths, provision of new paths, new street furniture, play and gym equipment, boardwalks, lighting, signage and boundary treatment; tree removal and new planting.
<u>Applicant's Plan Nos.</u>	DEM-100 Existing Stable Block, EX-100 Existing Stable Block, EX-200 Existing Stable Block Elevation, PL-105, PL-106, PL-107, PL-108, PL-109, PL-150, PL-151, PL-152, PL-155, PL-156, PL-157, PL-160, PL-200, PL-201, PL-300, REP-100, REP-100, REP-200, REP-250, REP-251, REP-252, Cleveland -01; Cleveland -02; LD_PLN_301A; LD_PLN_304A; LD_PLN_305A; LD_PLN_215A; LD_PLN_216A; LD_PLN_217A; LD_PLN_218A; LD_PLN_219A; LD_PLN_220A; LD_PLN_221A; LD_PLN_210A; LD_PLN_211A; LD_PLN_212A; LD_PLN_000A; LD_PLN_001; LD_PLN_002A; LD_PLN_402A; LD_PLN_403A; LD_PLN_407A; LD_PLN_408A; LD_SEC_500A; LD_SEC_501A; Landscape Design And Access Statement, Landscaping M + E Services Report, Geo-Environmental Assessment, Design And Access Statement, Design And Access Appendix II Schedule Of Internal & External Works- Stable Block, Design And Access Appendix III Structural Report For Stable Block, Design And Access Appendix IV Structural Proposals For Stable Block, Design And Access Statement Ventilation Statement And Services Proposals, Statement Of Community Engagement, Tree Survey, Sustainability Statement, Crime Prevention And Safer Places Report, Lighting Assessment And Strategy, Delivery And Servicing Plan, Construction Method Statement, Archaeological

Impact Assessment, Flood Risk Assessment, Ecology Appraisal Report, Structural Condition Of Boundary Wall Survey, Transport Statement, Travel Plan And Parking Management Plan (received 22nd November 2016); and Conservation Management Plan -Archaeology Extracts (received 8th December 2016);

Conservation Management Plan extracts (received 8th December 2016); Archaeological Desk-based Assessment (PCA, February 2017) (received 3rd February 2017); Ecological Appraisal (LUC, February 2017) (received 22nd February 2017); Restoration Feasibility Study for the Lake at BPP- Hydrology Report (Irriplan, August 2016) (received 10th April 2017); EX-151; EX-251; EX-252; EX-250 (Southend Lodge elevations as existing); EX-250 (Gatehouse and Southend Lodge elevations as existing); PL-100 Rev F; PL-105 Rev C; REP-252; PL-251; PL-250; PL-108 Rev P1 (received 15th May 2017); Archaeological Evaluation (PCA, May 2017) (received 18th May 2017); (90)LD 103; (90)LD 104; (90)LD 105; Revised depot area proposal for planning (BDP, 06.07.17); Revision to boundary treatment proposal to depot area statement; PL-200 Rev D; Parkland Restoration: Visualisations; Management and Maintenance Plan (LUC/CFP/LBL, August 2016); Historical Statement – Kiosk (TFP, January 2016); Responses to Consultation with Planning Officers (LBL) (received 11th July 2017); (90) LD 101 R01; (90) LD 102; (90) LD 107; 6429\_LD\_PLN\_302 (received 31st August 2017).

#### Background Papers

- (1) Case File LE/250/D/TP
- (2) Local Development Framework Documents
- (3) The London Plan

#### Designation

Area of Archaeological Priority, Site of Importance for Nature Conservation, Local Nature Reserve, Metropolitan Open Land, Ancient Woodland (part), Conservation Area (part), Green Chain, Flood Zone 2/3, PTAL 0-3

#### Screening

06.10.2017 - under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 an Environmental Impact Assessment is not required

### **1.0 Introduction**

- 1.1 These planning and listed building consent applications have been made on behalf of the London Borough of Lewisham.
- 1.2 Beckenham Place Park is the largest area of publicly accessible open space in the Borough, extending to 96ha. In 2014, the Council submitted a Stage 1 bid to the Heritage Lottery Fund (HLF) for the regeneration of Beckenham Place Park through the Parks for People programme, which was approved. In December 2016 the Stage 2 bid was approved by the HLF, releasing £4.7m in funding for the restoration programme.
- 1.3 The present planning and listed building consent applications relate to the programme of works for which the HLF funding has been secured. Not all of the works within the current regeneration plans require planning permission, however all have been included in these

application submissions given the scale of the project and to provide a full picture of the scheme.

## **2.0 Property/Site Description**

- 2.1 Beckenham Place Park is a 96ha public park located in the south of the borough, adjoining the London Borough of Bromley on its southern edge. The park is bounded on its northern, southern and western edge by residential streets and properties and on its eastern side by playing fields. The park is divided by a railway that runs roughly north-south.
- 2.2 The application site, comprising land to the west of the railway, is 71.5ha including 18ha of woodland including 13ha of Ancient Woodland. The majority of the application site was previously laid out as a golf course. Within the site is a Grade II\* listed Mansion as well as the Grade II listed Stable Block, Stable Cottage, Gardener's Cottage and Walled Garden, Southend Lodge and Gatehouse. The site is an Area of Archaeological Priority and the south western part is the Beckenham Place Park Conservation Area.
- 2.3 The Mansion was built in the mid-18th century for John Cator who later became Sheriff of Kent and a Member of Parliament. The site was acquired from the Cator Estate by the London County Council in 1927, transferred to the Greater London Council in 1967 and then to the London Borough of Lewisham in 1971. During the 20th century the Park was used for a range of sports including golf, football and tennis as well as public open space.
- 2.4 Vehicular access to the application site is from Beckenham Hill Road next to Southend Lodge. Vehicular access is also possible from Beckenham Place Park however this access is gated and with drop down bollards that prevent general access. Pedestrian access is also available from these entrances and from Braeside, Westgate and Crab Hill. The Beckenham Place Park, Westgate and Crab Hill entrances are within the London Borough of Bromley.
- 2.5 The application site slopes gently from the around the Mansion House located towards the western boundary of the application site, down to the centre of the application site before rising again towards the south eastern corner.

## **3.0 Planning History**

- 3.1 DC/04/058341- Listed Building Consent in respect of internal and external alterations to The Mansion House, Beckenham Place Park, Beckenham Hill Road SE6, together with the formation of an access ramp, the removal of railings to the front and the refurbishment of the men's and women's wcs on the first floor of the building. Granted 23.02.05.
- 3.2 DC/05/058844- Listed Building Consent for internal and external alterations to the Garden Cottage, Beckenham Place Park BR3, including the construction of a replacement single storey extension to the front. Granted 25.04.05.
- 3.3 DC/05/059141- Internal and external alterations to the public toilets adjacent to the Mansion House Beckenham Place Park, Beckenham Hill Road BR3, including the formation of a new door opening and wheelchair access ramps, together with internal and external alterations to the Garden Cottage and the construction of a replacement single storey extension to the front. Granted 24.02.05.
- 3.4 DC/09/071650- The provision of a new pedestrian/cycle track from Ravensbourne Avenue, through Summerhouse Meadows at Beckenham Place Park, Beckenham Hill Road BR1. Granted 15.10.09.
- 3.5 DC/11/077107- Listed Building Consent in respect of the removal of 3 dormer windows in the front and sides of The Mansion, Beckenham Place Park, Beckenham, and their replacement with 3 roof lights in the front and side roof slopes. Withdrawn.

- 3.6 DC/12/079533 & DC/12/079544- Listed Building Consent and planning permission for the construction of a steel palisade security fence across the stable yard of The Homestead at Beckenham Place Park, Beckenham BR3, for a temporary period. Granted 20.04.12.
- 3.7 DC/16/097594- The construction of a community BMX cycling facility comprising a limestone grit track, landscaped grass mounds and a temporary storage unit at Beckenham Place Park, BR1. Granted 17.05.17.
- 3.8 DC/16/098117- Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, as amended, in respect of the proposed regeneration of part (west of rail line) of Beckenham Place Park, Beckenham Hill Road, BR3 comprising of: the rebuilding and change of use of the stable block to include a café (A3) and education use (D1); alterations to and change of use of the Gardener's Cottage for volunteer use (D2); alterations to and refurbishment of Southend Lodge and extension of associated park depot, including the provision of new storage buildings; alterations to and refurbishment of the Gatehouse; demolition of park storage and toilet structures; excavation to provide a lake and wetland area with associated boardwalk areas; relocation and extension of car park; and extensive landscape works including re-contouring of land, re-surfacing of existing paths, provision of new paths, new street furniture, play and gym equipment, boardwalks, lighting, signage and boundary treatment; tree removal and new planting. Screening Opinion issued 02.10.2017. Environmental Impact Assessment not required.

#### **4.0 Current Applications**

##### The Proposals

- 4.1 The planning and listed building consent applications cover a range of works within the grounds of Beckenham Place Park west of the railway line comprising:
- re-building and change of use of the Grade II listed Stable Block to include a café (A3) and education use (D1);
  - alterations to and change of use of the Grade II listed Gardener's Cottage for volunteer use (D2);
  - alterations to and refurbishment of the Grade II listed Southend Lodge and extension of associated park depot yard, including the provision of three new storage buildings;
  - alterations to and refurbishment of the Gatehouse;
  - demolition of park storage, toilet structures, tennis kiosk and fencing;
  - excavation to re-provide a lake and wetland area with associated boardwalk areas; relocation and extension of car park;
  - landscape works including re-contouring of land, re-surfacing of existing paths, provision of new paths, new street furniture, play and gym equipment, boardwalks, lighting, signage and boundary treatment;
  - tree removal and new planting.
- 4.2 The proposals form the first stage in a phased programme of works aimed at restoring and regenerating the historic Beckenham Place Park and buildings to extend and expand its use, and promoting a wider appreciation of the built and natural heritage within the park. Works to restore the Stable Block damaged in a fire in 2011 are proposed, however works

to the Mansion House, Foxgrove and Stable Cottage (within the current application site), other than the impact to their setting, do not form part of the current application.

## **5.0 Consultation**

5.1 This section outlines the consultation carried out by the applicant prior to submission and by the Council following the submission of the application and summarises the responses received.

### Pre-Application Consultation (by applicant)

5.2 The applicant has submitted a Statement of Community Involvement (applicant's SCI) which details the level of community consultation completed prior to the submission of the application. This document details the consultation carried out by the applicant in the 12 months preceding submission of the application. The consultation can be summarised as follows:

- Meetings held with stakeholders: Friends of Beckenham Place Park, London Wildlife Trust, Green Chain Network, Lewisham Cyclists, Ravensbourne Valley Preservation Society, Rushey Green Time Bank, agencies involved in supporting volunteering in Beckenham Place Park, grounds maintenance staff.
- Local Assemblies & Neighbourhood Meetings attended: Whitefoot Local Assembly, Downham Local Assembly, Bellingham Interagency group, the Beckenham Society and Friends of Beckenham Place Park
- Education Survey: included 89 schools within 2km of park. 30 schools responded (34%). Responses suggested that, while schools participate in learning outside the classroom activities, there are barriers to use of Beckenham Place Park consisting of lack of information on what to do and a lack of facilities.
- Children and Young Persons Survey: online survey January-March 2016 of young people (7-16 years). 189 responses received. Frequency of visits low. High levels of interest in outdoor activities and events including: outdoor fairs (81.0%), cookery related events (71.4%), outdoor theatre / cinema (70.9%), sports competitions (63.0%), craft / art activities (63.0%), exercise / fitness sessions (61.9%) and bush craft activities (49.2%).
- Discussion Groups: 5 held in February 2016 attended by 39 people including park users, Friends of BPP, golfers, local residents and representatives of interest groups.
- Public exhibition 1: February & March 2016. Staffed display held at 9 venues on different days of the week and times of day. Approx. 500 attendees. 226 surveys completed. Advertised on Council website and through email lists. Key comments: park in poor-average condition; walking very important to users; café and toilets in stable block supported; nature and wildlife events important; interest in range of events that could be held; larger scale (+5,000 people) events should be limited to 2 per year.
- Public exhibition 2: May-July 2016. Staffed and unstaffed display held at 8 venues on different days of the week and times of day. Approx. 300-400 attendees. 207 surveys completed. 67% scored the proposals 8,9 or 10 in terms of support. Advertised on Council website and through email lists.

### Pre-application discussions

5.3 Pre-application discussions were undertaken between the Local Planning Authority (LPA) and the applicants. A Planning Performance Agreement was signed between the LPA and the applicant in July 2015.

### Statutory consultation by Council

i) Written Responses received from Local Residents and Community Groups

- 5.4 The application was advertised in a local paper (the News Shopper), site notices were displayed on site and letters were delivered by mail drop to 2,914 local residents and businesses. The application and associated documents were also posted on the Council's website in the usual way.
- 5.5 In response to the Council's statutory November 2016 consultation, a total of 53 responses were received from the local community. The breakdown of these was 45no. objections (of which 18 were template letters), 2 in support and 6 leaving comments only. At the time of writing (9 October 2017) four respondents have stated further objections in response the September 2017 re-consultation relating to amended plans and further information, and these objections have been taken into account in the preparation of this report. The re-consultation runs to 11 October 2017 and any additional comments that are received will be taken into account by officers, and any consequent changes officers consider necessary to the considerations and recommendations in this report will be set out in an addendum report.
- 5.6 The objections by the public have raised the following issues set out below in this paragraph. However, the objections relating to the closure of the golf course are considered by officers to be of no relevance to the determination of these applications and therefore are not material planning considerations. The proposed physical changes to the landscape of the Park, including the re-provision of the lake, the re-location of the car park, extension of the depot yard and re-contouring of part of the Park (including the golf course), as well as the rebuilding and alteration of the listed buildings, require planning permission and listed building consent and representations in respect of these elements are material considerations in the determination of these applications.
- 5.7 The objections are summarised below:-

Highways

- Increased parking demand, additional/insensitive parking in neighbouring streets, maintenance of private roads
- Need for controls on access, traffic control measures, parking enforcements, routing of vehicles to be implemented
- Adequate provision to be made for siting of events, noise control, security and rubbish clearance
- Park gate at entrance 4 on Fig 2.1 of Transport Statement to remain closed except for emergency vehicles
- Parking restrictions on Beckenham Place Park (road) and Westgate Road should be implemented. Any impacts by park users should be mitigated.
- Transport Statement states that attendees of events can park in local roads including Beckenham Place Park and Westgate Road
- No mitigation put forward to manage parking
- Construction traffic impacts: number of movements and routing
- Unsubstantiated predictions of increased visitor numbers
- Vehicles parking on access road due to increased visitor numbers (September 2017 consultation response)
- Lack of clarity over whether gates to Beckenham Place Park (road) would be open or closed (September 2017 consultation response)

Park/Sports facilities/Land use

- Loss of golf course (and associated heritage value) and tennis facilities, with consequent reduction in visitor numbers

- Sufficient space for some golf facilities, tennis courts to be retained and riding school to be provided
- Lake for small number people doesn't outweigh destruction to environment
- Little provision for over 50s
- The replacement of one type of open space with another is contrary to London Plan Policy 7.18 (Protecting open space and addressing deficiency)
- London Plan Policy 2.18 (Green infrastructure: the network of open and green spaces) provides for the retention of sporting facilities and London Plan Policy 3.19 (Sports facilities) and 4.6 (Support for and enhancement of arts, culture, sport and entertainment provision) provide protection against development which involves loss of sport without sufficient justification
- Excavation of lake contrary to Metropolitan Open Land policy (size of lake in context of park, visual and promenading value)
- The proposals are not compatible with the 'countryside' feel of the Park
- Proposals remove all formal recreational sport
- Proposals for individual sports more restrictive in space would reduce existing freedom of movement for general populace
- No need for new education facility or lake, given existing pond
- The existing Visitor Centre use, located in the Mansion, is not guaranteed
- Lack of provision for a Visitor Centre in the Stable Block or in future plans for other buildings on the site (September 2017 consultation response)

#### Events

- Should not take place near houses
- Number and frequency should be limited and within appropriate noise levels
- Liaison with LB Bromley for each event in respect of traffic and impact on residents
- Adequate crowd control and rubbish clearance required
- Could impact normal use by park users
- 400 events for 70,000 people (sustainability statement)
- Need to understand size of largest events and their frequency
- Parking for organisers and equipment
- Ensure access for emergency vehicles maintained
- Concern over open-air broadcasting of music or announcements
- Recent cyclocross event in front of Mansion not compatible with heritage of site
- Access for emergency vehicles to be maintained (September 2017 consultation response)
- Lack of clarity over number of large events, 6 or 10 per year. (September 2017 consultation response)

#### Design

- Impact on views from Mansion
- Destruction of mature landscape and replacement with whip trees
- No provision for changing facilities for swimmers
- Question adequate maintenance of lake
- Reduction in footpaths and routes for pedestrians only, without risk from cyclists
- Query water supply to the lake
- Lake not technically feasible, either to fill initially or maintain. Request sight of Thames Water response (September 2017 consultation response)

#### Heritage

- Loss of ancient kiosk between tennis courts
- Nothing of significance in 18<sup>th</sup> Century parkland, real heritage of park is period since 1927 when it became a public golf course

- Potential building remains to the west of the road through the park
- Concern that historic character of the park would be eroded by shifting balance towards sports activities
- Concern that sports activities (especially cycling) will erode historic character of Park (September 2017 consultation response)

#### Amenity

- Lake could be target for fly tipping
- Loss of jobs (café and golf course)
- Noise and disturbance arising from increased usage of Park and surrounding streets for parking

#### Security and crime prevention

- Anti-social behaviour if gates re-opened. Recent spate of vandalism. On police records
- Park feels less safe due to less people around since golf course removed
- Security for properties backing on to the Park should be considered and appropriate fencing/planting provided (e.g. Benbury Close)

#### Environmental

- Unnecessary removal of mature trees. How many replacements? Contrary to London Plan 7.21 (Biodiversity and access to nature)
- Pollution (increased CO<sub>2</sub>) due to loss of trees
- No consideration for wildlife made
- Destruction and disruption of local habitat for wildlife, particularly bat roosting trees and badger setts, due to lake excavation and tree removal contrary to LP 7.19
- Impact on wildlife from construction vehicles
- Possible pre-emparkment features in ash plantation
- Park should be protected as semi-natural space
- Park declared a local Nature Reserve in 2006 and identified as an area of Importance for Nature Conservation in Lewisham's Local Plan
- Potential impact on flora and fauna arising from informal mountain bike routes
- Omission of an Environmental Statement
- Impact of lake on existing ecological balance
- Query whether sufficient human resources will be available to maintain the nature conservation
- Concern that sports activities (especially cycling) will impact on Bluebell woods, acid grassland and natural regeneration of species (September 2017 consultation response)
- Ecological impact study should be undertaken to evaluate impact of replacing existing habitats with others (September 2017 consultation response)

#### Procedural

- Insufficient time given to respond and inconvenient timing of consultation (around Christmas)
- Notices not displayed at Foxgrove/CrabHill entrance board
- Inadequate consultation by applicant. Submitted Statement of Community Involvement fails to record extent of local opposition to the regeneration scheme
- Bromley Council not consulted
- Notices not displayed at Mansion and Beckenham Hill notice boards (September 2017 consultation response)

5.8 Additionally, the following matters were raised:

- Why are the building and landscape works part of the same application?
- Concern that Council's decision won't be impartial
- Lewisham have failed for years to maintain the park buildings
- Lack of consultation on closure of golf course
- Potential algae/bacterial blooms/Weil's disease arising from lake
- Possible collusion between LB Lewisham & the HLF
- High and unsubstantiated cost of implementing and maintaining scheme
- Health and safety issues, particularly in relation to the proposed lake
- Water supply for lake and maintenance of water quality
- Query whether the Planning Committee would have read all application documents
- Query how the Planning Service will ensure the application is adjudicated fairly

5.9 Two letters of support were received, making the following comments:

- An innovative and forward thinking plan to increase use of a neglected resource, though need measures to encourage travel by public transport e.g. signage at local stations, travel information on park website
- Wonderful to be able to walk across the open spaces of the park where the golf used to be. Feel safe using park now because open spaces available, as opposed to only the wooded areas previously. Believe the parkland is a much more democratic and female friendly place without the golf
- Fire that destroyed roof of Stable Block represents a serious loss of our heritage and Cator history and needs urgent restoring
- Proposed use of other buildings on site to create a café, exhibition and studio space are all supported to increase and widen community use and education
- Landscape sits in an area of strong archaeological interest and closure of golf course allows for ground surveys that will yield hidden remains of great interest
- The planning application helps to realise aspects of the recently awarded Heritage Lottery funding namely improve and widen the leisure offer on site with a new lake, better pathways and community events. Improved parking is essential.
- Communities come to be defined by their history and at present, knowledge of Beckenham and Lewisham's history is poor especially the Cator legacy in creating the suburb of Beckenham. Many narratives to be told and Beckenham Place Park an ideal location to educate and explore the past. David Bowie practised in the park and was a local resident and that association could be another potential attraction for visitors.
- The combination of decades of golf and under-investment in Beckenham Place Park has led to both the Park and the Mansion complex being under-used and appreciated. The planning applications are a vital first step in rejuvenating the Park with the ultimate goal in mind of restoring the Mansion itself.

5.10 Concerns were also raised with regard to the consultation of the application in terms of timing, scope and difficulty in accessing the application documents online.

*Beckenham Place Park Community Trust*

5.11 The Trust notes their support for the refurbishment of the park buildings, but objects to the proposals on the following grounds:

- Golf course is an important heritage asset. First public golf course in England. Provides an important inner city community asset and recreation resource. No rational justification for the removal of golf course and restoration of private landscaped gardens of an unremarkable 18<sup>th</sup> century gentleman

- Inadequate pre-application consultation by Lewisham Council
- Golf course wouldn't prevent new activities
- Survey by Trust had 431 respondents, of whom 59% strongly disapproved of golf course closure
- Proposals not in accordance with Development Plan because:
  - Loss of sporting, community and recreational facilities London Plan 2.18 (Green infrastructure: the network of open and green spaces), 3.9 (Sports facilities), 4.6 (Support for and enhancement of arts, culture, sport and entertainment provision), CS 6 (Conservation areas, heritage assets and the historic environment), CS19 (Provision and maintenance of community and recreational facilities)
  - Supporting information fails to adequately address the impact of the proposed development on transport and traffic in the Beckenham area. Insufficient additional parking for estimated increased visitor numbers London Plan 6.3 (Assessing effects of development on transport capacity) & 6.14, CS 14
  - The proposal fails to 'design out' crime. Concerns over safety walking in the ancient forest, particularly due to loss of activity associated with golf course London Plan 7.3 (Designing out crime)
  - The golf course is a fundamental aspect of the local character of the area London Plan 7.4 (Local character)
  - Application fails to recognise the heritage value and significance of the golf course LP 7.8, 7.9, CS 6.180, CS16, DM37, DM38, NPPF 109
  - Inappropriate on Metropolitan Open Land, particularly the lake which is unwanted and detracts from the amenity of the open area LP7.17, NPPF, CS12, CS 7.115
  - Inappropriate replacement of one type of open space with another LP7.18, NPPF 12
  - Loss of habitat, including bat roosts, with insufficient mitigation LP 7.19, NPPF 117
  - Unnecessary tree removal and inadequate replacement with 'whips' LP7.21.
  - Noise nuisance from events and encouragement of anti-social behaviour

#### *The Friends of Beckenham Place Park*

5.12 A Park User Survey for the Park dated Autumn 2015 was submitted by the Friends, raising the following points:

- The Friends are a park user group established in 1996 for the conservation, heritage and environment of the park. The Friends run the visitor centre in the Mansion.
- The survey was carried out to inform people of the proposals, find out why people visit the park, obtain their opinion on the proposed changes and ascertain ways they would like to see the park improved. 431 surveys were collected. Golfers were not targeted.
- The responses indicated:
  - 47% visit weekly
  - Main reasons for visiting (in order of popularity) are walking, enjoying nature, relaxing, Mansion and formal gardens, café, socialising, sports, dog walking
  - Strong support for restoration of historic buildings, removal of temporary structures, provision of new play facilities
  - Mixed opinion on provision of new cycle tracks, relocation of car park,
  - Disapproval of relandscaping of park and organised events

5.13 The Friends also submitted two reports, one in respect of a cycle event that took place in the Park in December 2016 and one that considered recent works in Ladywell Fields as an alternative.

- 5.14 The Cyclocross report raised concern with damage to the park and restrictions on access for others on the day it was held.
- 5.15 The Ladywell Fields report expresses concern about the imposition of structures and activities on Beckenham Place Park which may alter its character, particularly in terms of its tranquillity.
- ii) Drop-in session
- 5.16 A Drop-in session was held on the 25<sup>th</sup> January 2017 at the Green Man Bromley Road from 3.30-7.30pm and was attended by approximately 40 local residents and ward councillors (26 signed attendance sheet). The planning case officer and applicant team (LBL Regeneration Officers, landscape architect and ecology consultants) were in attendance to answer queries.
- 5.17 Three attendees left written comments, summarised as follows:
- Disappointing removal of golf, football and tennis facilities. If they'd been maintained they'd be used.
  - Cycle facilities come at great cost and lost opportunities for the golfers, tennis players and footballers
  - Decision seems a done deal
  - Removes a sporting facility that would have afforded young people from poorer backgrounds an activity that could have kept them fit and engaged
  - In all 250 acres there is nothing save a BMX track tucked away and a lake for middle class triathletes
  - Inadequate and manipulated consultation by applicant
  - Loss of popular, income generating public golf course and replacement with untried and untested activities such as swimming and cycling
  - Car park only increasing by 36 spaces though 400 events and an additional 70,000 visitors anticipated
  - Golf course is a heritage asset
  - Nothing in planning documentation to explain how water will be supplied to the lake
  - Health and safety concerns in respect of lake
  - Removal of several hundred trees and replacement with 'whips'
  - While more visitors will be attracted by events, the park will be almost empty at periods in the winter and may attract antisocial behaviour
- 5.18 Given the above actions, satisfactory consultation has been undertaken in line with the Council's SCI and legislative requirements.

#### Other Consultees

- 5.19 Other consultees, including statutory agencies, community groups and associations, Council departments and external consultees were notified. Where responses were received, these are outlined below:-

#### *Environment Agency*

- 5.20 No objection to the proposals, subject to conditions in respect of the control of infiltration and ground contamination.

#### *Historic England- Archaeology*

- 5.21 Initial feedback from the Greater London Archaeological Advisory Service (GLAAS) identified the need for a detailed desktop archaeological assessment to be submitted. Once this was submitted, Historic England advised that trial pits should be undertaken in the area

of the proposed car park in order to establish if this was the location of an earlier Mansion house. The results of the trial pits revealed no finds.

#### *Historic England- Buildings*

- 5.22 Historic England expressed overall support for the proposals. Their comments on specific elements of the scheme are summarised as follows:

#### The Stable Block

- 5.23 The Grade II listed Stable Block at Beckenham Place Park dates from the late 18<sup>th</sup> century and served as the main stables to the Grade II\* Beckenham Place Mansion. The Stable Block is a long-standing entrant on Historic England's Heritage at Risk Register, and the building is currently in an extremely poor condition following a devastating fire in 2011. Since the fire, Historic England has been working closely with the London Borough of Lewisham and its consultants regarding the proposed redevelopment of the site. Historic England is very supportive of this scheme in principle which seeks to raise the profile of the Park, enhance its historic value, and provide the Stable Block with a sustainable long-term use which should facilitate its removal from our Heritage at Risk Register. Having reviewed the submitted plans, we are very encouraged that the proposed layout for the Stables responds to the advice we have made throughout the pre-application process. We are also very encouraged by the proposed high quality conservation-led approach to materials and detailing, including the lathe and plaster ceilings, sash windows, and Welsh slate roofing. It is a shame that the repair and reuse of the north-facing stable yard cottages have not been included in this current project. We are aware that a public consultation was undertaken by your Council during the summer regarding potential new uses for these cottages, as well as for the Foxgrove Club, and most importantly the Grade II\* Mansion itself. We would continue to encourage your Council to actively explore new uses for these important heritage assets so a cohesive scheme for Beckenham Place Park can be delivered.

#### Wider Landscaping Proposals

- 5.24 Although Beckenham Place Park is not included on Historic England's Register of Parks and Gardens, it is partially covered by Conservation Area status, and provides an open landscaped setting for the Grade II\* listed Mansion. However, the golf course re-landscaping in the 1930s, and subsequent changes have compromised the integrity of the Mansion's designed landscape. We are therefore supportive of this project, which seeks to relocate the parking away from the Mansion, and reinstate many lost features of the 18th century landscape including the pleasure ground and the central lake, as well as important vistas to and from the Mansion. This, in turn, should enhance the setting of the Grade II\* Mansion and the character of the Conservation Area.
- 5.25 In respect of the Grade II Gardener's Cottage, Grade II Southend Lodge, and Grade II Gatehouse, Historic England noted that these elements of the scheme are technically beyond their remit and the advice of the Council's Conservation Team should be sought.

#### *Sport England*

- 5.26 Sport England initially objected on the grounds that the proposals would result in the loss of land which constitutes a playing field. It was subsequently identified that there is no land within the application boundary which constitutes a playing field (i.e. land used within the last 5 years for field sports) and therefore there were no statutory grounds for objection on this basis. Sport England nonetheless maintains a non-statutory objection to the loss of the golf course.
- 5.27 Sport England also consulted the Football Association (FA), Lawn Tennis Association (LTA) and England Golf. The FA identify that there are two pitches on the site which they believe

were last used in 2010/2011 and object to the proposals on the grounds of loss of playing pitches and lack of a playing pitch strategy for Lewisham.

5.28 The LTA note that the existing courts are in poor condition, though some people are still using them. Lewisham is identified as a 'focus borough' for the LTA and they therefore state that the loss of 3 courts is not something they would support in a borough that has a limited provision of courts. They therefore object to the loss of 3 courts in a focus area unless replacement provision is made in another part of the Borough. They describe a project whereby they are funding the renovation of four courts in the borough. They identify two nearby tennis facilities: Catford Wanderers which has capacity issues; and a site in Beckenham 2-3miles away.

5.29 England Golf object on the grounds that there is significant demand in Lewisham for golf and the proposals involve the loss of the only golf course in the borough. However they do also note there are numerous golfing facilities within the surrounding area.

*Thames Water*

5.30 No objections, subject to a condition requiring a piling method statement and informatives in respect of water pressure and construction over water mains.

*Metropolitan Police*

5.31 The proposed re-generation of Beckenham Place Park is obviously to be welcomed. From the Crime Prevention statement submitted, consideration has been given to the safety of people using this facility. Query whether there will there be lighting in the proposed car park area.

*Ancient Monuments Society*

5.32 No concerns about what is proposed at the Southern Gate Lodge, Gate House and Stable Block. Welcome the reasoned approach taken by the applicant's conservation architect. The proposed works respect all of the listed buildings' surviving historic features and offer a convincing design response to reinstatement where this is needed. It will be very important for works to be carried out as per the approved drawings – if not by the commissioned architects themselves, in a manner which fully respects their vision. Suggest this could be the subject of planning conditions.

5.33 It is a little disappointing that all the historic buildings are not being repaired at the same time – the Homestead would certainly benefit from being brought back into use. It is hoped that this second phase of the regeneration project will follow soon.

5.34 We also note that there are no plans for the Grade II\* Mansion within the scope of the current application. While we welcome the continued occupation of the house, we do feel that it would be better for the regeneration of Beckenham Place and its Park to be based on a holistic approach.

5.35 It would be useful to see a Conservation Plan for both Mansion and Park to see what has in the past been suggested. You may wish to consult Historic England on changes to the landscape. Although this is not Registered, it contains important surviving features which will need to be taken into consideration.

5.36 It is important to refer to a wider Conservation Management Plan (if one exists) so that all the works carried now can be incorporated into a wider regeneration of the Mansion and Park at a later date.

*Network Rail*

- 5.37 Detailed comments are provided with regard to works near the railway, however these are not planning considerations. Therefore the comments have been forwarded to the applicant and an informative has been specified advising the applicant to contact Network Rail for consent to works affecting their land.

*LB Bromley*

- 5.38 Whilst no objection is raised in principle to the current application, which does not include the hosting of additional events at the site, any existing or proposed events would impact detrimentally on car parking and general highway safety in Bromley and this should be considered. Current events result in considerable impact on Bromley residents and a solution for current and future overspill of parking onto Bromley roads should be found as part of the application, in compliance with Policies T1, T2, T3 and T18 of the Unitary Development Plan (Bromley). In addition, should permission be granted, a condition is suggested that any event expected to draw more than 100 participants to have a specific plan in place to address the provisions of parking spaces and access by vehicles.

*Ecological Regeneration Manager*

- 5.39 The Ecological Appraisal [EA] report by LUC is accepted and it is recommended that all the mitigation, enhancements and precautionary measures detailed in Chapter 5 of the report are implemented in full.
- 5.40 Precautionary tree felling measures discussed on site and articulated in the EA document re: Figure 8 & Appendix 9 are supported.
- 5.41 Given the project constraints the indicative chronology of woodland operations as detailed in Table 5.1 is acceptable.
- 5.42 Quantifiable mitigation/enhancement measures such as the installation of 21 bat boxes (as per Figure 8) should be conditioned and/or tied in to any permission. Other nest boxes for birds have been suggested (see section 5.60) and these are also to be welcomed. Quantifiable information about the products, number and placement should be agreed and form part of the permission.
- 5.43 In order that all mitigation, enhancements (including on-going monitoring and iterative management) are delivered for the whole park and all notable habitats & species, it is recommended that an integrated Landscape and Ecological Management Plan [LEMP] is conditioned as per the British Standard, Chapter 11 [BS 42020:2013 - "Biodiversity code of practice for planning and development"]. The Design and Access statement mentions the HLF requirement to produce a 10 year management and maintenance plan so marrying the two obligations for a 10 year period would appear to make sense.
- 5.44 As part of the planning process, all biological survey data collected should be provided to the Greenspace Information for Greater London [GIGL]. This should be supplied in an appropriate electronic format such as excel. An email acknowledgement from GIGL that this has been submitted would satisfy this obligation and I request that you choose the most appropriate means available to you to ensure this requirement is met.

*Environmental Health*

- 5.45 No objection subject to the imposition of a condition requiring Site Investigation.

*Highway Officer*

- 5.46 The proposal is unobjectionable subject to:-

- Details of the Wayfinding strategy within the park and to/from the nearby train stations (Beckenham Hill & Ravensbourne).
- Details of the parking management strategy (for the vehicular access roads within the park). Given the width of the vehicular access road within the park and the limited number of passing spaces on the road, this is required to ensure access for coaches and emergency vehicles maintained,
- The submission of a Construction and Logistics Plan (CLP), It should be submitted prior to the commencement of the development and should specify how the impacts of construction activities and associated traffic will be managed
- A planning condition to ensure the Travel Plan is implemented following the completion of the development, it should include targets, objectives and measures to encourage sustainable travel to the park and reduce the need to travel by car.
- The submission of a Delivery and Servicing Plan (DSP), the plan should include details of measures to rationalise the number and time of delivery and servicing trips to the site with the aim of reducing the impact of delivery and servicing activity.
- Details of the cycle parking within the park
- Details of Event Management Plan for the park, unless covered by licensing.

5.47 In addition, the applicant is required to secure:-

- Parking controls/waiting restrictions on the section of Beckenham Hill Road adjacent to the park to minimise the impact associated with an intensification of use at the park which will cause parking stress and congestion if unmanaged.
- Entry treatment works (tighten kerb radius - southern), the creation of a raised table and the installation of tactile paving at the vehicular entrance on Beckenham Hill Road (Gate 2), the works will improve pedestrian accessibility and will create safer walking routes into the park.

## 6.0 **Policy Context**

### Introduction

6.1 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)

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

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

#### National Planning Policy Framework

- 6.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 6.4 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

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

#### London Plan (2016)

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

Policy 1.1 Delivering the strategic vision and objectives for London  
Policy 2.9 Inner London  
Policy 2.18 Green infrastructure: the network of open and green spaces  
Policy 3.1 Ensuring equal life chances for all  
Policy 3.2 Improving health and addressing health inequalities  
Policy 3.6 Children and young people's play and informal recreation facilities  
Policy 3.16 Protection and enhancement of social infrastructure  
Policy 3.18 Education facilities  
Policy 3.19 Sports facilities  
Policy 4.5 London's visitor infrastructure  
Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision  
Policy 4.12 Improving opportunities for all  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.4 Retrofitting  
Policy 5.10 Urban greening  
Policy 5.11 Green roofs and development site environs  
Policy 5.12 Flood risk management  
Policy 5.13 Sustainable drainage  
Policy 5.15 Water use and supplies  
Policy 5.21 Contaminated land  
Policy 6.3 Assessing effects of development on transport capacity  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.11 Smoothing traffic flow and tackling congestion  
Policy 6.12 Road network capacity

Policy 6.13 Parking  
 Policy 7.2 An inclusive environment  
 Policy 7.3 Designing out crime  
 Policy 7.4 Local character  
 Policy 7.5 Public realm  
 Policy 7.6 Architecture  
 Policy 7.8 Heritage assets and archaeology  
 Policy 7.9 Heritage-led regeneration  
 Policy 7.14 Improving air quality  
 Policy 7.15 Reducing noise and enhancing soundscapes  
 Policy 7.17 Metropolitan Open Land  
 Policy 7.19 Biodiversity and access to nature  
 Policy 7.21 Trees and woodlands

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

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

Accessible London: Achieving an Inclusive Environment (2004)  
 Green Infrastructure and Open Environments (2012)  
 Shaping Neighbourhoods: Play and Informal Recreation (2012)

#### London Plan Best Practice Guidance

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

Development Plan Policies for Biodiversity (2005)

#### Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy  
 Spatial Policy 5 Areas of Stability and Managed Change  
 Core Strategy Policy 7 Climate change and adapting to the effects  
 Core Strategy Policy 8 Sustainable design and construction and energy efficiency  
 Core Strategy Policy 9 Improving local air quality  
 Core Strategy Policy 10 Managing and reducing the risk of flooding  
 Core Strategy Policy 11 River and waterways network  
 Core Strategy Policy 12 Open space and environmental assets  
 Core Strategy Policy 14 Sustainable movement and transport  
 Core Strategy Policy 15 High quality design for Lewisham  
 Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment  
 Core Strategy Policy 19 Provision and maintenance of community and recreational facilities  
 Core Strategy Policy 20 Delivering educational achievements, healthcare provision and promoting healthy lifestyles

#### Development Management Local Plan

6.10 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The following lists the strategic objectives, spatial policies and cross cutting

policies from the Development Management Local Plan of particular relevance to this application:

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

DM Policy 1 Presumption in favour of sustainable development

DM Policy 22 Sustainable design and construction

DM Policy 23 Air quality

DM Policy 24 Biodiversity, living roofs and artificial playing pitches

DM Policy 25 Landscaping and trees

DM Policy 26 Noise and vibration

DM Policy 27 Lighting

DM Policy 28 Contaminated land

DM Policy 29 Car parking

DM Policy 30 Urban design and local character

DM Policy 35 Public realm

DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest

DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets

DM Policy 40 Public conveniences

DM Policy 41 Innovative community facility provision

DM Policy 43 Art, culture and entertainment facilities

#### Planning Obligations Supplementary Planning Document (2015)

6.12 This document provides detailed guidance on the likely type and quantum of financial obligations necessary to mitigate the impacts of different types of development.

### **7.0 Planning Considerations**

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

- a) Principle of Development
- b) Landscape and Ecology
- c) Historic Buildings and Archaeology
- d) Highways and Traffic
- e) Other Considerations

#### Background to the Application

7.2 Beckenham Place Park extends to some 96 hectares with 18 hectares of woodland including nearly 12 hectares designated as Ancient Woodland. The rest of the Park is predominately open grassland. The principal area of the park, west of the railway line and the subject of the current application, extends to 71.5 hectares. Within the Park is the Grade II\* listed Mansion as well as Grade II listed Stable Block, Gardener's Cottage and Walled Garden, Southend Lodge and Gatehouse and Foxgrove.

- 7.3 The Mansion was built in the mid-18th century for John Cator who later became Sheriff of Kent and a Member of Parliament. The site was acquired from the Cator Estate by the London County Council in 1927, transferred to the Greater London Council in 1967 and then to the London Borough of Lewisham in 1971. During the 20th century the Park was used for a range of sports including golf, football and tennis as well as public open space. A golf course existed on the site from the early 20th century and was managed by and on behalf of a number of operators and as a public municipal course from 1934.
- 7.4 In 2014 the Council submitted a Stage 1 bid to the Heritage Lottery Fund (HLF) for the regeneration of Beckenham Place Park through the Parks for People programme. The masterplan supporting the HLF bid proposed the removal of the golf course as part of the overall scheme of landscape works. The Stage 1 bid was approved and in February 2016 Mayor and Cabinet agreed to the next stage of design work to support a HLF Stage 2 bid. At the same meeting Mayor and Cabinet approved the closure of the golf course and it was subsequently closed in October 2016. In December 2016 the HLF Stage 2 bid was approved, releasing £4.7m in funding for the restoration programme.
- 7.5 The proposed applications comprise a range of works including extensive landscaping works including removal of golf course features, excavation to re-provide a lake and wetland area, tree removal and planting; relocation and extension of car park; refurbishment, re-building and alterations to the Stable Block and Walled Garden, Southend Lodge and Gatehouse and Gardener's Cottage and the removal of the tennis kiosk. No works are proposed to the Mansion House, Stable Cottage or Foxgrove.

Principle of Development: Land Use

- 7.6 The existing use of the Park, including the open space and buildings within it, falls within Use Class D2 (Assembly and Leisure). Use Class D2 covers a wide range of indoor and outdoor leisure and recreational activities including indoor and outdoor sports. The individual buildings within the park have been used for a range of purposes over the years, including residential (staff accommodation in the Stable Block and Gardener's Cottage), office/staff facilities (Southend Lodge) and storage (Gatehouse). These uses have occurred intermittently and are considered ancillary to the primary use of the park for D2 purposes.
- 7.7 The proposed landscape works in the park include the introduction of new habitats as well as improved grassland, improvements to paths for cycling, running and walking as well as provision of new facilities, including a pleasure ground and swimming/boating on the re-provided lake. These activities fall under use class D2 and so do not represent a change of use for which planning permission would be required. As part of the current application the use of Southend Lodge (Park staff office/facilities) and the Gatehouse (storage) will remain as existing and the Gardener's Cottage (vacant) will provide facilities for volunteers involved in Park maintenance.
- 7.8 It is proposed to rebuild the fire-damaged Grade II listed Stable Block and convert it to a café (A3) and education (D1) use in association with and ancillary to the primary use of the Park for D2 purposes. These works are aimed at helping people understand and appreciate the built and natural heritage of the Park as well as providing a range of opportunities for informal sport and outdoor recreation.
- 7.9 Beckenham Place Park is designated as Metropolitan Open Land (MOL). The NPPF (para. 79-92 on Green Belts which applies equally to MOL), London Plan Policy 7.17 (Metropolitan Open Land) and Core Strategy Policy 12 (Open space and environmental assets) all seek to maintain the openness of the land and to prevent inappropriate development. The proposals for the park are predominately landscaping works comprising remodelling of the site together with tree removal and planting and re-provision of the lake. The proposals also include the re-building and restoration of the fire-damaged Stable Block. New buildings on the site are limited to the maintenance vehicle and equipment storage

structures within the depot area, balanced against the removal of temporary containers. These structures are considered to fall within the types of building set out in para. 89 of the NPPF as not inappropriate in MOL and the openness of the park and MOL will be preserved. Moreover, the application proposals include the removal of the existing toilet block adjacent to the Mansion, improving openness in this part of the Park and the setting of the Mansion.

- 7.10 London Plan Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment, states support for 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. In considering planning applications, consideration should be given to access by public transport and by all sections of the community.
- 7.11 Following the proposed works the park will remain as open space, hosting a wider range of events and activities with the objective of increasing annual visitor numbers from around 215,000 to 700,000. In the first 5 years following the regeneration it is expected that a broad range of events will take place:
- Nearly 400 small and medium public events attracting over 70,000 people (175 on average)
  - 850 activity sessions with clubs and societies attracting nearly 10,000 participants (12 on average)
  - 2000 public activity sessions attracting over 50,000 people (25 on average)
  - An outdoor education and adventure learning programme running over 1,000 sessions and involving over 25,000 children and young people (25 on average)
  - 780 volunteer sessions involving over 15,000 participants (19 on average)
  - 20 corporate volunteering sessions involving 400 participants (20 on average)
- 7.12 In the additional information submitted for re-consultation in September, the applicant provided additional details on proposed events. Medium scale events are defined as 500-5000 people. A number of events have taken place over the past year and brief details of these were provided for comparison. The 'Festival of Lights' which took place in the Park in December 2016 attracted approximately 1,500 people and the Mansion House open day on 29th April attracted 2,800. A cyclocross event attracted approximately 150.
- 7.13 The applicant intends to apply for a Premises Licence for the Park under the Licensing Act 2003, in order to hold up to 10 medium scale events in the Park each year. These would aim to provide considerable variety to attract diverse audiences to the Park. All events would have to finish by 11pm in accordance with the Premises Licence application.
- 7.14 The previous events were held through the Mansion's Premises Licence or through a Temporary Event Notice (TEN) which can licence an event for up to 500 people at one time.
- 7.15 Any event expecting to attract over 3,000 people would have to present event plans to the Events Safety Advisory Group (ESAG). Event management plans would need to address noise, traffic planning and parking provision, stewarding, security, set up and set down, including access and egress, litter clearance and waste disposal, police presence if required, first aid, lost children procedures, and include clear plans of the exact locations of different elements of the event. The same information is required of smaller events, but is managed by the Council's Parks team rather than ESAG.
- 7.16 Permitted development rights exist for the temporary use of land for any purpose, including the erection of moveable structures associated with that use, for a period of not more than 28 days in a calendar year, restricted to 14 days the holding of a market and motor car/cycle racing. There are some limitations to the provisions, though none apply in this case. As

noted above, events have been held over the past year in the Park, using either the existing Mansion House license or a Temporary Events Notice. The holding of events in the Park does not form part of the planning application and events could continue to be held at the Park if this application was not approved.

- 7.17 Earlier this year, the applicant submitted an application for a premises licence for the whole Park to enable future events to be held. This was refused due to a procedural error and it is understood that the applicant intends to re-apply. A premises licence is required for events attracting 500 or more people which involve live amplified music, recorded music, films, plays or dance. The Council, (as licensing authority), if deciding to grant a licence, can add conditions relating to various matters including for example the hours of operation, number of events of a certain scale permitted, stewarding, traffic management, security, access for emergency vehicles, noise, notification of the licensing authority, police and residents. Planning practice guidance advises that the planning system should not duplicate controls undertaken through other regulatory regimes. The control of events at the site is most appropriately dealt with through the licensing regime.
- 7.18 This application is concerned with physical changes to the Park and provision of new facilities and ancillary uses. The mitigation of impacts relating to increased use of the Park arising from these changes is relevant to this application and considered in the following sections of this report. In terms of land use however, the works are supported in planning policy by virtue of increasing access to open space.

#### Principle of Development: Sport and Recreation

- 7.19 Beckenham Place Park is the largest area of publicly accessible open space in the borough however the Park is under-used and in need of investment. The proposed works are the first phase of a longer term plan with the programme of renovation and refurbishment aimed at restoring and regenerating the historic park as a destination and community asset for the area, attracting more visitors to enjoy more activities in the park. Later phases will involve works to the eastern side of the park including a flood alleviation scheme and associated landscaping works and the restoration and re-purposing of the other buildings within the park including the Mansion House.
- 7.20 The NPPF (para 73) notes the importance of access to high quality open spaces and opportunities for sport and recreation to the health and well-being of communities. It advises that policies should aim to protect and enhance public rights of way and access and local authorities should seek opportunities to provide better facilities for users.
- 7.21 Policy 2.18 of the London Plan states that development proposals should: a incorporate appropriate elements of green infrastructure that are integrated into the wider network; b encourage the linkage of green infrastructure including the Blue Ribbon Network, to the wider public realm to improve accessibility for all and develop new links, utilising green chains, street trees, and other components of urban greening (Policy 5.10).
- 7.22 London Plan Policy 3.19 (Sports facilities) aims to increase participation in and tackle inequality of access to sport and physical activity in London, particularly amongst groups/areas with low levels of participation. Development proposals that increase or enhance the provision of sports and recreation facilities will be supported and multi-use public facilities for sport and recreational activity should be encouraged. Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted.
- 7.23 Core Strategy Policy CS12 (Open space and environmental assets) sets out the Council's guidance on the provision of sports facilities. The policy seeks to provide opportunities for sport, recreation, leisure and well-being by, amongst other actions, protecting the character, historic interest and amenity of, and within, open spaces; maintaining and improving the publicly accessible open space network; seeking exemplary design for new,

and improvements to existing open space, in the context of the local character and its distinctive historical qualities working with the Environment Agency (EA) where appropriate; and maximising opportunities for sport and recreation through well-designed and managed spaces, which take into account the Mayor's Children and Young People's play space requirements in a safe environment.

- 7.24 The proposed long-term use of the Park is as open space, offering a range of recreational and sporting opportunities (use class D2) to the general public. In October 2016 the Council closed the golf course in the park. There was some public objection to the decision of the Council to close the golf course, and these objections have been re-stated in consultation on the proposals for the Park before and after the current planning application was submitted. Objection has also been raised by the Lawn Tennis Association to the loss of the two existing tennis courts within the Park. These facilities are in a poor state of repair, however the net is still present on one and officers have observed it in use during recent site visits. Though the applicant has identified other tennis courts in the vicinity, the loss of these courts is regrettable given that some demand is evident. The applicant maintains that the cost of re-providing the courts elsewhere in the Park would not be viable. However, overall, the planning application proposals are considered to make adequate replacement provision for sport and leisure. In addition, the retention of the tennis courts in their present location would be at odds with the proposals to regenerate the historic core of the Park. On balance therefore the loss of the tennis courts is considered acceptable.
- 7.25 Relevant national, regional and local planning policy and guidance as referred to in this report supports the retention, expansion and improvement of public access to high quality open space and recreational and sporting activities. These policies do not however seek to protect particular sports or activities and alternative golf and tennis facilities are available within 5km of Beckenham Place Park. It is also relevant to note that in terms of the authorised use of the Park the changes to the recreational activities available do not of themselves amount to a material change of use of the land requiring planning permission. In addition, whilst the range of activities in the park and its use generally will increase and intensify, the primary use will remain as Class D2.
- 7.26 The proposals for the park also need to be considered in the context of the overall strategy to restore the historic features and landscape of the park, open up parts of the Park for increased general public access that was limited by previous uses and to encourage a range of outdoor leisure activities within the Park. Core Strategy Policy 12 seeks to maintain and improve the publicly accessible open space network and the proposals will support the implementation of this policy.
- 7.27 The impact of the proposed works within the park to the landscape and local habitats, and the impact on the local areas arising from the increased use are considered further below.

#### Landscape and Ecology

- 7.28 The proposed landscaping works comprise:
- re-instatement of the former lake and creation of a wet woodland area and board walk
  - tree works (including tree removal) within the Beckenham Place Park Conservation Area
  - re-location and extension of existing car park
  - new depot storage units to replace old and extended hard standing of the depot area
  - re-profiling of golf greens, tees and bunkers (given scale proposed).

- 7.29 The proposed landscaping scheme also includes works across the site for which planning permission or other planning approvals are not required but which form an integral part of the site-wide landscaping works:
- extension of the formal gardens
  - creation of an orchard and community garden
  - installation of new play facilities
  - new path network, including accessible walking routes and cycling routes
  - new signage and interpretation
  - new woodland planting and other tree management works
- 7.30 The proposed landscaping works have been informed by an assessment of the site's history since the mid 18th century and involve the restoration of lost elements of the historic landscape such as the lake, pleasure ground and walled garden as well as reinstatement of park-wide vistas to the Mansion and other features that formed part of the 18th century parkland landscape. Core Strategy Policy 12 seeks to protect the character, historic interest and amenity of, and within, open spaces and it is considered that the proposals will support the implementation of this policy. The re-instatement of the former lake will involve removal of trees within part of the site, referred to as 'Ash Plantation', identified on Natural England records as ancient woodland. In the light of the current application Natural England have reviewed the designation and based on an analysis of historical records have concluded that there is enough evidence to suggest that the area of the former lake within the Ash Plantation is not ancient woodland and that it will be removed from the ancient woodland inventory.
- 7.31 Trees to be removed from elsewhere within the Park include selective thinning of trees that previously defined the fairways on the golf course to restore the 18th century parkland setting as well as opening up views of the Mansion and re-establishing historic vistas. The trees in the park are not the subject of a Tree Preservation Order and other than those within the Conservation Area in the south-western section of the park the removal management and replanting of trees within the park does not require separate planning approval. Core Strategy Policy 12 seeks to protect trees, prevent the loss of trees of amenity value and the replacement of trees where loss does occur and whilst there will be the selective removal of trees on the site including some more mature trees the landscaping proposals include significant re-planting across the park. This involves over 12,000 new broad-leaved mixed deciduous woodland species being planted, infilling gaps in existing woodland and along the southern boundary as well as selected planting of specimen trees across the park.
- 7.32 Following an initial query from the Council's Tree Officer as to the apparent limited variety of tree species to be planted, the applicant has since confirmed that the species mix will include oak, hornbeam, field maple, hawthorn, honeysuckle, hazel, roan, small leaf lime and birch. This is considered to constitute a good mix, appropriate to the character of the Park.
- 7.33 The proposed tree removal and landscaping works have been informed by an extended Phase 1 Habitat survey that identified the need for protected species surveys including for bats, great crested newts, badgers and woodland plants. These surveys have been completed and where appropriate mitigation measures have been identified. The proposed felling of trees within the Ash Plantation to facilitate the re-creation of the lake has been informed by the bat survey findings and the scheme will retain and protect each of the six recorded bat roosts in this area. With the exception of Southend Lodge, survey data indicates that the buildings in the on site do not support bat roosts and therefore mitigation

in relation to bats will not be necessary for the proposed building works to the Gatehouse, Gardener's Cottage, Stable Block, Tennis Court Kiosk and Toilet Block. In the case of Southend Lodge, surveys have confirmed a roost being present in the building. The proposals for Southend Lodge comprise minor external restoration however the works are likely to cause damage and/or disturbance to the individual bat observed entering the building and its roost. Accordingly mitigation (and licencing by Natural England) will be required to permit works that may affect the confirmed roost and should any further roosts be confirmed. Within the wider site tree-felling works will be undertaken gradually and on a phased basis through a managed programme to enable bat species to adapt to their changing environment including the provision of alternative bat roost prior to works being undertaken. The required mitigation will be secured by condition.

- 7.34 A pond located at the western edge of the site identified as a possible habitat for newts (unconfirmed by further survey work) does not lie within an area where works are proposed. A badger survey identified the presence of a partially used outlier badger sett within the site that requires some minor mitigation measures to ensure compliance with legislation however current proposals have been designed to avoid the sett. Measures to protect nesting birds and reptiles (if present on the site) will form part of the overall ecological management plan for the park. In the long term, the proposals increase habitat diversity and ensure habitats of high ecological value are managed and maintained in perpetuity. This includes increasing the extent and quality of wet willow/alder carr woodland and associated wetland habitats; increasing the floristic and structural diversity of grasslands including extension of acid grassland; de-silting and reducing shading of the pond; and selective thinning of golf course trees to establish healthy parkland standards. Visitor facilities including interpretive learning resources are aimed at improving and extending an appreciation of the natural environment within the park.
- 7.35 Core Strategy Policy 12 seeks to preserve or enhance the local biodiversity and Policy 7.19 (Biodiversity and access to nature) of the London Plan states that wherever possible planning decisions should make a positive contribution to the protection, enhancement, creation and management of biodiversity. On Sites of Importance for Nature Conservation development proposals should seek to protect that importance and when considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest the approach should be firstly to avoid adverse impact to the biodiversity interest, secondly to minimise impact and seek mitigation, and thirdly and only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation. The scope of works proposed within the park is considered to follow the hierarchy for assessing proposals affecting sites of nature conservation interest through a combination of avoidance of impacts by avoiding known areas of biodiversity and where works are required minimising the impacts and incorporating appropriate mitigation.
- 7.36 The Council's Ecologist advises that the proposals are acceptable with regard to biodiversity subject to conditions to secure the mitigation and enhancement measures proposed, including the submission of an integrated Landscape and Ecological Management Plan to provide on-going monitoring and iterative management for all notable habitats and species across the park.
- 7.37 In addition to the soft landscaping works, hard landscaping works are also proposed, focussed around the Mansion House where an existing tarmac car park in front of the main entrance to the building will be removed and replaced with a resin-bonded gravel drive and turfed lawn. The existing car park would be re-located and expanded to an area opposite the proposed new 'Welcome Hub' and courtyard. Officers were concerned to ensure that the car park would not appear overly dominant in views on the approach to the Homestead and from the Homestead itself. As the ground level in this part of the Park is higher than the access road, and given the size of the proposed car park, the ground level would be lowered to partially screen vehicles. In addition, the new car park would incorporate

reinforced grass surfacing, with tree planting around and within the car park to further soften its appearance.

- 7.38 It is also proposed to replace the temporary buildings used for the storage of maintenance vehicles and equipment, located within the depot at Southend Lodge, and erect new fencing around the extended area (estate railing to Beckenham Hill Road and timber or green weld mesh fence on the Park side). The three buildings are utilitarian in form and material however planting will screen the fencing and long views into the depot.
- 7.39 The proposed works will require construction vehicles to access the site and the excavation of the lake will result in a quantity of spoil that will need to be either re-distributed within the site or taken off site. The proposal is to use part of the material within the main site (for example in works to remove features of the golf course) with the balance to be stored on the eastern side of the railway. This would not require material to be taken off site, thereby avoiding potentially significant lorry movements through residential neighbourhoods.

#### Historic Buildings and Archaeology

- 7.40 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the Council to have special regard to the desirability of preserving the setting of listed buildings. There is also a duty under s. 72 of the same Act to pay special attention to the preservation or enhancement of the character or appearance of Conservation Areas. The NPPF requires that as part of the decision-taking process local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) and should avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 7.41 NPPF paragraph 134. states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 135. states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.42 The current applications do not propose any work to the Mansion House itself. However the removal of the existing car park and toilets in front of the Mansion and laying out of an area of grass with resin-bound drives leading up to the Mansion will significantly improve its setting. Restoration and refurbishment works are proposed to buildings in the vicinity of the Mansion, which historically supported the working estate collectively referred to as the 'Homestead'. This includes the restoration of the Grade II listed 18th century Stable Block that was badly affected by a fire in 2011. Works to the Mansion House as well as to the Victorian Stable Cottage and Foxgrove are due to be undertaken in later phases of the restoration of the Park.
- 7.43 Whilst the roof and cupula of the Stable Block were lost in the fire, the basic fabric of the building is in a reasonably good condition. Works to restore the building involve the rebuilding of the roof and cupula that formed part of the original building. The cupula will be reconstructed to the original design taken from old photographs and the weather vane on top of the cupula which was recovered from the fire will be reinstated. Other works involve repairs with interventions into the existing fabric where necessary using materials salvaged from alterations within the building, and the replacement of doors and windows to match the existing. A new terrace will be created on the east and northern sides of the building, associated with the café, with direct access to the formal gardens. The works will restore the historical core of the park and will allow the building to be open to the public as an education centre and café.

- 7.44 Works to other listed buildings (Gardener's Cottage and Walled Garden, and Southend Lodge and the Gatehouse) are limited to the refurbishment of the buildings (with materials externally to match existing). The existing side extension to the Gardeners Cottage will be rebuilt where affected by the tree growth and metal grilles to the windows of Southend Lodge removed. The lead hipped flashing to the Gatehouse will be replaced with lead soakers below the slate that is a traditional detail appropriate for the age of the building. Records indicate that the tennis kiosk was constructed in the 1950's (at the same time as the tennis courts) and is therefore a relatively modern intervention into the historic landscape of the park. The application proposes its removal together with the tennis courts to which it relates to become part of the historic gardens. As part of the overall strategy of restoring the features and setting of the historic park and its buildings it is considered that this intervention is appropriate.
- 7.45 The scope of the works to designated heritage assets are considered to be a sympathetic restoration of the listed buildings on the site and consistent with the principles set out in DM Policy 36 (New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens). Works within the Conservation Area are limited to landscaping, comprising tree removal and re-planting as well as repairs to existing paths. These works are considered to preserve and enhance the character or appearance of the Conservation Areas in accordance with DM Policy 36.
- 7.46 Historic England have advised that they are very supportive of the scheme in principle, which seeks to raise the profile of the Park, enhance its historic value, and provide the Stable Block with a sustainable long-term use which should facilitate its removal from their Heritage at Risk Register. They are also very encouraged by the proposed high quality conservation-led approach to materials and detailing, including the lathe and plaster ceilings, sash windows, and Welsh slate roofing.
- 7.47 In relation to the landscaping proposals, Historic England note that the Park provides an open landscaped setting for the Grade II\* listed Mansion, the integrity of which was compromised by the golf course re-landscaping in the 1930s and subsequent changes. They state their support for the project, which seeks to relocate the parking away from the Mansion, and reinstate many lost features of the 18th century landscape including the pleasure ground and the central lake, as well as important vistas to and from the Mansion. This, in turn, should enhance the setting of the Grade II\* Mansion and the character of the Beckenham Place Park Conservation Area.
- 7.48 The Development Management Local Plan identifies Beckenham Place Park as Archaeological Priority Area 20 noting that the 18th century mansion was set in parklands, and both survive as a historic entity, although the public golf course intrudes on the historic character and the lake is now little more than a damp depression. Furthermore, there survives evidence of an earlier agricultural landscape from which the 18th century parkland was conceived. Numerous extant features can be identified including field boundaries, wood banks, semi-natural woodland, coppiced and pollarded standards as well as areas of ridge and furrow. Historic England advise that the archaeological desk-based assessment generally identifies the range of potential archaeological interest, with the exception of an understanding the golf course may or may not hold in respect of municipal golf courses of that period and what other activity may occur in 'removing' the golf course. They recommend some further recording of possible ground impacts from both temporary and permanent works, with the corresponding suggested mitigation response, and a site-wide map plotting the location, form and extent of the identified archaeological assets including the extent and location of wartime allotments. They advise that these can be secured by condition.
- 7.49 Historic England also note the possible survival of the former medieval Manor House, the location of which is unknown, and recommended a limited programme of test pits within the proposed car park area prior to determination of the application. The test pits were carried

out as proposed but revealed no finds. They also advise that they do not see a need for a predetermination investigation of the lake area where excavation works are to be undertaken and consider that archaeological assets around the lake (and beyond the car-park) can be addressed through a suitable condition.

- 7.50 The Council's Conservation Officer has advised that the changes to the landscape are considered to be in keeping with the ethos of the original architectural and landscape intentions of the estate, reinstating many lost features of the 18th century landscape which includes the pleasure grounds, the central lake and most importantly views to the Mansion. The relocation of the car park and removal of ancillary buildings (toilet block) better reveal the setting of the Mansion and overall the proposals provide substantial public benefit, with a conservation led approach bringing much underappreciated heritage assets back into use as well as reintroducing a valuable community asset. The restoration of the Stable Block would remove it from the heritage at risk register, and safeguard its future for use by future generations. Core Strategy Policy 15 states that the Council will ensure any development conserves and enhances the borough's heritage assets and the significance of their settings and it is considered that the works proposed across the park in restoring the historic landscape and parkland setting for the Mansion House will achieve this objective.
- 7.51 NPPF paragraph 134. states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 135. states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.52 Overall, the works proposed across the Park in restoring its historic core and parkland setting for the Mansion House would not result in harm to heritage assets within the site and will conserve and enhance the Park's these assets and the significance of their settings.

#### Highways and Traffic Issues

- 7.53 Access to the park is currently available from Beckenham Hill Road next to Southend Lodge and Beckenham Place Park (gated with drop down bollards) by vehicles and pedestrians, and by pedestrians only from Braeside, Westgate and Crab Hill. The Beckenham Place Park, Westgate and Crab Hill entrances are within the London Borough of Bromley. Works to these entrances will maintain the existing access arrangements with new bollards, fencing and gates as appropriate as well as re-surfacing of the entrances with resin bonded gravel and repairs to footpaths.
- 7.54 The application proposes that vehicular access to the Park will be from Beckenham Hill Road only, providing access along an existing road within the park to the new car park area. The new car park will have capacity for 108 cars, including 5 spaces for Blue Badge holders with a further 20 informal spaces located to the east of the railway line (i.e. outside the current application boundary). The existing car park at the Mansion has space for 72 cars, with informal parking on the access road accommodating 18 cars. A single coach parking bay would be located adjacent to the new car park and cycle parking would be provided for 26 bicycles in three locations comprising 5 Sheffield stands (with space for 10 bicycles) adjacent to the car park, 5 Sheffield stands at the Stable Block and 3 Sheffield stands at the proposed lake jetty.

- 7.55 The applicant anticipates that annual visits will increase from 215,000 at present to around 700,000. A 2013 Movement and Useage Survey found that by far the majority of visitors arrived on foot (70% on weekdays / 68% at weekends), with 21.5% and 17% respectively arriving by car. Of those arriving by car, 15.1% used the Beckenham Hill Road entrance and 6.5% used the Old Bromley Road entrance (east of the railway). Cyclists accounted for around 7% of visitors on weekdays, 13% at weekends. In terms of the spread of visitors during the day, a Visitor Observation Study in May 2016 identified peak weekend visits between 2-3pm, with 38% of the daily visitors visiting the park during this time. A similar peak occurs on a weekday between 12-1pm with 21% of daily visitors during this hour.
- 7.56 Based on the recorded mode of travel and planned growth in visitor numbers, a cumulative parking demand assessment identifies a maximum weekday car parking accumulation of 115 vehicles between 12-1pm and 135 cars during the weekend peak. For the weekend peak this is above the on-site parking provision of 128 spaces. The Transport Statement notes that parking on roads outside the park is unrestricted and identifies local streets close to the park where on-street parking could take place. Based on this analysis it is considered that whilst parking demand may slightly exceed parking provision during the weekend peak, overspill parking outside the park will be limited and is unlikely to give rise to significant impacts on the amenity of local residents.
- 7.57 The Council's Transport and Highways Development Officer raises no objection to the proposals subject to a number of measures being secured by condition to limit the impact of the works on the surrounding area. This includes the submission of a Construction and Logistics Plan prior to commencement of any works, specifying how the impacts of construction activities and associated traffic will be managed. In terms of the future use of the park they recommend details of the Wayfinding strategy within the park and to/from the nearby train stations (Beckenham Hill and Ravensbourne); details of the parking management strategy (for the vehicular access roads within the park) to ensure access for coaches and emergency vehicles maintained due to the width of the vehicular access road within the park and the limited number of passing spaces on the road; a Delivery and Servicing Plan including details of measures to rationalise the number and time of delivery and servicing trips to the site with the aim of reducing the impact of delivery and servicing activity. In addition, a planning condition should be included to ensure the Travel Plan is implemented following the completion of the development with targets, objectives and measures to encourage sustainable travel to the Park and reduce the need to travel by car. They also note that the proposed works outside the Park including entry treatment works will require separate highways approval.
- 7.58 The Council's Transport and Highways Development Officer also recommends that parking controls/waiting restrictions are introduced on the section of Beckenham Hill Road adjacent to the park entrance to minimise the impact associated with an intensification of use at the park which will cause parking stress and congestion if unmanaged. The parking demand assessment indicates that there may be some overspill parking at peak times however this is not at a significant level and the Travel Plan includes measures to promote non-car modes of travel to the park. In the circumstances it is considered that the Travel Plan should include a programme to monitor the impact of increased (non-event day) visitors on parking stress and congestion in the area around the park, with a requirement to introduce additional measures such as parking controls/waiting restrictions if conditions require this.
- 7.59 The issue of events being held in the Park and consequent impacts in respect of traffic and parking congestion and general disturbance has been raised by the Council's Transport and Highways Development Officer, the London Borough of Bromley as well as local residents. The London Borough of Bromley raise no objection to the principle of the proposed works however they consider that events at the park would impact detrimentally on car parking and general highway safety in Bromley and a solution for overspill parking should be found. In this context they recommend that any event expected to attract over 100 participants should have a specific plan in place to address the provision of parking spaces and access by vehicles.

- 7.60 As detailed earlier in this report, this application does not relate to events and these are more appropriately controlled under the licensing regime. A premises licence for events at the Park would be subject to conditions which could include parking management, maintenance of access for vehicles, a noise monitoring plan and monitoring during events as well as stewarding, requirements for notification of the licensing authority, Met Police and the public. On this basis, the Council's Transport and Highways Development Officer is satisfied that impacts generated by events in respect of parking on nearby residential roads would be appropriately managed.

#### Public Consultation

- 7.61 Consultation on the application in November 2016 exceeded legislative requirements and those of the Council's Statement of Community Involvement (SCI). Letters were delivered to 2,914 properties by maildrop, site notices were erected on the application boundaries and a press notice was placed in a local newspaper.
- 7.62 Following receipt of minor amendments to the proposed drawings and additional supporting information, all those who commented on the application were re-notified, a further press notice was placed and site notices were displayed.

#### Community Infrastructure Levy

- 7.63 The above development is not CIL liable.

### **8.0 Equalities Considerations**

- 8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 8.4 Equality issues have been duly considered as part of the assessment of this application. It is not considered that the application would have any direct or indirect impact on the protected characteristics.

### **9.0 Conclusion**

- 9.1 This report has considered the proposals in the light of adopted development plan policies and other material considerations including information or representations relevant to the environmental effects of the proposals.
- 9.2 The present planning and listed building consent applications relate to the programme of works for which the HLF funding has been secured. Not all of the works within the regeneration plans require planning permission, however all have been included in the

application submission given the scale of the project and to provide a full picture of the scheme.

- 9.3 The application site, comprising land to the west of the railway, is 71.5ha including 18ha of woodland including 13ha of Ancient Woodland. The majority of the application site was previously laid out as a golf course. Within the site is a Grade II\* listed Mansion as well as Grade II listed Stable Block, Gardener's Cottage and Walled Garden, Southend Lodge and Gatehouse. The site is an Area of Archaeological Priority and the south western part is the Beckenham Place Park Conservation Area.
- 9.4 The proposed application comprises a range of works including extensive landscaping works including excavation to re-provide a lake and provide a wetland area, tree removal and planting; relocation and extension of car park; refurbishment, re-building and alterations to the Stable Block and Walled Garden, Southend Lodge and Gatehouse and Gardener's Cottage and the removal of the tennis kiosk and court fencing. No works are proposed to the Mansion House, Stable Cottage or Foxgrove.
- 9.5 New buildings on the site are limited to the maintenance vehicle and equipment storage structures within the depot. These structures are considered to fall within the types of building set out in para. 89 of the NPPF as not inappropriate in MOL and the openness of the park and MOL will be preserved.
- 9.6 In the long term, the proposals increase habitat diversity and ensure habitats of high ecological value are managed and maintained in perpetuity. Visitor facilities including interpretive learning resources are aimed at improving and extending an appreciation of the natural environment within the park.
- 9.7 The works proposed across the park in restoring its historic core and parkland setting for the Mansion House will conserve and enhance the Park's heritage assets and the significance of their settings.
- 9.8 The NPPF is underpinned by a presumption in favour of sustainable development. Officers consider that with the recommended mitigation and planning conditions in place the scheme accords with local and national policies.
- 9.9 The proposals are considered to accord with the development plan. Officers have also had regard to other material considerations, including guidance set out in adopted supplementary planning documents and in other policy and guidance documents and the responses from consultees, which lead to the conclusions that have been reached in this case. Such material considerations are not considered to outweigh a determination in accordance with the development plan and the applications are accordingly recommended for approval.

## **10.0 RECOMMENDATION (A)**

To agree the proposals relating to the listed building consent application (DC/16/099043) and refer the application, this report (including the proposed conditions listed below) and any other required documents to the Secretary of State under Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

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

**Reason:** As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

DEM-100 Existing Stable Block, EX-100 Existing Stable Block, EX-200 Existing Stable Block Elevation, PL-105, PL-106, PL-107, PL-108, PL-109, PL-150, PL-151, PL-152, PL-155, PL-156, PL-157, PL-160, PL-200, PL-201, PL-300, REP-100, REP-100, REP-200, REP-250, REP-251, REP-252; EX-151; EX-251; EX-252; EX-250 (Southend Lodge elevations as existing); EX-250 (Gatehouse and Southend Lodge elevations as existing); Cleveland -01; Cleveland -02; LD\_PLN\_301A; LD\_PLN\_304A; LD\_PLN\_305A; LD\_PLN\_215A; LD\_PLN\_216A; LD\_PLN\_217A; LD\_PLN\_218A; LD\_PLN\_219A; LD\_PLN\_220A; LD\_PLN\_221A; LD\_PLN\_210A; LD\_PLN\_211A; LD\_PLN\_212A; LD\_PLN\_000A; LD\_PLN\_001; LD\_PLN\_002A; LD\_PLN\_402A; LD\_PLN\_403A; LD\_PLN\_407A; LD\_PLN\_408A; LD\_SEC\_500A; LD\_SEC\_501A; PL-100 Rev F; PL-105 Rev C; REP-252; PL-251; PL-250; PL-108 Rev P1 (received 15th May 2017); (90)LD 103; (90)LD 104; (90)LD 105; PL-200 Rev D (received 11th July 2017); (90) LD 101 R01; (90) LD 102; (90) LD 107; 6429\_LD\_PLN\_302 (received 31st August 2017).

**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. During the carrying out of the works to the listed buildings hereby approved, if hidden historic features are revealed, works shall be halted in the relevant area of the building and the Local Planning Authority shall be notified immediately. Failure to do so may result in unauthorised works being carried out and an offence being committed.

**Reason:** To ensure that the works are carried out sensitively in the interest of the special character of the area and/or building, in accordance with policy CS16 Conservation areas, heritage assets and the historic environment of the Core Strategy 2011 and policies DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens and DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets.

4. Prior to the commencement of the development hereby approved, details of the following construction materials to be used on the listed buildings shall be submitted to and approved in writing by the Local Planning Authority:
- a sample of the type of roofing material proposed;
  - treatment of gables and cappings;
  - treatment of verges and barge boards and so forth;
  - leadwork details (in accordance with LDA good practice) to both the stables and gatehouses;
  - the means of ventilating the roof;
  - flues, vents or other pipework piercing the roof (and decorative finish);
  - treatment of external vestibules;

**Reason:** To ensure a sympathetic appearance for the new work and in the interest of the special character of the area and/or building, in accordance with policy CS16 Conservation areas, heritage assets and the historic environment of the Core Strategy 2011 and policies DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments

and registered parks and gardens and DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets.

5. Prior to the commencement of the development hereby approved, full details, including samples and method statements, of the materials to be used externally and internally including repairs to the surfaces of the buildings, shall be submitted to and approved by the Local Planning Authority, in writing.

For all new facing brickwork, sample panel(s) and sample areas of repair shall be provided on site to show the proposed types, sizes, colour and texture face-bond of the proposed bricks and the pointing, mortar mix, joint thickness and finish profile. The approved sample panel(s) shall be retained on site until the work is completed and the Condition is discharged.

The works shall be carried out in accordance with the approved details and retained and maintained thereafter.

**Reason:** To ensure a sympathetic appearance for the new work and in the interest of the special character of the area and/or building, in accordance with policy CS16 Conservation areas, heritage assets and the historic environment of the Core Strategy 2011 and policies DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens and DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets.

## **RECOMMENDATION (B)**

**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 carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

DEM-100 Existing Stable Block, EX-100 Existing Stable Block, EX-200 Existing Stable Block Elevation, PL-105, PL-106, PL-107, PL-108, PL-109, PL-150, PL-151, PL-152, PL-155, PL-156, PL-157, PL-160, PL-200, PL-201, PL-300, REP-100, REP-100, REP-200, REP-250, REP-251, REP-252; EX-151; EX-251; EX-252; EX-250 (Southend Lodge elevations as existing); EX-250 (Gatehouse and Southend Lodge elevations as existing); Cleveland -01; Cleveland -02; LD\_PLN\_301A; LD\_PLN\_304A; LD\_PLN\_305A; LD\_PLN\_215A; LD\_PLN\_216A; LD\_PLN\_217A; LD\_PLN\_218A; LD\_PLN\_219A; LD\_PLN\_220A; LD\_PLN\_221A; LD\_PLN\_210A; LD\_PLN\_211A; LD\_PLN\_212A; LD\_PLN\_000A; LD\_PLN\_001; LD\_PLN\_002A; LD\_PLN\_402A; LD\_PLN\_403A; LD\_PLN\_407A; LD\_PLN\_408A; LD\_SEC\_500A; LD\_SEC\_501A; PL-100 Rev F; PL-105 Rev C; REP-252; PL-251; PL-250; PL-108 Rev P1 (received 15th May 2017); (90)LD 103; (90)LD 104; (90)LD 105; PL-200 Rev D (received 11th July 2017); (90) LD 101 R01; (90) LD 102; (90) LD 107; 6429\_LD\_PLN\_302 (received 31st August 2017).

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

3. a) No development other than demolition to existing ground level shall take place until a programme of archaeological evaluation site work in accordance with a Written Scheme of Investigation, which has first been submitted to and approved in writing by the local planning authority, has been implemented.
- b) Dependent upon the results presented under Part (a), no development other than demolition to existing ground level shall take place until a programme of archaeological mitigation site work in accordance with a Written Scheme of Investigation, which has first been submitted to and approved in writing by the local planning authority, has been implemented.
- c) The site investigation and post-investigation assessment pursuant to Part (b) shall be submitted to and approved in writing by the local planning authority prior to occupation of the development.

**Reason:** To comply with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (July 2016).

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

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

5. (a) No development (with the exception of demolition of above ground structures) shall commence until each of the following have been complied with:-

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

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

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

**Reason:** To ensure that any infiltration drainage does not take place in areas of made ground that could present a contamination risk to groundwater and to comply with Policy 5.13 Sustainable drainage of the London Plan (July 2016).

7. (a) No impact piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority in consultation with Thames Water.
- (b) Details of any such operations must be submitted to and approved in writing by the local planning authority prior to commencement of development on site and shall be accompanied by details of the relevant penetrative methods.
- (c) Any such work shall be carried out only in accordance with the details approved under part (b).

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

8. No development shall commence on site until a detailed schedule and specification/samples of all new external materials and finishes to be used on the buildings and hard surfaced areas have been submitted to and approved in writing by

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

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building and landscaping 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.

9. (a) No development shall commence (with the exception of demolition) on site until details of proposals for the storage of refuse and recycling facilities have been submitted to and approved in writing by the local planning authority.
- (b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

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

10. (a) A minimum of **26** secure and dry cycle parking spaces shall be provided within the development.
- (b) No development shall commence (with the exception of demolition) on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

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

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

12. No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council. The TPP should follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a

dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

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

13. (a) No development shall commence until details of the following works to the highway (including drawings and specifications) have been submitted to and approved in writing by the local planning authority:

i) parking controls/waiting restrictions on the section of Beckenham Hill Road adjacent to the park to minimise the impact associated with an intensification of use at the park which will cause parking stress and congestion if unmanaged.

ii) entry treatment works (tighten kerb radius - southern), the creation of a raised table and the installation of tactile paving at the vehicular entrance on Beckenham Hill Road (Gate 2), to improve pedestrian accessibility and create safer walking routes into the park.

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

**Reason:** In order to ensure that satisfactory means of access is provided, to ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011). This is a pre-commencement condition because the local planning authority needs to be satisfied that the proposed and required highways works necessary to facilitate the development can be satisfactorily designed before development starts.

14. (a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

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

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

16. Details of the location and specification of the 21no. bat boxes to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the refurbished Stable Block building and maintained in perpetuity.

**Reason:** To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2016), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

17. (a) A minimum of 21 car parking spaces within the new car park shall be provided with electric vehicle charging points.
- (b) Details of the electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to construction of the proposed car park.
- (b) The electric vehicle charging points as approved shall be installed prior to first use of the new car park and shall thereafter be retained and maintained in accordance with the details approved under (a).

**Reason:** To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (2016), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

18. (a) Detailed plans and a specification of the appearance of and the equipment comprising a ventilation system for the café within the Stable Block which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s) and anti-vibration mountings where necessary) shall be submitted to and approved in writing by the local planning authority.
- (b) The ventilation system shall be installed in accordance with the approved plans and specification before use of the development hereby permitted first commences and shall thereafter be permanently maintained in accordance with the approved specification.

**Reason:** To safeguard the amenities of the park and the area generally and to comply with Policy 17 Restaurants and cafes (A3 uses) and drinking establishments (A4 uses) of the Development Management Local Plan (November 2014).

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

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

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

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

21. (a) No part of the development hereby approved shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.
- (b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives. Additionally, it shall include a programme to monitor the impact of increased (non-event day) visitor numbers on parking stress and congestion in the area around the Park and provide for the introduction of additional measures to mitigate impacts on parking and traffic caused.
- (c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

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

22. Within 6 months of the commencement of excavation of the proposed lake/wetland, a Landscape and Ecological Management Plan for the development, conforming to the British Standard Chapter 11 [BS 42020:2013 - "Biodiversity code of practice for planning and development"] and including long term design objectives, ecological objectives, a planting scheme, management responsibilities, monitoring and maintenance schedules for all landscape areas for a 10 year period shall be submitted to and approved in writing by the local planning authority. The Landscape and Ecological Management Plan shall be carried out as approved.

**Reason:** To conserve the natural features, ecology and character of the area and to ensure their long-term sustainability through appropriate site management to comply with Core Strategy Policy 12 Open space and environmental assets in the adopted Core Strategy (2011).

23. The whole of the new car park and bollards restricting access to the Mansion shown on drawing no. (90) LD 107 hereby approved shall be provided and retained permanently for the accommodation of vehicles of the occupiers of and visitors to the development. The new car park shall not be first used unless and until the existing car park to the west of the Mansion has been removed.

**Reason:** To ensure that parking is managed and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car parking of the Development Management Local Plan (November 2014), and Table 6.2 of the London Plan (July).

24. Prior to the first occupation of the refurbished Stable Block, a Parking Management Plan shall be submitted to and approved by the Local Planning Authority. The plan shall outline the measures that will be employed to discourage informal car parking within the site, particularly along the vehicular access road.

**Reason:** To ensure that parking is managed and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car parking of the Development Management Local Plan (November 2014), and Table 6.2 of the London Plan (2016).

25. The bollards restricting access to the Mansion shown on drawing no. (90) LD 107 hereby approved shall be provided and retained permanently to ensure that vehicular access to the Mansion is limited to operational vehicles only. No parking is permitted within the Mansion access, entrance and drop off area indicated on drawing no. LD PLN 407 Rev A.

**Reason:** To ensure that vehicular access is managed and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car parking of the Development Management Local Plan (November 2014), and Table 6.2 of the London Plan (2016).

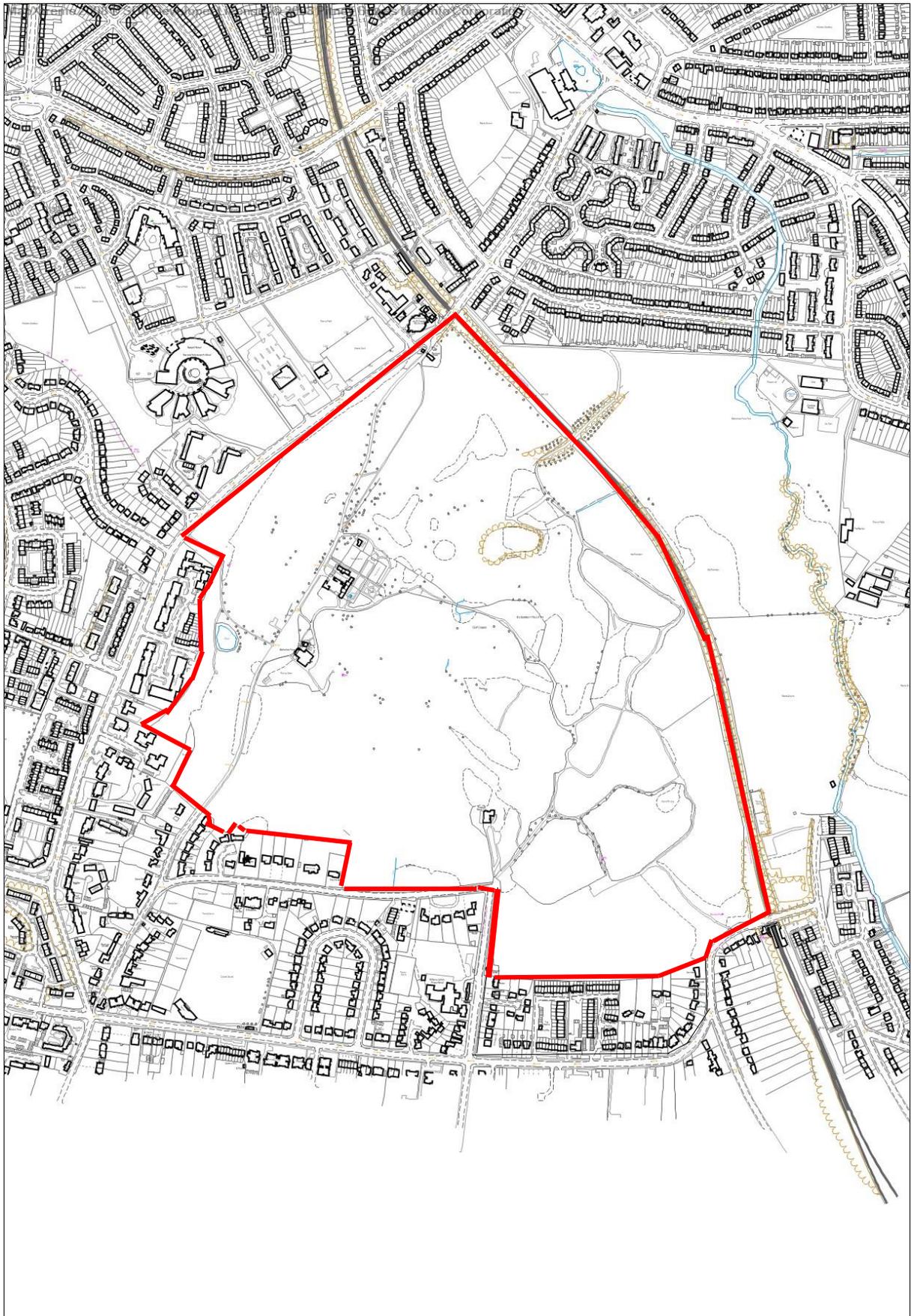
26. Prior to the first occupation of the refurbished Stable Block, a Wayfinding Strategy within the Park and to/from local train stations and bus stops shall be submitted to and approved by the Local Planning Authority.

**Reason:** In order that the local planning authority may be satisfied as to the measures to promote accessibility to the Park by sustainable means and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

## Informatives

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- B. **Surface Water Drainage -** With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- C. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

LAND AND BUILDINGS, BECKENHAM PLACE PARK, BECKENHAM, BR3 Site Map



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Committee	PLANNING COMMITTEE (A)	
Report Title	28 Sydenham Hill, SE26	
Ward	Forest Hill	
Contributors	Geoff Whittington	
Class	PART 1	19 October 2017

Reg. Nos. DC/15/094733

Application dated 28.11.2015

Applicant Abbeyfield Housing Society

Proposal Demolition of Hill House, 28a Sydenham Hill SE26, the change of use, alteration and extension to Highfield, 28 Sydenham Hill including the formation of front and rear lightwells, together with the construction of a part/ two, part/ three, part/ four, part/ five-storey building, to provide 40 self-contained 'Extra Care' home units comprising 19, two bedroom and 21, one bedroom flats, with the provision of 7 car parking spaces, cycle parking and associated landscaping.

Applicant's Plan Nos P01, P02, P03, P04, 05, P06, 07, P08 Rev A, P09, P10, P11, P12, P13, P14, E01, E02, E03, Site Plan, Block Plan, Impact on trees Report, Design & Access Statement, Transport Statement, Area Appraisal – conservation supporting information, Energy & Sustainability Statement, Planning Statement, Statement of public consultation received 28 November 2015; P15, Travel Plan Rev A Received 5 December 2015.

Parking Survey Received 5 June 2017

Background Papers

- (1) Case File LE/345/28/TP
- (2) Local Development Framework Documents
- (3) The London Plan (2016)
- (4) The NPPF

Designation Core Strategy – Area of stability and managed change.

## **1.0 Property/Site Description**

- 1.1 The site is located on the south side of Sydenham Hill, lying opposite the borough boundary with LB Southwark. The site, which measures 0.19 Hectares, is currently occupied by a 3-storey plus roof space 1980s building (Hill House) located centrally within the site that was formerly in use as a care home for the elderly prior to its closure in 2014.
- 1.2 The detached building to the front of the site known as Highfield is a classically styled, locally listed building of the mid-19<sup>th</sup> century, which has been unoccupied since 2010. Although the Victorian Villa now stands isolated among dominant modern buildings, it is an important reminder of the earlier pattern of development on Sydenham Hill.
- 1.3 The northern part of the site is flat, before sloping considerably toward the southern end. Existing perimeter trees are located to the front half of the site, whilst there is denser tree coverage to the rear.
- 1.4 The surrounding area is predominantly residential in character. To the west of the site is Droitwich Close, which is comprised of 3-storey blocks of flats. To the east are 3-storey flats (Porlock House), whilst to the south is a 5-storey block of flats (Greyfriars).
- 1.5 To the south-east is a 6-storey building accommodating flats (Wirrall House), and to the south-west is a 2-storey house. Directly to the north of the application site are 2-storey dwelling-houses lying within the London Borough of Southwark, bounded by an 8-storey block of flats and villa style properties.
- 1.6 The nearest local amenity is a public house to the west of the site on Crescent Wood Road, whilst the nearest retail store is located on Wells Park Road.
- 1.7 The only existing vehicular access into the application site is from Sydenham Hill. The site is served by two local bus routes, providing direct links to Sydenham and Crystal Palace. The site has a PTAL rating of 2 on a scale of 1-6, where 1 indicates poor access to public transport.
- 1.8 The site is not located within a conservation area, however it falls within a designated 'Area of Special Character'.

## **2.0 Background**

- 2.1 An application was submitted to the Council on 28 November 2015 proposing the demolition of the existing building known as Hill House, and the construction of a 40 unit Extra-Care home development that would provide specialist dementia care services for older people. The existing locally listed building, Highfield, would be retained and converted as part of the proposal.
- 2.2 Officers raised significant concerns toward the scale of the proposed development, and advised the applicant it would be refused permission under delegated authority. Subsequently, a local ward Councillor requested the application be determined at a planning committee.

2.3 On 30 March 2017, the proposal was presented to Committee A with a recommendation to refuse permission for the following reasons:

- 1) The proposal, by reason of excessive scale, height, bulk and massing would represent a significant over-development of the site, appearing as an overbearing and discordant form of development that would disrupt the established building form, and harm the designated 'Areas of Special Character', contrary to Policy 15 (High quality design for Lewisham), DM Policy 32 (Housing design, layout and space standards), DM Policy 33 (Development on infill sites, backland sites, back gardens and amenity areas) and DM Policy 37 (Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest) of the Development Management Local Plan (2014).
- 2) The proposed building would fail to respect or be sympathetic to the historic character and prominence of the locally listed building, resulting in a poor relationship that would compromise the setting of Highfield and existing streetscape, contrary to Policy 15 (High quality design for Lewisham), DM Policy 30 (Urban design and local character) and DM Policy 36 (New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens) of the Development Management Local Plan (2014).
- 3) The proposed development, by reason of siting, scale and massing, would result in adverse harm upon the setting of Droitwich Close, appearing as an overbearing and incongruous introduction that would overshadow the existing amenity space and impair outlook to occupiers, contrary to Objective 10: Protect & Enhance Lewisham's Character & Policy 15: High Quality Design for Lewisham of the adopted Core Strategy (June 2011), and DM Policy 32 Housing design, layout and space standards and DM Policy 33 (Development on infill sites, backland sites, back gardens and amenity areas) of the Development Management Local Plan (2014).
- 4) The proposed standard of residential accommodation would be compromised significantly by virtue of the dense and overbearing scale and layout of the building that would result in sense of enclosure, overshadowing and poor outlook to some units and the communal garden area, contrary to Policy 32 (Housing design, layout and space standards) of the Development Management Local Plan (2014).
- 5) The proposal, by reason of insufficient provision of off-street parking, and the likely demand attributed to the nature of the use, would result in potential increased parking to neighbouring streets, contrary to DM Policy 29 (Car parking) of the Development Management Local Plan (November 2014).

2.4 Members motioned to defer a decision to enable the submission of further information, including the undertaking of a parking survey and justification for the 40 units, whilst allowing officers an opportunity to negotiate improvements to the scheme.

- 2.5 In response, the applicants have submitted the following:
- Parking survey of the local area undertaken in May 2017.
  - A report setting out why the viability of the scheme is dependent upon the provision of 40 units. The report has been submitted as a confidential document for officers and Members to view only.
- 2.6 No further plans have been formally submitted that amends the scale or appearance of the proposed development.
- 2.7 A copy of the Committee Report from the 30<sup>th</sup> March 2017 is provided in Appendix A.

### **3.0 Current Planning Application**

- 3.1 The current application proposes the demolition of the existing care home building to the centre of the site, which has been unoccupied since 2014. The replacement building would vary in height between two and five storeys and would adjoin the existing locally listed Highfield building to the side and rear, whilst extending within close proximity of the western and southern boundaries of the site.
- 3.2 The development would provide 40 self-contained units comprising 19, two bedroom and 21, one bedroom flats. The proposal would create an extra care housing scheme incorporating specialist dementia care services for older people.
- 3.3 The facility would have associated communal facilities, including lounge/dining room, activity rooms, well-being suite and hairdressers. The central external area would be landscaped to form a communal garden for residents, measuring approximately 230sq.m.
- 3.4 Access to the building for residents would be through the existing locally listed building (Highfield), which would be converted to provide office space, a reception area, amenity rooms and residential accommodation. Lightwells would be formed to the front of the building, with a 'bridge' providing access to the entrance.
- 3.5 The building would be staffed 24 hours a day, with 12 full-time employees.
- 3.6 The existing vehicular access to the eastern side of the development would be retained, with 3 parking spaces located at the rear, including 2 disabled bays. Four parking bays would be provided to the front of the site. A refuse store, and a cycle/buggy store would be located within an undercroft area to the front of the new building.
- 3.7 The predominant facing material of the proposed building would be stock brick, with extensive glazing to the western boundary. The elevation fronting Sydenham Hill would be of reconstructed limestone pre-cast panelling.
- 3.8 External driveway surfaces are proposed in concrete block paviors laid on a porous base. Existing driveway levels would be maintained to the east driveway to avoid ground disturbance in the tree root protection areas.

## **4.0 Planning History**

- 4.1 Planning permission was granted 16 October 1987 for the construction of a part two, part three storey plus roof space home for the elderly on land at the rear of Goodliffe House, comprising 25 residential units and two flats for staff together with the provision of 5 parking spaces and the erection of a paladin enclosure to the side.

## **5.0 Consultation**

- 5.1 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.
- 5.2 Site Notices were displayed. Notification letters were sent to 163 properties, local ward councillors, ward councillors from the London Borough of Southwark and Southwark Council whose boundary lies opposite the site.

### Written Responses received from Local Residents and Organisations

- 5.3 Prior to the first Committee meeting, two letters and a petition with 7 signatures were received objecting to the proposal on the following grounds;

- (1) Overbearing form of development;
- (2) Overlooking from west facing balconies and windows toward Leamington Court;
- (3) Treatment of western façade – bris soleil is an inappropriate treatment, and would result in overlooking;
- (4) Loss of existing trees;
- (5) Poor contextual analysis undertaken with neighbouring buildings;
- (6) Inadequate parking provision.

- 5.4 Since the Committee (A) meeting, a further 3 letters of objection and a petition with 25 signatures have been received. This includes an objection from the Sydenham Society, who have stated:

'Whilst the Sydenham Society acknowledges the need for the specialist accommodation provided by Abbeyfield, in our view the development proposed is totally inappropriate in respect of its height, bulk, scale and massing and will not enhance the setting of the locally listed Highfield House. In addition, if permitted, this building, with its slab-like design, will have an entirely negative impact on an Area of Special Character, contrary to Lewisham's policy DM 37 which states that development in such areas should "sustain and enhance the characteristics that contribute to the special local spatial, architectural, townscape, landscape or archaeological distinctiveness of these areas".

'If permitted the damage done to the Area of Special Character will not only be at the front on Sydenham Hill – where there will, in effect, be a continuous built-up frontage – but also to the rear where demolition and the construction of a five-storey building will have a major impact on the remnants of the Great North Wood and westerly views towards the protected Sydenham Ridge.

'The Sydenham Society fully supports the planning case officer's reasons for refusing planning consent for this development as set out in section 10 of the report to Planning Committee A on 30 March 2017. In particular we share the concerns about Trees/Ecology detailed in the report at clauses 6.56-6.68 which encapsulate the alarming impact such a development – if permitted – could have on this part of Sydenham Hill.

'The Sydenham Society wishes to also record its support for the concerns of neighbours in the adjacent housing developments at Porlock House and Droitwich Close (comprising Leamington Court, Bath Court and Harrogate Court). The amenity and outlook of residents on both sides of the proposed new block will be severely compromised in terms of their outlook and ability to enjoy their homes. Currently residents of west-facing dwellings in Porlock House enjoy good levels of daylight and sunlight, and pleasant uninterrupted views. The proposed new development, if permitted, will be overbearing and unneighbourly, will lead to a sense of enclosure and will adversely reduce the light and views currently enjoyed by all residents.

'The Sydenham Society shares the residents' concerns about parking and supports the points made in the section of the report entitled "Highways and Traffic issues". Clauses 6.39-6.46 set out in detail concerns about the minimal level of off-street parking proposed (just 7 spaces), access arrangements (insufficient width for two-way vehicle movements) and poor sightlines for drivers along this part of Sydenham Hill.

'Residents have noted in their objections that Sydenham Hill is a relatively narrow road with mini roundabouts at both ends which are congested at peak times. From the west there are two bends in the road, the latter within 30 yards of this property. In the Society's view an increase in traffic movements at this location, with drivers reversing in and out or having to pause on Sydenham Hill before entering, will present a major hazard to road safety.

'The Sydenham Society supports the view of the planning case officer with regard to Design (clauses 6.8-6.17) and Standard of Accommodation (6.34-6.38). As described at 6.35 the configurations of the units in a proposed C-shape has resulted in long corridors which means that most of the rooms would be single aspect, limiting the range of outlook and the amount of daylight received; the lower level units facing the communal garden would be overshadowed by the height of the southern wing, resulting in a sense of enclosure and impaired outlook. At 6.37 there is a description of the communal garden, with which the Sydenham Society could not agree more. ('Its positioning below the established ground level, and proposed building heights surrounding it, would result in the amenity space being significantly overshadowed and enclosed. Considering the nature of the proposed tenure, the scheme should be seeking to provide residents with an outdoor setting they can enjoy and that enhances their well-being.')

(Letters are available to Members).

London Borough of Southwark Planning Department

5.5 No response.

Natural England

5.6 No response.

Thames Water

5.7 No response.

**Internal Responses**

Highways

5.8 Objections raised.

Environmental Health

5.9 No objections raised.

Tree Officer

5.10 The officer raises objections to the proposal.

Conservation Officer

5.11 Raises concerns to visual harm upon the character of the existing locally listed building.

Ecology

5.12 The Ecology officer noted there was no assessment or recognition of biodiversity, and no mitigation and/or enhancements proposed.

**6.0 Planning Considerations**

6.1 The main issues to be considered relate to the matters raised at Planning Committee A on 30 March 2017, which includes:

- a) Justification for 40 units;
- b) Improvements to the proposal;
- c) Highways and Traffic Issues.

Viability

6.2 The proposal includes 40 residential units comprised of 19, two-bedroom flats; and 21, one-bedroom flats, and would provide a specialist type of housing for dementia sufferers.

6.3 The applicant has advised that with regards to the operation of the property, the majority of extra care developments are occupied by single people, with approximately 20% of their residents living as couples. The Sydenham Hill scheme

has been designed to accommodate more couples, specifically where one member of the relationship is living with dementia. Couples would live together and care would be provided to the resident who needs it by staff on site, removing the burden of care from the more able partner. A suite would also be provided for any residents who wants a guest to stay but do not have the facilities within their own unit.

- 6.4 The applicants have advised that allocations would be via the Council's housing list, which together with the level of affordable housing and age criteria for the development would have been secured by planning obligation had permission been recommended.
- 6.5 The concerns relating to the overall scale of development is directly attributed to the number of residential units, which the applicants advised would be required to ensure the viability of the scheme. Members considered it appropriate therefore that the applicants should submit a Viability Report to the Council to justify the provision of 40 units.
- 6.6 A report undertaken by The Abbeyfield Society has been submitted which identifies Funding and construction; Build costs; Saleable and non-saleable floorspace; and Staffing as the main generators of significant costs for Extra Care schemes. The Report advises that in regard to build costs, Extra Care development would typically cost up to 13% greater than a new build 2-storey flatted building, due to the extra services required.
- 6.7 The Report advises 'we have assumed that the development will be 40 units as per the planning application; this was shown at the early stages to be the minimum scale for the development to operate as a fully affordable scheme. The architectural designs were then informed by this requirement.'
- 6.8 The applicant had originally proposed that all units would be affordable rented units, exceeding the target of 50% affordable in schemes of 10 units or more set by Core Strategy Policy 1, and to set rent levels for the units at 80% of market rent, in accordance with the Council's 'Affordable Rent Study: Market Research & Affordability Analysis (February 2014)'.
- 6.9 The Viability Report sets out five model scenarios for the scheme that were undertaken for between a range of 35 to 40 units, including either full affordable units; and mixed tenure affordable rents and shared ownership. The modelling assesses the capital cost; grant funding; income from the units; and expenditure including staffing costs and property operation costs.
- 6.10 The modelling was undertaken between April and June 2017, and the Report concludes that 'having reviewed the financial viability with current costs for construction and income, the full rental model for 40 units (which was originally proposed) has now proved to be unviable.'
- 6.11 The scheme has therefore been 'remodelled' to provide a mixed tenure of 30 affordable rent units (21, one bedroom and 9, two bedroom units), and 10 shared equity sales (10, two bedroom units) at 75% of market value. Subject to formal approval, the scheme would benefit from grant funding from the GLA equating to £51,000 per unit towards each affordable rent unit, and £30,000 for each shared ownership unit. Officers raise no concerns regarding the new proposed mix, given

that the majority will remain as affordable rent, and therefore in accordance with Core Strategy 1 for providing 50% affordable housing, subject to viability.

- 6.12 Whilst the Viability refers to the provision of 40 units being an early requirement, it does not explain how this figure was reached prior to the formal submission of the planning application. The Modelling process was conducted subsequent to the Planning Committee, however the initial process of determining the quantum of units does not form part of the Report.
- 6.13 The applicants have been consistent during the course of the planning process that the provision of 40 units cannot be reduced, and whilst the Viability appears to support their argument, officers do not consider this to be sufficient reason alone to justify such an over-development of this site and its context.

### Design

- 6.14 In response to the constraints of the development demonstrated in the Viability Report, the applicant has not proposed any amendments to the design that addresses the reasons recommended to refuse the application.
- 6.15 Officer concerns toward the scale of development are significant, and can only be addressed by an appropriate reduction in the number of units. In this case, maintaining the 40 units would result in the undertaking of only minor alterations to the building, which would be wholly ineffectual in achieving a policy compliant scheme. The applicant has acknowledged the difficulty in substantially reconfiguring the scheme that would maintain the desired 40 units, whilst overcoming the design concerns raised by officers and consultees.
- 6.16 This serves to confirm the limitations of the site, and the gross over-intensification that is proposed. The previous Committee report set out in detail the reasons why the proposal was considered to be unacceptable. This followed the undertaking of a thorough assessment of the scheme by officers, and the significant impacts upon neighbouring amenity, the locally listed Highfield building, and the character of the wider area.
- 6.17 Officers maintain no objections to the demolition of the existing Hill House, which is a relatively modern building, but one that is considered to have an appropriate relationship with the wider area due to its form, lower scale and height. In contrast, the scale and massing of the proposed building that would be up to 5-stories high, would be excessive and disproportionate to the size and nature of the site.
- 6.18 The inappropriate slab-like design and overall expanse of the building, coupled with a lack of elevational articulation is considered to contribute to the bulk and massing of the development, which in turn would serve to compound the harmful visual impact. The proposal would fail to preserve or create an urban form that contributes to local distinctiveness, which includes building features, roofscape and open space. It is therefore considered contrary to DM policies 30 and 37, and further conflicts with policy when considering its impact upon the character of the locally listed Highfield, and the designated Areas of special character.
- 6.19 Officers have identified other areas of concern that have been addressed in detail within the previous Committee report. The height and layout of the building would compromise the proposed standard of residential accommodation by impairing

outlook from some units, whilst resulting in limited natural light intake and sense of enclosure.

- 6.20 In addition, the communal courtyard area would feel enclosed and overshadowed by the height of the building and its positioning below the established ground level.
- 6.21 In regard to neighbouring amenity, there would be significant harm upon occupiers to the west of the site in Droitwich Close, with the excessive mass of the proposed building impairing their outlook and creating an overbearing sense of enclosure and overshadowing to their communal amenity space.
- 6.22 The consequence of retaining the quantum of units for viability purposes negates any opportunity to reduce the scale of proposed development that may address these concerns. Officers therefore maintain objections to the proposal and the resulting harm that would be contrary to DM Policies 15 'High quality design for Lewisham', 32 'Housing design, layout and space standards', 33 'Development on infill sites, backland sites, back gardens and amenity areas' and 37 'Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest' of the Development Management Local Plan (2014).

#### Highways and Traffic Issues

- 6.23 The Highways officer advised prior to the March Committee that the proposed level of off-street parking (7 spaces) would be insufficient to accommodate the parking demand generated by the development, which would be on a 'first come, first served' basis for residents, 12 members of staff and visitors. The Transport Statement that accompanies the application did not include a parking survey to demonstrate that the overspill parking generated by the development could be suitably accommodated within surrounding streets.
- 6.24 Members requested that a parking survey be undertaken by the applicant to determine the potential impact. Subsequently, this was undertaken by Traffic Surveys UK Ltd and the on-site survey took place over two days on Tuesday 9th May 2017 and Thursday 10th May 2017.
- 6.25 The report concludes 'there are available on-street parking spaces at all times relevant for the project should the parking demand exceed the 7 spaces provided for within the scheme proposals.'
- 6.26 The Council's Highways officer has reviewed the parking survey information and agrees that the parking surveys do indicate there are locations on the streets surrounding the site where overspill parking from the development may be accommodated. However, whilst the locations identified currently are unrestricted (i.e. have no waiting restrictions or yellow lines), many of the locations in the parking survey (on Sydenham Hill and Droitwich Close) are considered undesirable because if parking took place in these unrestricted locations :-
1. It would have an impact in terms of the free flow of traffic by reducing the effective width of the carriageway;
  2. It would result in vehicles parking on footways, thereby impacting upon pedestrian movement;
  3. It would impact on visibility splays from vehicle crossovers.

- 6.27 When the locations where undesirable parking could take place are excluded from the survey results, the parking survey identifies that if the overspill parking from the proposed development occurs, it would result in an unacceptable level of parking stress in the streets surrounding the site.
- 6.28 Currently these locations identified in the parking survey (on Sydenham Hill and Droitwich Close) have no parking restrictions because undesirable parking does not take place.
- 6.29 In light of this, officers object to the proposal on grounds that it would serve to result in on-street parking pressures due to the insufficient provision of on-site parking.
- 6.30 This follows other Highways related concerns that are addressed in detail in the March 2017 Committee report, including;
- Unacceptable access arrangement/ layout for the proposed off-street parking would be unacceptable.
  - Poor intervisibility between the disabled parking spaces in the parking area to the rear of Highfield house (parking bays 5 & 6) and vehicles accessing the site from Sydenham Road, thereby increasing the potential for conflict and resulting in vehicles reversing out onto Sydenham Hill;
  - The layout for the parking area to the west of the site would also result in vehicles reversing out onto Sydenham Road, particularly parking bay 1.
  - The vehicle movements associated with the disabled parking space (bay 4) would be in close proximity to the front doors for the building, which increases the potential for conflict.
  - A swept path analysis is not provided for any of the parking areas/ spaces to demonstrate that all vehicles could access/ egress the site in forward gear.
  - The transport statement does not illustrate where service vehicles would load to service the site.
- 6.31 Given the issues outlined, and no reduction in scale or footprint of the building being possible, the proposal remains objectionable on Highways grounds, contrary to DM Policy 29 Car Parking.

## **7.0 Conclusion**

- 7.1 This application has been considered in the light of the relevant policies set out in the development plan and other material considerations including representations from third parties that have been discussed in the March 2017 report and this report.
- 7.2 Following a further assessment of the proposal and submission of additional information, officers maintain a strong objection to the proposal.
- 7.3 Whilst the principle of continued care provision upon the site is supported, officers consider this should not outweigh the adverse impact of the development. The overall scale and massing of the development would be excessive, failing to

respond positively to the application site or wider area, whilst impacting significantly upon neighbouring amenity.

- 7.4 The applicant demonstrates in the Viability Report that a reduction of units would result in the scheme being unviable, with 40 being the minimum provision. Subsequently, there would be no scope to reduce the scale and visual impact of the development.
- 7.5 Following an assessment of the Parking Survey, Highways officers maintain their objections toward the lack of on-site parking, and the subsequent overspill of vehicles associated with the care home parking in neighbouring streets.
- 7.6 The development would provide sub-standard residential accommodation, with poor outlook and sense of enclosure to some units, due to the height and form of the building.
- 7.7 The relationship with the existing locally listed building is poor, whereby the proposal would not correspond in any way to the architectural language or character of Highfield. The shape and form of the building would not be subordinate, whilst the undercroft is not an appropriate design response to this frontage, highlighting the incongruous nature of the proposal.
- 7.8 Finally, the felling of trees upon the site, and the potential harm to those remaining also raises concern, whilst officers consider the development would have a harmful impact upon the designated special character of the area.
- 7.9 For these reasons, officers recommend permission is refused.

## **8.0 RECOMMENDATION**

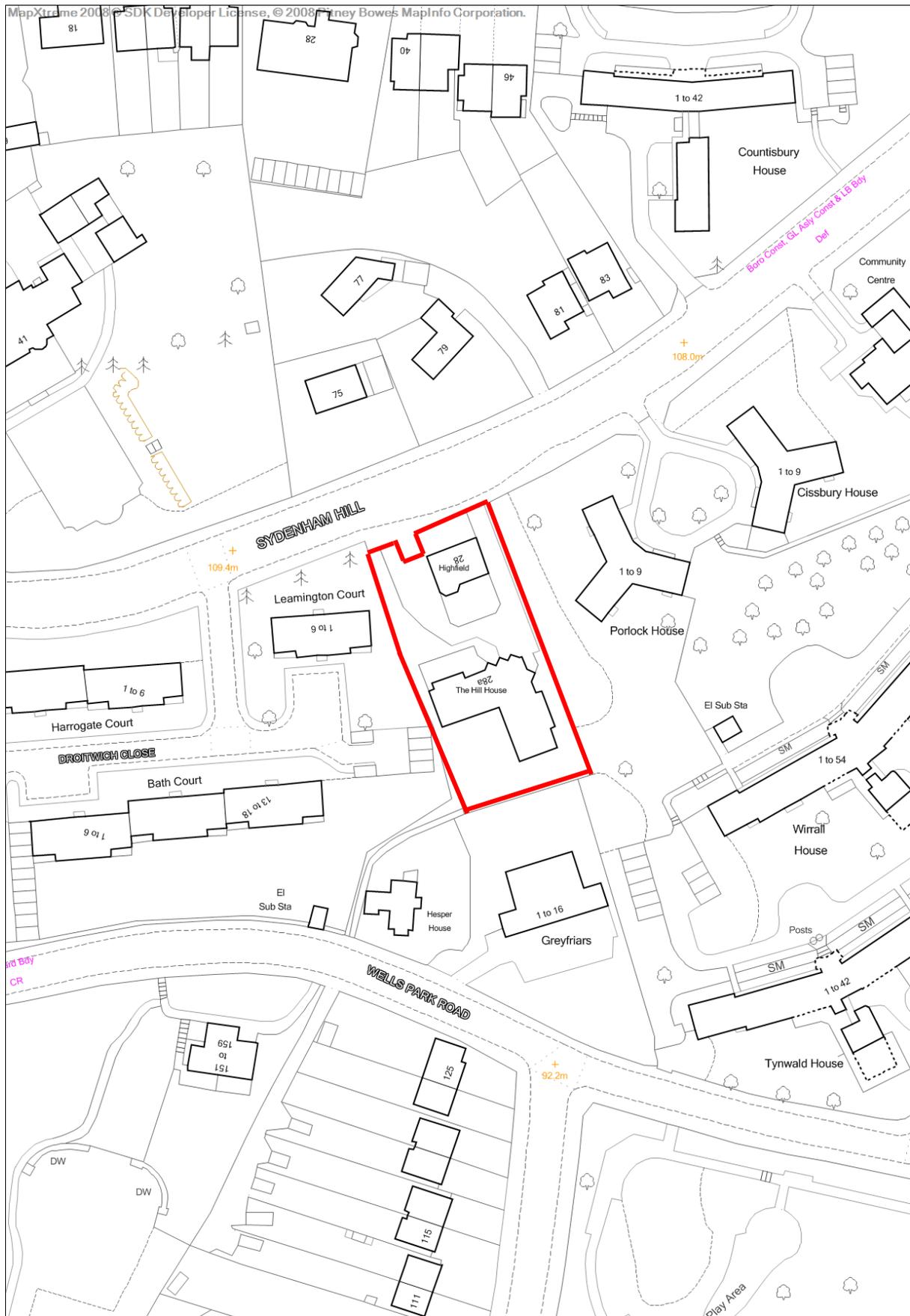
### **8.1 REFUSE PLANNING PERMISSION**, for the following reasons:

- 1) The proposal, by reason of excessive scale, height, bulk and massing would represent a significant over-development of the site, appearing as an overbearing and discordant form of development that would disrupt the established building form, and harm the designated 'Area of Special Character', contrary to DM Policy 15 'High quality design for Lewisham', DM Policy 32 'Housing design, layout and space standards', DM Policy 33 'Development on infill sites, backland sites, back gardens and amenity areas' and DM Policy 37 'Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest' of the Development Management Local Plan (2014).
- 2) The proposed building would fail to respect or be sympathetic to the historic character and prominence of the local ly listed building, resulting in a poor relationship that would compromise the setting of Highfield and existing streetscape, contrary to Policy 15 'High quality design for Lewisham', DM Policy 30 'Urban design and local character' and DM Policy 37 'Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest' of the Development Management Local Plan (2014).

- 3) The proposed development, by reason of siting, scale and massing, would result in adverse harm upon the setting of Droitwich Close, appearing as an overbearing and incongruous introduction that would overshadow the existing amenity space and impair outlook to occupiers, contrary to Objective 10: Protect & Enhance Lewisham's Character & Policy 15: 'High Quality Design for Lewisham' of the adopted Core Strategy (June 2011), and DM Policy 32 'Housing design, layout and space standards' and DM Policy 33 'Development on infill sites, backland sites, back gardens and amenity areas' of the Development Management Local Plan (2014).
- 4) The proposed standard of residential accommodation would be compromised significantly by virtue of the dense and overbearing scale and layout of the building that would result in poor outlook, sense of enclosure and overshadowing to some units and to the communal garden area, contrary to Policy 32 'Housing design, layout and space standards' of the Development Management Local Plan (2014).
- 5) The proposal, by reason of insufficient provision of off-street parking, and the likely demand attributed to the nature of the use, would result in potential for an unacceptable increase in parking stress to neighbouring streets, in addition to poor vehicular access and parking layout within the site, contrary to DM Policy 29 'Car parking' of the Development Management Local Plan (November 2014).



HIGHFIELD HOUSE, 28 SYDENHAM HILL, LONDON, SE26 6TP – SiteMap



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**Appendix 1**

**HIGHFIELD HOUSE, 28 SYDENHAM HILL,  
LONDON, SE26 6TP**

**Committee Report**

**30<sup>th</sup> March 2017**

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Committee	PLANNING COMMITTEE (A)	
Report Title	28 Sydenham Hill, SE26	
Ward	Forest Hill	
Contributors	Geoff Whittington	
Class	PART 1	30 March 2017

Reg. Nos. DC/15/094733

Application dated 28.11.2015

Applicant Abbeyfield Housing Society

Proposal Demolition of Hill House 28a Sydenham Hill SE26, the change of use, alteration and extension to 28 Sydenham Hill SE26 including the formation of front and rear lightwells, together with the construction of a part/two, part/three, part/four, part/five-storey building, to provide 40 self-contained 'Extra Care' home units comprising 19, two bedroom and 21, one bedroom flats, with the provision of 7 car parking spaces, cycle parking and associated landscaping.

Applicant's Plan Nos P01, P02, P03, P04, 05, P06, 07, P08 Rev A, P09, P10, P11, P12, P13, P14, E01, E02, E03, Site Plan, Block Plan, Impact on trees Report, Design & Access Statement, Transport Statement, Area Appraisal – conservation supporting information, Energy & Sustainability Statement, Planning Statement, Statement of public consultation received 28 November 2015; P15, Travel Plan Rev A received 5 December 2016.

Background Papers

- (1) Case File LE/345/28/TP
- (2) Local Development Framework Documents
- (3) The London Plan (2016)
- (4) The NPPF

Designation Core Strategy – Area of stability and managed change.

## **1.0 Property/Site Description**

- 1.0 The site is located on the south side of Sydenham Hill, lying opposite the borough boundary with LB Southwark. The site, which measures 0.19 Hectares, is currently occupied by a 3-storey plus roof space 1980s building (Hill House) located centrally within the site that was formerly in use as a care home for the elderly prior to its closure in 2014.
- 1.1 The building to the front of the site known as Highfield is a classically styled, locally listed building of the mid-19<sup>th</sup> century, which has been unoccupied since 2010. Although the Victorian Villa now stands isolated among dominant modern

buildings, it is an important reminder of the earlier pattern of development on Sydenham Hill.

- 1.2 The northern part of the site is flat, before sloping considerably toward the southern end. Existing perimeter trees are located to the front half of the site, whilst there is denser tree coverage to the rear.
- 1.3 The surrounding area is predominantly residential in character. To the west of the site is Droitwich Close, which is comprised of 3-storey blocks of flats. To the east are 3-storey flats (Porlock House), whilst to the south is a 5-storey block of flats (Greyfriars).
- 1.4 To the south-east is a 6-storey building accommodating flats (Wirrall House), and to the south-west is a 2-storey house. Directly to the north of the application site are 2-storey dwelling-houses lying within the London Borough of Southwark, bounded by an 8-storey block of flats and villa style properties.
- 1.5 The nearest local amenity is a public house to the west of the site on Crescent Wood Road, whilst the nearest retail store is located on Wells Park Road.
- 1.6 The only existing vehicular access into the application site is from Sydenham Hill. The site is served by two local bus routes, providing direct links to Sydenham and Crystal Palace. The site has a PTAL rating of 2 on a scale of 1-6, where 1 indicates poor access to public transport.
- 1.7 The site is not located within a conservation area, however it falls within a designated 'Areas of Special Character'.

## **2.0 Planning History**

- 2.1 Planning permission was granted 16 October 1987 for the construction of a part two, part three storey plus roof space home for the elderly on land at the rear of Goodliffe House, comprising 25 residential units and two flats for staff together with the provision of 5 parking spaces and the erection of a paladin enclosure to the side.

## **3.0 Current Planning Application**

- 3.1 The current application proposes the demolition of the existing care home building to the centre of the site, which has been unoccupied since 2014. The replacement building would vary in height between two and five storeys and would adjoin the existing locally listed Highfield building to the side and rear, whilst extending within close proximity of the western and southern boundaries of the site.
- 3.2 The development would provide 40 self-contained units comprising 19, two bedroom and 21, one bedroom flats. The proposal would create an extra care housing scheme incorporating specialist dementia care services for older people.
- 3.3 The facility would have associated communal facilities, including lounge/dining room, activity rooms, well-being suite and hairdressers. The central external area would be landscaped to form a communal garden for residents, measuring approximately 230sq.m.

- 3.4 Access to the building for residents would be through the existing building, which would be converted to provide office space, a reception area, amenity rooms and residential accommodation. Lightwells would be formed to the front of the building, with a 'bridge' providing access to the entrance.
- 3.5 The building would be staffed 24 hours a day, with 12 full-time employees.
- 3.6 The existing vehicular access to the eastern side of the development would be retained, with 3 parking spaces located at the rear, including 2 disabled bays. Four parking bays would be provided to the front of the site. A refuse store, and a cycle/buggy store would be located within an undercroft area to the front of the new building.
- 3.7 The predominant facing material of the proposed building would be stock brick, with extensive glazing to the western boundary. The elevation fronting Sydenham Hill would be of reconstructed limestone pre-cast panelling.
- 3.8 External driveway surfaces are proposed in concrete block paviors laid on a porous base. Existing driveway levels would be maintained to the east driveway to avoid ground disturbance in the tree root protection areas.

#### **4.0 Consultation**

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site Notices were displayed. Notification letters were sent to 163 properties, local ward councillors, ward councillors from the London Borough of Southwark and Southwark Council whose boundary lies opposite the site.

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

- 4.3 Two letters received objecting to the proposal on the following grounds;
- (1) Overbearing form of development;
  - (2) Overlooking from west facing balconies and windows toward Leamington Court;
  - (3) Treatment of western façade – bris soleil is an inappropriate treatment, and would result in overlooking;
  - (4) Loss of existing trees;
  - (5) Poor contextual analysis undertaken with neighbouring buildings;
  - (6) Inadequate parking provision.
- (Letters are available to Members).

London Borough of Southwark Planning Department

4.4 No response.

Natural England

4.5 No response.

Thames Water

4.6 No response.

**Internal Responses**

Highways

4.7 No objections raised.

Environmental Health

4.8 No objections.

Tree Officer

4.9 The officer raises objections to the proposal. Their comments and observations will be addressed later in this report.

Conservation Officer

4.10 Raises concerns in regard to the visual harm upon the character of the existing locally listed building.

Ecology

4.11 The Ecology officer has commented that there has been no assessment or recognition of biodiversity, and there appears to be no mitigation and/or enhancements proposed.

4.12 Bird and bat boxes should be provided as the area is a hotspot for bats and other wildlife that use and commute between Sydenham Hill Woods, Sydenham Well Park, the Hill Crest Estate Woodlands and Crystal Place Park.

**5.0 Policy Context**

Introduction

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

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

- (c) any other material considerations.

A local finance consideration means:

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

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

#### National Planning Policy Framework

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

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

#### Other National Guidance

5.5 Other relevant national guidance contained within the National Planning Policy Guidance is:

- Climate change
- Design
- Renewable and low carbon energy
- Use of Planning Conditions

#### Development Plan

5.6 The London Plan, together with the Core Strategy, the Site Allocations, the Lewisham Town Centre Local Plan, and Development Management Local Plan forms the borough's statutory development plan.

## Other National Guidance

5.7 The other relevant national guidance is:

Design

Health and wellbeing

Natural Environment

Planning obligations

Renewable and low carbon energy

Travel plans, transport assessments and statements in decision-taking

## London Plan (2016)

5.8 The London Plan policies relevant to this application are:

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 6.9 Cycling

Policy 6.13 Parking

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 8.3 Community infrastructure levy

## London Plan Supplementary Planning Guidance (SPG)

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

Accessible London: Achieving an Inclusive Environment (2004)

Housing (2016)

Sustainable Design and Construction (2006)

## Core Strategy

5.10 The Core Strategy policies relevant to this application are:

Spatial Policy 5 Areas of Stability and Managed Change

Policy 1 Housing provision, mix and affordability

Policy 7 Climate change and adapting to the effects

Policy 8 Sustainable design and construction and energy efficiency

Policy 10 Managing and reducing the risk of flooding

Policy 12 Open space and environmental assets  
Policy 14 Sustainable movement and transport  
Policy 15 High quality design for Lewisham

### Development Management Local Plan

5.11 The Development Management Local Plan policies relevant to this application are:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 5	Specialist accommodation for older people
DM Policy 22	Sustainable design and construction
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 37	Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest

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

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

## **6.0 Planning Considerations**

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

- a) Principle of Development
- b) Design, including relationship with locally listed building
- c) Housing
- d) Highways and Traffic Issues
- e) Trees and Ecology
- f) Impact on Neighbouring Properties
- g) Sustainability and Energy
- h) Planning Obligations

### Principle of Development

6.2 Paragraph 197 of the National Planning Policy Framework states '*in assessing and determining development proposals, local planning authorities should apply the presumption in favour of Sustainable development*'. DM Policy 1 of the Development Management Local Plan – proposed submission version, states that

*'when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to find solutions which mean that proposals secure development that improves the economic, social and environmental conditions of the borough'.*

6.3 Extra care accommodation promotes independent living while providing a level of support and intermediate health and social care for people who are vulnerable due to age or disabilities. In this case, the proposal is for 40 extra care units for people suffering from dementia.

6.4 A letter dated 17<sup>th</sup> January 2013 from the Council's Customer and Community Services Directorates to the Greater London Authority provides an overview of the need for extra care housing in the borough. The letter states:

*"The Council recently commissioned a review of older people housing in the borough in order to understand current and future housing demand and review existing housing supply. The study, which was undertaken by leading housing consultancy Campbell Tickell, identified that, by 2030, there will be a shortfall of 269 units of extra care housing within the borough after taking account of the existing provision by the Council, registered providers and private landlords and using POPPI projections to calculate demographic change.*

*'PCH currently have over 630 tenants who are aged over 60 and under occupying and 10% of these residents are already in receipt of a care package. Over 450 of these residents live in a three or four bed property, which includes 124 residents that are aged over 80, with eight of these residents living in four bed houses.*

*'Despite the expressed interest of current tenants to move to extra care, PCH do not have any extra care elderly housing schemes within their housing portfolio. In addition, there is a general lack of extra care housing in the south of the borough, and housing in the north and central Lewisham currently lacks modern facilities. The introduction of this scheme will provide quality housing options for these residents with an opportunity to relocate and free up much needed family accommodation in the borough.'*

6.5 It is acknowledged there is a shortage of high quality homes specifically designed for older residents in the Borough, and particularly homes which enable residents to maintain their independence at home for as long as possible. The Lewisham SHMA (2009) indicated that 17.9% of households in Lewisham were all older people and another 5.5% contained at least one older member of the household alongside younger members.

6.6 DM Policy 5 advises the Council will support proposals for specialist accommodation including sheltered housing, care homes and other appropriate models of accommodation for the elderly and those with particular needs. The policy also states that whilst a key criterion is the need for buildings to be designed so that they are fit for purpose for future occupiers. The relationship between a development and its surroundings is also important.

6.7 In summary, there is strong policy support for the creation of extra care provision in the Borough and given the predominant residential character of the surrounding area, the use of the site for the proposed purpose is supported in principle.

However, such need must be weighed against other planning matters, including design, scale and massing. These will be considered below.

### Design

- 6.8 Paragraph 64 of the National Planning Policy Framework 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’, whilst Standard 1 - Development Proposals of The London Plan Housing SPG (2016) requires development proposals to demonstrate how the design responds to its physical context, including the character and legibility of the area and the local pattern of building, public space, landscape and topology.
- 6.9 DM Policy 30 Urban design and local character states planning applications must provide an adequate response to detailed matters including the creation of a positive relationship to the existing townscape and topography, height, scale and mass.
- 6.10 Officers raise no objections to the demolition of the existing Hill House, which is a relatively modern building that has no significant architectural merit to warrant its retention. However, whilst its design is not exceptional, it is acknowledged that its form, lower scale/ height and positioning away from Highfield and the boundaries is more appropriate for this site, in contrast to the proposed scheme.
- 6.11 The proposal fails to achieve a high quality design, attributed to the required provision of 40 self-contained units. The scale and massing of the proposed building would be excessive and disproportionate to the size of the site. The western wing that connects to the front is overly large and would be visually obtrusive and over dominant when viewed from the open space of the adjacent flats, in particular Droitwich Close. The western wing also fails to take into consideration the sloping nature of the site towards the rear, maintaining its height when it should be seeking to step down accordingly with the change in gradient.
- 6.12 When viewed from the south, whilst the 5-storey height of the southern wing would be similar to the adjacent Greyfriars, due to its siting upon the significant slope, the building would appear approximately 3-stories higher, thereby dominating the skyline.
- 6.13 A limited contextual analysis of the immediate area has been undertaken to justify the proposed height of the building. Officers acknowledge the 5-storey buildings located nearby, however these are generally in context with the proportions of their plots.
- 6.14 Policy DM 37 (Areas of special character) states development in such areas should ‘sustain and enhance the characteristics that contribute to the special local spatial, architectural, townscape, landscape or archaeological distinctiveness of these areas.’
- 6.15 The scale and height of the proposal are excessive for the site and fall well below the standard that would be expected for an area with such a designation. The building would represent an unsympathetic design approach that would be neither compatible or complementary with the surrounding urban typology.

- 6.16 The inappropriate slab-like design and overall expanse of the building, coupled with a lack of elevational articulation, contributes to the bulk and massing of the development, which in turn would serve to compound the harmful visual impact.
- 6.17 Subsequently, the proposal would fail to preserve or create an urban form that contributes to local distinctiveness, which includes building features, roofscape and open space. It is therefore considered contrary to DM policies 30 and 37, and further conflicts with policy when considering its impact upon the character of the locally listed Highfield.

*Relationship to locally listed building (Highfield)*

- 6.18 Para. 132 of the NPPF requires great weight to be given to the conservation of heritage assets and notes that significance can be harmed or lost through unsympathetic development within their settings. Para 135 advises that when determining applications, careful consideration must be given to the effect of a proposal on the significance of non-designated heritage assets.
- 6.19 Historic England and CABI state in 'Building in Context' that where new development affects heritage assets, design should be of the highest standard and new buildings 'recognisably of our age, while understanding and reflecting history and context'. In order to achieve a complementary relationship between the historic and new built forms, reference should be made to locally distinctive models, materials and key elements of design, which lend themselves to modern interpretation and assimilation.
- 6.20 The NPPF requires that local planning authorities should take into account the desirability of sustaining and enhancing the significance of such heritage assets and of putting them to viable uses consistent with their conservation. They are also obliged to consider the positive contribution that conserving such heritage assets can make to sustainable communities including their economic vitality.
- 6.21 The principle of a contemporary architectural approach to the proposed building is acceptable, however in this case, in addition to the concerns regarding the scale of the proposal detailed above, the proposed architectural treatment makes no reference to the stylistic qualities of the locally listed building, whilst the prominently sited, institutional under-croft is considered particularly alien. The new built form should not project forward of the rear (southern) building line of Highfield so that the existing building remains pre-eminent on the site when viewed from Sydenham Hill. The height of the new building should be stepped down towards its northern frontage so that it remains respectfully below the eaves level of the locally listed building (LLB).
- 6.22 The supporting statement maintains that interior connectivity between Highfield and the new structure is essential for effective functioning. While it is acknowledged that this is an important consideration, connectivity between the historic and modern buildings should occur to the rear of Highfield and take the form of a neutral glazed link, which allows the LLB and the new development to remain visually separate.
- 6.23 The bulk and alien form of the new building would overwhelm Highfield, and would serve to diminish both its individual significance and the special contribution it makes to streetscene character, contrary to Policy DM37.

- 6.24 In summary, officers are unable to support the proposed development due to the design, scale, height, massing and layout of the scheme being inappropriate for this site, demonstrated by the significant building mass to the western boundary adjoining Droitwich Close.
- 6.25 The high density redevelopment of this site in a sensitive location, confirmed by the special character designation, represents a significant over-development as evidenced by the severity of the impacts that the proposals have upon townscape, local character and the amenity of nearby occupiers, in addition to the character and setting of the locally listed Highfield building.

### Housing

- 6.26 The provision of housing is a key priority and pressure for the borough. Through Core Strategy Policy 1, the Council seeks to reduce inequalities and create socially mixed communities with a greater housing choice of mix, size, type and location in order to represent the needs of Lewisham's diverse community.

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

- 6.27 The proposal includes 40 residential units consisting of: 19 x two-bedroom flats; and 21 x one-bedroom flats.
- 6.28 The applicants advise that *'the scheme proposal is of the highest quality currently proposed nationally in the field of Extra Care Housing and has been designed to meet the acknowledged exemplary standards for Extra Care and Dementia Care housing.'*
- 6.29 The proposal is a specialist type of housing, providing extra care facilities. The applicant proposes that all of the proposed units would be affordable rented units, exceeding the target of 50% affordable in schemes of 10 units or more set by Core Strategy Policy 1.
- 6.30 Given the specialist nature of this form of housing, the tenure is considered acceptable in this case. The applicants have advised that allocations would be via the Council's housing list, which together with the level of affordable housing and age criteria for the development would have been secured by planning obligation had permission been recommended.
- 6.31 The Council's 'Affordable Rent Study: Market Research & Affordability Analysis', published February 2014' which looked at affordable rent levels across the borough advised that:
- 6.32 Appropriate Affordable Rent levels would be:
- a. - 1-bed: 80% market rent
  - b. - 2-bed: 70 to 80% market rent
  - c. - 3-bed: Up to 65% or a proportion at the capped rent of 50%
- 6.33 The applicant proposes to set rent levels for the units at 80% of market rent and on the basis of the Affordable Rent Study, officers consider this acceptable.

### *Standard of Accommodation*

- 6.34 The one-bedroom units would measure 55sq.m, which exceeds the minimum 50sq.m as stated in the nationally described space standards, whilst the two-bedroom units would be 68sq.m, exceeding the minimum 61sq.m tolerance. All units would be afforded private balconies.
- 6.35 In terms of internal arrangement, the configurations of the units within the block in the proposed C shape are arranged around two projecting cores. The nature of this arrangement results in long corridors, which in turn mean that most of the rooms would be single aspect, thereby limiting the range of outlook and the amount of daylight received by the units. Whilst there would be no single aspect north facing units, which are not supported by policy, the lower level units facing the communal garden would be overshadowed by the 5-storey height of the southern wing, which would also result in sense of enclosure and impaired outlook.
- 6.36 In addition, the lower ground floor unit to the front of the building would be single aspect only, with all openings being sited less than 3 metres from the western boundary, resulting in poor outlook toward the boundary fencing and limited provision of sunlight.
- 6.37 The proposed communal garden would measure approximately 230sq.m, providing a mix of hard and soft landscaping measures. Its positioning below the established ground level, and proposed building heights surrounding it would result in the amenity space being significantly overshadowed and enclosed. Considering the nature of proposed tenure, the scheme should be seeking to provide residents with an outdoor setting they can enjoy and that enhances their well-being.
- 6.38 Overall, officers are concerned that living standards would be compromised significantly to enable the accommodation of the 40 units, indicating an unacceptable over-development of the site.

### Highways and Traffic Issues

#### *Parking*

- 6.39 The proposed level of off-street parking (7 spaces) would be insufficient to accommodate the parking demand generated by the development, which would be on a 'first come, first served' basis for residents, 12 members of staff and visitors. The Transport Statement that accompanies the application does not include a parking survey to demonstrate that the overspill parking generated by the development can be suitably accommodated in the streets that surround the site.
- 6.40 The access arrangement/ layout for the proposed off-street parking would be unacceptable. The vehicle access to the parking area to the rear of Highfield house would be of an insufficient width to accommodate two way vehicle movements, therefore vehicles would have to wait either on Sydenham Hill or within the parking area when the access is used by a vehicle travelling in the opposite direction.
- 6.41 The intervisibility would be poor between the disabled parking spaces in the parking area to the rear of Highfield house (parking bays 5 & 6) and vehicles accessing the site from Sydenham Road. There is not a clear line of sight so drivers would be unable to observe if the disabled spaces are available from Sydenham road before accessing the site. The lack of intervisibility would increase

the potential for conflict and would result in vehicles reversing out onto Sydenham Hill, which is unacceptable.

- 6.42 The layout for the parking area to the west of the site would also result in vehicles reversing out onto Sydenham Road, particularly parking bay 1. The vehicle movements associated with the disabled parking space (bay 4) would be in close proximity to the front doors for the building, which increases the potential for conflict.
- 6.43 A swept path analysis is not provided for any of the parking areas/ spaces to demonstrate that all vehicles could access/ egress the site in forward gear.
- 6.44 The transport statement does not illustrate where service vehicles would load to service the site.
- 6.45 The surveys provided within the Transport Statement of similar Extra Care facilities operated by Abbeyfield are unacceptable because the sites identified are not comparable to the application site. In addition, the survey information does not include the date or time when the survey was undertaken.
- 6.46 Given the issues outlined, the proposal is objectionable on Highways grounds.

#### Impact on Neighbouring Properties

- 6.47 DM Policy 32 Housing design, layout and space standards states that all new build residential development should be attractive and neighbourly and respond positively to the site specific constraints and opportunities.
- 6.48 Objections have been received from residents residing adjacent to the application site, stating that the development would be over-dominant, whilst resulting in overlooking.
- 6.49 As addressed earlier, the scale and massing of the development would be considerable on its western side, adjacent to Leamington Court. The eastern end of Droitwich Close has a grassed area that provides some amenity space for residents, with a green backdrop provided by the trees within the application site.
- 6.50 The proposed development would lie within close proximity of the western boundary, and due to the intended height and mass would serve to appear as an overdominant addition to the public realm. The scale of the western and southern elevations, at 5-storeys, would serve to impair the outlook of rear facing occupiers in Leamington Court, whilst creating an overbearing sense of enclosure on the adjacent amenity space within Droitwich Close. Whilst a Daylight/ Sunlight report does not form part of this submission, officers consider that due to the orientation of the proposed building, its height and close proximity to the western boundary, it would be likely to overshadow a considerable area of the amenity space.
- 6.51 In terms of overlooking, officers accept that the brie soleil approach and its 'high transparency' to the western elevation would mean users of the corridors would be visible to the adjoining plot, however it is considered this would not result in significant harm to neighbouring amenity. The nearest Leamington Court window would lie approximately 12 metres away, and the orientation of the existing and proposed buildings would negate any direct overlooking to their habitable rooms from the corridors.

- 6.52 The corridors would be unlikely to generate a regular flow of movement. Upper floor occupiers to the southern end of the proposed building would be likely to use the lift to the eastern side to exit the building, without a need to regularly use the western corridors.
- 6.53 The southern elevation of the proposed building would lie approximately 21 metres from the 5-storey block at Greyfriars to the south. All upper floor units would be afforded 1.5 metre deep balconies, which would be screened to some extent by the existing trees that lie adjacent to the application site. However, as advised later in this report, the Council's Tree officer is concerned the scale and close proximity of the development may compromise those trees.
- 6.54 In response, the applicant has submitted revised plans that propose to direct the view out from the south elevation balconies and living rooms at the upper stories away from Greyfriars by the provision of vertical light stainless steel louvres positioned on the edge of the balconies, which would allow for sufficient outlook and filtering of natural light. Whilst this approach may be acceptable - subject to appearance – the need to undertake such measures is another indication of an over-development of the site.
- 6.55 In summary, officers consider the proposed development would result in a significant overbearing impact upon the amenities of neighbouring occupiers due to its scale and prominent siting.

#### Trees/ Ecology

- 6.56 Core Strategy Policy 12 states that in “recognising the strategic importance of the natural environment and to help mitigate against climate change the Council will conserve nature” which will be achieved by “*protecting trees, including street trees, and preventing the loss of trees of amenity value, and replacing trees where loss does occur*”.
- 6.57 The site is located within a designated ‘Areas of Special Character’. Part 6 of DM Policy 37 refers to ‘Areas of Special Character’ and states;
- ‘Developments in areas of special local character should sustain and enhance the characteristics that contribute to the special local spatial, architectural, townscape, landscape or archaeological distinctiveness of these areas.’*
- 6.58 Given the importance of the site, the proposal must recognise the special character of the surroundings and ensure it enhances the local landscape. The site forms part of a ribbon of designated land that is described in the Site of Borough Grade 1 Importance for Nature Conservation as *‘Remnants of ancient woodland, once formed part of the Great North Wood, scattered around a housing estate. Some fine old oak and sweet chestnut trees link back to this time.’*
- 6.59 The Great North Wood was a natural oak forest that covered most of the rear of raised ground starting some four miles (6 km) south of central London, covering the Sydenham Ridge and the southern reaches of the River Effra and its tributaries. At its full extent, the wood's boundaries stretched almost as far as Croydon and as far north as Camberwell.

- 6.60 In 2016 London Wildlife Trust secured funding from the Heritage Lottery Fund to develop plans for a Living Landscape project based around the Great North Wood. The project aims to raise people's awareness of this largely forgotten woodland, encouraging residents to explore, enjoy and value its natural wealth.
- 6.61 It is therefore important to highlight the submitted 'Report on the Impact on Trees' (ref 1-38-3786), particularly section 6 Tree Protection Proposals, which identifies the need to protect existing trees that reflect the woodland character of the surrounding area in which the application site is situated, and to protect them in the long term from the pressures of intensive development.
- 6.62 The proposal to develop close to the plots boundaries would adversely affect the roots of mature trees along the west, south and east boundaries. In time, this would be likely to result in the loss of these trees, which serve to provide a vital public amenity contributing to the woodland character of the area, whilst also being relied upon by the developer to screen the proposed tall elevations from adversely affecting adjacent residents' woodland outlook.
- 6.63 It is regrettable that the scheme proposes to remove the tree group to the west of Highfield House, which includes the mature Ash T26 as this group is a significant feature on the frontage and provides public visual amenity to the street scene by continuing and linking with the tree and woodland character of adjacent sites and properties. The proposed side element would remove this tree group, which is a visual break to the buildings fronting Sydenham Hill. It would remove the softening effect and foil to the built form and cause a continuous built frontage to develop.
- 6.64 Root protection measures for the Hornbeam T4 to the east of the original building and on drawings 1-38-3786/P1, P2 &P3 are emphasised and welcome. Particularly measures to maintain and protect the existing ground levels from compaction and excavation within root protection zone RPA with permanent fencing.
- 6.65 However, the deep excavations below existing ground levels to create the living/ dining room on Level -2 are of concern as this would affect soil moisture levels and possibly damage tree roots.
- 6.66 The Tree officer has advised that proposals need to highlight in an Arboricultural Method Statement and working plan how tree protection measures would be implemented and incorporated into the construction on site phase - including where site huts, material storage, drainage pipe lines are proposed to avoid and protect the Root Protection Areas especially of T4 the mature hornbeam.
- 6.67 The Council's Ecology officer has reviewed the submission, and commented there is no assessment or recognition of biodiversity, and no mitigation and/ or enhancements proposed.
- 6.68 It is also considered that the submission lacks sufficient detail in regard to Sustainable urban drainage systems (SUDS), and how measures would be implemented to ensure sufficient managing of drainage within the site and to neighbouring plots. Had the scheme been considered acceptable, details would have been requested by officers for assessment.

## Sustainability and Energy

- 6.69 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be consistent with the Government's zero carbon buildings policy and adopt nationally described standards.
- 6.70 London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 6.71 Core Strategy Policy 8 requires all non-residential floorspace to achieve BREEAM Excellent. Sustainability requirements have been absorbed into Building Regulations meaning the applicant does not have to comply with sustainability requirements at this stage of the development process.
- 6.72 The submitted Energy and Sustainability Statement confirms the scheme would achieve a policy compliant BREEAM Excellent rating, and a 35% improvement over Building Regulations 2013. Energy efficiency measures would include the installation of a communal CHP heating system and solar panels.
- 6.73 Building Control officers have advised they are satisfied with the initial approach at this stage.

## Planning Obligations

- 6.74 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:
- (a) Necessary to make the development acceptable
  - (b) Directly related to the development; and
  - (c) Fairly and reasonably related in scale and kind to the development
- 6.75 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 6.76 The applicant provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development. Had permission been recommended, the following obligations would have been sought:
- Affordable Housing: - 100% of units to social rented;
- rent levels set at no more than 80% market;
  - Monitoring, legal and professional costs.

6.77 Officers are satisfied the obligations would meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

## **7.0 Local Finance Considerations**

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

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

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

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

## **8.0 Equalities Considerations**

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

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

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

8.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality. In this matter there is no impact on equality.

## **9.0 Conclusion**

9.1 This application has been considered in the light of policies set out in the development plan and other material considerations including representations from third parties.

9.2 Whilst the principle of continued care provision upon the site is supported, officers do not consider this should outweigh the adverse impact of the development. The overall scale and massing of the development would be excessive, failing to respond positively to the application site or wider area, whilst impacting significantly upon neighbouring amenity.

- 9.3 It is also considered that the development would provide sub-standard residential accommodation, with poor outlook and sense of enclosure to some units.
- 9.4 The relationship with the existing locally listed building is considered poor, whereby the proposal would not correspond in any way to the architectural language or character of Highfield. The shape and form of the building would not be subordinate, whilst the undercroft is not an appropriate design response to this frontage, highlighting the incongruous nature of the proposal.
- 9.5 The felling of trees upon the site, and the potential harm to those remaining also raises concern, whilst officers consider the development would have a harmful impact upon the designated special character of the area.
- 9.6 Finally, Highways officers raise objections due to insufficient provision of off-street parking, and the subsequent impact upon neighbouring streets.
- 9.7 For these reasons, it is recommended permission be refused.

## **10.0 RECOMMENDATION**

### **10.1 REFUSE PLANNING PERMISSION**, for the following reasons:

- 1) The proposal, by reason of excessive scale, height, bulk and massing would represent a significant over-development of the site, appearing as an overbearing and discordant form of development that would disrupt the established building form, and harm the designated 'Areas of Special Character', contrary to Policy 15 (High quality design for Lewisham), DM Policy 32 (Housing design, layout and space standards), DM Policy 33 (Development on infill sites, backland sites, back gardens and amenity areas) and DM Policy 37 (Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest) of the Development Management Local Plan (2014).
- 2) The proposed building would fail to respect or be sympathetic to the historic character and prominence of the locally listed building, resulting in a poor relationship that would compromise the setting of Highfield and existing streetscape, contrary to Policy 15 (High quality design for Lewisham), DM Policy 30 (Urban design and local character) and DM Policy 36 (New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens) of the Development Management Local Plan (2014).
- 3) The proposed development, by reason of siting, scale and massing, would result in adverse harm upon the setting of Droitwich Close, appearing as an overbearing and incongruous introduction that would overshadow the existing amenity space and impair outlook to occupiers, contrary to Objective 10: Protect & Enhance Lewisham's Character & Policy 15: High Quality Design for Lewisham of the adopted Core Strategy (June 2011), and DM Policy 32 Housing design, layout and space standards and DM Policy 33 (Development on infill sites, backland sites, back gardens and amenity areas) of the Development Management Local Plan (2014).

- 4) The proposed standard of residential accommodation would be compromised significantly by virtue of the dense and overbearing scale and layout of the building, that would result in sense of enclosure, overshadowing and poor outlook to some units and the communal garden area, contrary to Policy 32 (Housing design, layout and space standards) of the Development Management Local Plan (2014).
- 5) The proposal, by reason of insufficient provision of off-street parking, and the likely demand attributed to the nature of the use, would result in potential increased parking to neighbouring streets, contrary to DM Policy 29 (Car parking) of the Development Management Local Plan (November 2014).

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Committee	PLANNING COMMITTEE A	
Report Title	13 ST DONATT'S ROAD, LONDON, SE14	
Ward	Brockley	
Contributors	Andrew Harris	
Class	PART 1	19 October 2017

Reg. Nos. (A) DC/17/100547

Application dated 07.03.2017 as revised 22.09.2017

Applicant Selencky Parsons on behalf of Mr Wilson

Proposal The construction of a part one/part three storey extension to the side and rear and a roof extension to the rear roof slope, together with the installation of rooflights within the front and rear roof slopes and alterations to the front and rear elevations and front boundary at 13 St Donatts Road SE14, to provide 1 four bedroom house, 1 one bedroom, 1 two bedroom and 1 three bedroom self-contained flats.

Applicant's Plan Nos. Design and Access Statement; Shading Analysis Received 27/03/17; Parking Survey Received 25/07/17; 237 00 001 Rev P2; 237 00 002 Rev P2; 237 00 010 Rev P2; 237 00 011 Rev P2; 237 00 012 Rev P2; 237 00 013 Rev P2; 237 00 014 Rev P2; 237 00 021 Rev P2; 237 00 022 Rev P2; 237 00 030 Rev P2; 237 00 031 Rev P2; 237 00 032 Rev P2; 237 10 002 Rev P2; 237 20 000 Rev P2; 237 20 001 Rev P2; 237 20 02 Rev P4; 237 20 003 Rev P3; 237 20 004 Rev P2; 237 21 001 Rev P2; 237 21 002 Rev P2; 237 21 003 Rev P2; 237 21 004 Rev P2; 237 22 000 Rev P2; 237 22 001 Rev P3; 237 22 002 Rev P2; 237 30 000 Rev P2; 237 30 001 Rev P2 Received 22/09/17;

Background Papers

- (1) Case File LE/302/13/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation Undesignated Land  
Existing C3 Use  
PTAL 6a

## **1.0 Property/Site Description**

- 1.1 The subject site is located on the south east side of St Donatt's Road and comprises a mid-terrace part two/part three storey building with accommodation in the roof. The building is divided into a 1 bed flat, occupying the ground floor, and a 4 bed maisonette spread over the upper floors. The 1bed unit is derelict and has sole use of the rear garden. The maisonette has the use of an existing roof terrace at upper ground floor level to the rear.
- 1.2 The property is a historic infill development, joining the terrace row to the east and the semi-detached pair to the west to form a terrace row of 6 properties. The application property, while sharing some of the historic characteristics of the adjoining properties, differs greatly in the fenestration and overall detailing within the front elevation. The smaller two-storey element is believed to be an original feature of the main building, and features a flat roof and garage at ground floor level. The smaller section, other than the London stock finish, bears no relation to the surrounding development. The subject property therefore appears as two distinct elements, the main three-storey gabled roof element, and the second the smaller two-storey flat roof element.
- 1.3 In addition to the differing appearance of the host building in relation to other properties on St Donatt's Road, the site also benefits from an unusually wide rear garden, measuring approximately 9m at its widest point. In comparison, most other properties on the southern/eastern side of the road feature gardens with widths closer to 5.5m.
- 1.4 The surrounding area is residential in nature, comprising primarily of terraced properties.
- 1.5 The property is not in a conservation area and is not subject to any Article (4) Directions. It is not a listed building, nor is it within the vicinity of any listed buildings. The site has a PTAL rating of 6a.

## **2.0 Planning History**

- 2.1 **DC/13/082277** - The retention of hardstanding and a planting area to the front of the basement property at 13 St Donatt's Road, SE14 together with the installation of sliding doors to the front elevation and gate to front boundary. **Refused**, 01/10/2013.
- 2.1.1 **Reason for refusal 1:** The design, detailing and materials of the front curtilage and boundary treatment detract from the architectural integrity of the property and adjacent group of buildings as a whole within which they are set, and fail to preserve or enhance the special character and appearance of the area detrimental to the value and significance of the borough's non-designated heritage assets.
- 2.1.2 **Reason for refusal 1:** The replacement window and patio door at lower level in the front elevation, by reason of their design, would detract from the architectural integrity of the property and adjacent group of buildings as a whole within which they are set, and would fail to preserve or enhance the special character and appearance of the area detrimental to the value and significance of the borough's non-designated heritage.

- 2.2 **PRE/16/002635** - A rear and roof extension of two existing properties to convert a 4 bedroom maisonette and 1 bedroom garden flat into a 4 bed house and four 2 bed flats. Advice given 14/12/2016.
- 2.3 **PRE/17/002836** - Conversion of residential property in to 4 flats and 1 house. Advice Given 20/02/2017.
- 2.4 **EC/08/00209** - Unauthorised works to basement. **No breach**, 30/08/2008.
- 2.5 **EC/11/00384** - Untidy land and excavation to the front and back of the property. **No Breach**, 20/07/2012.

### **3.0 Current Planning Applications**

#### 3.1 The Proposal

3.2 The current application follows on from the pre-application meetings held on 14/12/16 and 20/02/17. It is for the construction of a part one/part three storey extension to the side and rear and a roof extension to the rear roof slope, together with the installation of rooflights within the front and rear roof slopes and alterations to the front and rear elevations and front boundary at 13 St Donatts Road SE14, to provide 1 four bedroom house, 1 one bedroom, 1 two bedroom and 1 three bedroom self-contained flats.

3.3 The four bedroom house which would be created would be located within the extended two storey building, with the three smaller self-contained flats located within the existing larger storey building.

3.4 It is noted that the initial description of development also included '*the installation of a dormer window in the front roof slope*'. However, this was incorrect as the original front dormer extension is to be retained as existing. This was disclosed to residents during the local meeting.

#### 3.5 External Alterations

##### *Alterations to the two-storey flat roof building*

3.6 The proposal would include the alteration of the existing two storey flat roofed element, which would be increased in height by 0.96m in order to provide three floors internally. The flat roofed design would be maintained, with the increase in height bringing the roof of the building 0.35m under the eaves of the adjoining building at 11 St Donatt's Road.

3.7 The front and rear elevations of this smaller building would also be altered. To the front this would consist of the incorporation of additional aluminium framed glazing and concrete lintels to distinguish the new floor levels. The existing garage door would be removed, with the associated area of hardstanding (unrelated to the previously refused application DC/13/082277) within the front boundary to be retained. A new front door would also be provided within the opening of the existing garage door. The finish of the smaller building would consist of fairface London stock brick piers to match existing brickwork, with the addition of broken brick panels at ground and first floor levels. The broken brick panels would consist of the same brick stock as that used in the main building, but would have a textured rather than smooth finish in order to provide a layer visual interest.

- 3.8 The alterations to the rear would consist of the construction of a two storey extension at first and second floor levels, the installation of new aluminium framed glazing and sliding doors and the insertion of concrete lintels as seen on the front elevation. The extension would have a depth of 2.38m, width of 3.9m and height of 5.2m, being constructed above the existing single storey rear addition and coming level with the proposed roof level to the front of the building. Although extending an additional 2.38m in depth along the shared boundary with 15 St Donatt's Road, the rear wall of the proposed extension would sit flush with the rear wall of existing neighbouring two storey rear addition.
- 3.9 The finish to the rear elevation would be standard fairface London stock brick. The existing rear terrace balcony would be retained, although partially reduced in size due to the construction of the 2 storey rear extension, with a new partially glazed/partially brick built balustrade installed. The existing brick balustrade bordering the shared boundary with 15 St Donatt's Road would be retained at its existing height, with the brick being updated to match.

*Alterations to the three-storey gabled roof building*

- 3.10 The proposal would also include minor alterations to the main three storey building, with the overall appearance and detailing of the main building being retained.
- 3.11 To the front, an existing chimney stack would be removed from roof level and a rooflight installed adjacent to the existing front dormer window, which would be retained as existing. The existing roof tiles would be replaced with new slate tiling, and new iron railings installed at ground floor level leading up to the main front door entrance. At lower ground floor level, an existing boarded up opening would be replaced with a new heritage range UPVC sliding sash window. The existing external finishes to the main three storey building, consisting of fairface London stock brick to the two upper floors and grey render to the lower ground floor would be retained as existing.
- 3.12 The area within the front boundary adjacent to the three storey building would be altered, with new steps, bin stores and planters for soft landscaping. The door to the lower floor flat would be contained under the existing stairway leading to the main entrance, with the entrance to the existing lower flat retained for this purpose. The scheme would also provide cycle storage, although the details for this have not yet been provided, see the *Highways and Traffic Issues* section of this report for further details on this.
- 3.13 To the rear, the existing fenestration would be altered to relate to the internal arrangements. The windows to the rear would consist of heritage range UPVC sliding sash at third floor level and aluminium casement windows and sliding doors at first and ground floor levels. A dormer roof extension would be constructed at roof level, with a rooflight located adjacent to it.

*Single storey rear extension*

- 3.14 To the rear of the property, the construction of a single storey rear extension is proposed, which would serve the 4 bedroom unit in the extended two-storey building. The proposed extension would have a flat roof with a height of 2.5m. It would measure 5m in depth, being set back 3.1m from the rear wall of the main house. It would adjoin the eastern flank wall of the existing rear addition, extending towards the shared boundary with 11 St Donatt's Road, thus wrapping around the

rear elevation of the property. It would have a maximum width of 5.5m, reducing to 5m due to the narrowing of the rear garden.

- 3.15 The proposed single storey element would project past the rear wall of the existing single storey rear extension at 11 St Donatt's Road by 3.75m. Due to changes in ground level between the application site and 11 St Donatt's Road, the proposed extension would have a perceived height of 2.9m when viewed from 11 St Donatt's Road. It would be constructed from fairface yellow London stock to match the main dwelling and the boundary wall. It would be set back 3.1m from the rear wall of the main three storey building, thereby creating a small courtyard area for the lower ground floor 2 bed unit. The rear wall of the courtyard would also feature a green wall to provide a level of visual interest for the occupiers of the two bed unit. The extension would also feature a flat roof with green roof.

#### *Residential dwellings*

- 3.16 The proposed internal alterations would provide 1 four bedroom house, 1 one bedroom, 1 two bedroom and 1 three bedroom self-contained flats.
- 3.17 The four bedroom house would be contained within the smaller side building, with the existing rear addition and proposed wraparound single storey rear extension also serving this unit. It would have sole access to the rear garden and the existing rear terrace at first floor level. The internals would provide 4x double bedrooms, study, bathroom, 1x en suite, wc, utility closet, kitchen, dining room and lounge. Access would be provided via a front entrance door to be located within the front elevation of the smaller building, replacing the existing garage door.
- 3.18 The one bedroom unit would be located at upper ground floor level, within the main three storey building. It would consist of a double bedroom, study, bathroom, kitchen/living/dining room. The unit would not benefit from private amenity space and would be accessed via a shared entrance hallway located within the main entrance to the three storey building.
- 3.19 The two bedroom unit would be located at lower ground floor level. It would consist of 2x double bedrooms, bathroom, 1x en suite, kitchen/living/dining room. It would benefit from a small courtyard area to the rear of the unit, which would be created as a result of the wrap around single storey rear extension to the 4 bed house. The unit would be accessed via a front door located at lower ground floor level, under the existing stairway leading to the main entrance of the building.
- 3.20 The three bedroom unit would be located at third floor and roof level. It would consist of 2x double bedrooms, 1x single bedroom, bathroom and a kitchen/living/dining room. The unit would not benefit from private amenity space and would be accessed via a shared entrance hallway located within the main entrance to the three storey building.

## **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.

### Post-submission consultation by the Council

- 4.2 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.3 Site notices were displayed and notification letters were sent to residents of adjoining buildings. The relevant local Ward Councillors and the Council's Highways and Environmental Health Officers were also consulted.

Written responses received from Local Residents and Organisations

- 4.4 In response to the consultation, 11 letters of objections were received.
- 4.5 The following planning concerns were raised by objectors:
- Scale and design does not respect local context and street pattern/out of character
  - Increased square footage of the property (triple)
  - Lewisham must support the retention of family sized dwellings
  - Undersized units - layouts compromised to achieve proposed numbers
  - Poor quality/undersized amenity space for lower ground floor flat
  - Two flats do not have garden access
  - Refuse – increased within the boundary
  - Inadequate cycle parking
  - Existing highly populated street, to be increased with the addition of two new proposed units
  - Three stories to the rear out of keeping
  - Increased overlooking from the proposed balcony
  - Light pollution to properties on Shardeloes Road and properties opposite on St Donatt's Road
  - Danger to pedestrians
  - Blocking emergency vehicles
  - Harm amenities of neighbouring properties, specifically parking
  - Increased noise and disturbances from additional residents
- 4.6 A petition containing 67 signatures was also received in opposition to the scheme.

Local Meeting

- 4.7 The Council's Statement of Community Involvement requires that a local meeting be offered to those who have made representations and the applicant at least two weeks prior to a decision being made on a planning application, in the following circumstances:
- where one or more objection(s) have been received from a residents' association, community/amenity group or Ward Councillor; and/or
  - where a petition is received containing more than 25 signatures; and/or
  - where ten or more individual written objections are received from different residents.
- 4.8 As more than ten objections were received, a local meeting was held on 3<sup>rd</sup> July 2017 at St Peter's Brockley Church. It was attended by seven local residents. Unfortunately the Ward Councillors were unable to attend and sent their apologies. The panel comprised Mr Sam Selencky and Mr David Parsons (Architects for the development) and Mr Andrew Harris and Mr Geoff Whittington (Lewisham Planning Officers).
- 4.9 During the meeting, it became apparent that the main concern for local residents was the impact of the proposal on parking, specifically within St Donatt's Road. Residents indicated that the area is already subject to extreme parking stress, as people travelling into New Cross and Goldsmith's University use the unrestricted parking within the road. However, many of the concerns outlined above were reiterated during the meeting. The applicant also took the opportunity to clarify certain aspects of the scheme with local residents.
- 4.10 The minutes of the local meeting are attached in full as Appendix A to this report.

Written responses received from statutory agencies

*Highways and Transportation*

- 4.11 The scheme has been subject to extensive consultation with the Council's Highways team, due to the impact of the proposed development on the parking within St Donatt's Road and surrounding roads. The Highways team initially objected to the scheme, due to the following reason:
- 4.12 *'The proposal does not provide sufficient information to be able to assess and conclude that the proposed change of use will not have a negative impact on the surrounding highway network in terms of on-street parking having regard to Policy 6.13 of the London Plan and the National Planning Policy Framework.'*
- 4.13 Following this, the applicant undertook an independent parking survey to address concerns raised. The Highways Officer subsequently provided the following comments:
- 4.14 *'There are concerns about the impact of the proposal on parking on St Donatt's Road, as the parking survey showed 100% parking stress on St Donatt's Rd. However, as the parking survey showed the surrounding streets within 200m of the development to have the capacity to accommodate for overspill parking, I have no objections to the proposal.'*
- 4.15 The parking survey is attached in full as Appendix B to this report.

- 4.16 The Highways team have also requested the following conditions be attached should the scheme be approved:
- Cycle Parking. Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards and to promote sustainable travel.
  - Waste and Recycling Storage and Collection Arrangements. Reason: In the interests of amenity and to safeguard the proper use of the Highway.
  - Demolition and Construction Logistics Statement. Reason: To minimise the impact of construction works upon highway safety, congestion and parking availability

## **5.0 Policy Context**

### Introduction

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

A local finance consideration means:

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

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

### National Planning Policy Framework

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

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

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

#### Other National Guidance

- 5.5 The other relevant national guidance is:

Design

Light pollution

Neighbourhood Planning

Noise

Travel plans, transport assessments and statements in decision-taking

Use of Planning Conditions

#### London Plan (March 2016)

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

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential including Table 3.3 Minimum space standards for new development

Policy 3.8 Housing choice

Policy 3.5 Quality and design of housing development

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable Energy

Policy 5.11 Green roofs and development site environs

Policy 6.9 Cycling including table 6.3 from Cycle Parking minimum standards

Policy 6.13 Parking including Table 6.2: car parking standards

Policy 7.4 Local character

Policy 7.6 Architecture

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

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

Housing (2016)

#### Core Strategy (2011)

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

Core Strategy Policy 1 Housing provision, mix and affordability  
Core Strategy Policy 13 Addressing Lewisham's waste management requirements  
Core Strategy Policy 14 Sustainable movement and transport  
Core Strategy Policy 15 High quality design for Lewisham

#### Development Management Local Plan (2014)

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

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

DM Policy 3	Conversion of a single dwelling to two or more dwellings
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards

#### Residential Standards Supplementary Planning Document (August 2006/ Updated 2012)

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

### **6.0 Planning Considerations**

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

- a) Principle of Development
- b) Design
- c) Standard of Accommodation
- d) Highways and Traffic Issues
- e) Impact on Adjoining Properties
- f) Sustainability and Energy

#### Principle of Development

- 6.2 DM Policy 3 resists the conversion of single family houses into flats, except where environmental conditions mean that such a dwelling would not be suitable for family accommodation, as this type of housing is in high demand within the borough. In this instance, the property has already been converted into two separate self-contained units, having gained permission in 1986 for the conversion before the adoption of the current DM Plan in 2014. As such, the further conversion of the property would not be contrary to DM Policy 3 and is therefore considered acceptable, subject to acceptable design, impact on residential amenity and standard of accommodation, all of which will be assessed later on in this report.
- 6.3 It is noted that during the local meeting, several local residents raised concerns regarding the precedent for the conversion of single family dwellings within the road. However, for the reasons outlined above, this would not be the case. Furthermore, it is noted that the proposal would in fact result in the creation of two family sized units (3 bedrooms or more), in addition to the two smaller units which have been applied for. It would therefore be in accordance with Spatial Policy 1, which seeks to deliver 18,165 net new dwellings in the borough.

## Design

### *Two-storey building*

- 6.4 The proposal would see the design of the existing two storey infill element of the host building significantly updated. The existing building features a single window at first floor level and a garage entrance at the ground floor, which has been boarded up for some time. The existing two storey building bears no relation with the surrounding developments, with both it and the larger three storey building being clearly identifiable as later additions to the street. The smaller two storey element in particular, owing to the lack of detailing and reduced two storey height, currently appears as an unusual, but unobtrusive, element within the streetscene, which consists of larger traditional styled properties.
- 6.5 The proposed design is considered to be of an exceptionally high standard, which would complement not only the host dwelling, but also the adjoining neighbouring property at 15 St Donatt's Road. The scheme has undergone two rounds of pre-application advice, with the quality of design improving drastically from the first submission following advice from Officers and the Council's Urban Design team. The latest comments received from the Urban Design Officer notes the following:
- "The infill element has the potential to create a positive addition in the street scene. It is of a scale that is subordinate to the host dwelling and neighbouring property, and is proposing a contemporary design with high quality materials. All of which is encouraged".*
- 6.6 The proposed façade would feature a mixture of glazing, reclaimed brick piers and broken brick infill panels. The floors of the building would be clearly distinguishable with the incorporation of new concrete lintels, which would carry through to the rear of the property. The proposed lintels would protrude past the front elevation of the building, taking its design cue from the existing ledges and lintels within the streetscene. This would also provide niches for the activation of the facade, for example for window boxes and planting.

### *Three-storey building*

- 6.7 In contrast, the changes proposed to the three storey building are fairly minimal in scale, and would largely consist of the tidying up of the front boundary (discussed below) and installation of a new sash window at lower ground floor level. The proposed entrance to the lower ground floor flat would be formed from the existing entrance to the existing lower flat, which is contained and partly concealed under the existing stairway. As such, the proposal would introduce no new entrances within the front elevation of this building. The window would be of a traditional style, complementing the existing fenestration observed at first floor level. The size would be slightly smaller than the existing first floor window, resulting in a level of subservience with what would have originally been the reception room of the main house. The proposal also includes the installation of a single rooflight within the front roof slope, the positioning of which would relate to the existing front dormer. Given that the site is not located within a conservation area and is subject to no Article (4) Direction, it is not considered that the incorporation of the rooflight would adversely, nor significantly impact upon the existing streetscene. Finally, new black railings would be provided along the sides of the existing stairway access. These are considered to be in keeping with the traditional appearance of the area.

#### *Changes to the rear*

- 6.8 The rear of the property would not be visible from the public realm and this would have no impact on the streetscene. Nevertheless, the proposed extensions have been designed to a high quality and would again serve to complement the form of the host dwelling while retaining a level of subservience. The concrete piers observed within the front elevation would carry through to the rear, providing clear breaks between the floors of the dwellings. The materials would be fairface yellow London stock brick to match the host dwelling, and concrete, which is considered to complement the brickwork. The wraparound extension would also feature a green roof, which is both supported and encouraged within London Plan Policy 5.11 *Green roofs and development site environs*, which states that green roofs are an essential sustainable design consideration.
- 6.9 The other alterations to the rear would comprise of the installation of a dormer roof extension and rooflight within the rear roofslope of the three storey building, together with alterations to the existing fenestration. The dormer would be finished in zinc cladding and would feature setbacks from the side boundaries, rear eaves and main ridgeline. The resulting structure would be a high quality yet subservient addition which would respect the form and scale of the original roof. Rather than providing a larger roof extension, the applicant has sought a smaller rooflight within the southern side of the rear roof slope, which would provide necessary light internally, without sacrificing the subordinate nature of the proposed roof extension. The proposed windows, while not all traditional sash in design, would be concealed to the rear and are therefore considered acceptable. Furthermore, they would be constructed from aluminum which would constitute a high quality complementary material.

#### *Landscaping and Boundary Treatment*

- 6.10 The existing area of hardstanding to the front elevation would be retained for use by the four bedroom family dwelling. To the northern side of the front hardstanding an area of soft-landscaping would be incorporated to soften and provide a break between the existing hardstanding and adjacent stairway. It would also provide some level of screening to the proposed refuse store which would be located behind

it, adjacent to the side elevation of the three storey building. The refuse store would be timber clad, the details of which would be secured by condition, as with the soft-landscaping.

- 6.11 The front boundary treatment to the existing three storey building would consist of the installation of stepped levels and areas of soft-landscaping. The soft-landscaping would be in two locations, immediately adjacent to the highway in order to partly conceal the proposed bin store from the highway, and behind the bin store to partly screen it from the future occupiers of the lower ground floor flat. This, in combination with the installation of the new sash window, would be a significant improvement on the existing situation, which features iron railings along the boundary, placing the refuse bins which serve the property in plain view of the streetscene.
- 6.12 It is recommended that the exact materiality of the proposed boundary treatments, bin stores and soft-landscaping are secured by condition.

### *Summary*

- 6.13 Taking all of the above elements together, it is considered that the design constitutes a successful, contemporary response to the local context and ensures that the proposed extension and alterations would retain a level of subservience to the surrounding development, and would not appear overly dominant or incongruous within the context of the existing building or streetscene. It is therefore considered to comply with DM Policies 30, 31 and 32.

### Standard of Accommodation

#### *Unit type and size*

- 6.14 With regards to unit type, the development seeks to deliver a four bedroom dwelling house in addition to 1x one bedroom, 1x two bedroom and 1x three bedroom self-contained flats. An assessment of the proposed residential properties against the required space standards is considered below, in line with Table 3.3 'Minimum space standards for new dwellings' of the London Plan. It is noted that there are no minimum internal space requirements for kitchen/dining/living rooms. These have been listed for informatory purposes only.

Table 1: Four Bedroom House

<b>Unit Type</b>	<b>Room</b>	<b>Size</b>	<b>Policy Requirement</b>	<b>Pass/Fail</b>
4 Bedroom/ 6 Person	Overall Floor Area	144.09sqm	122sqm	Pass
	Floor to ceiling height	2.3 for at least 75% of gross internal area	2.3 for at least 75% of gross internal area	Pass
	Kitchen	16.27sqm	N/A	N/A

	Dining	11.6sqm	N/A	N/A
	Living	17.8sqm	N/A	N/A
	Bedroom 1 (double)	10.10sqm	7.5sqm	Pass
	Bedroom 2 (double)	11.88sqm	11.5sqm	Pass
	Bedroom 3 (double)	10.08sqm	7.5sqm	Pass
	Bedroom 4 (double)	13.77sqm	11.5sqm	Pass
	Built in storage	3.78sqm	3.0sqm	Pass
	Private amenity space	241.27sqm	9sqm	Pass

Table 2: Three Bedroom Flat (Flat 3)

Unit Type	Room	Size	Policy Requirement	Pass/Fail
3 Bedroom/ 4 Person	Overall Floor Area	93.8	84sqm + 7sqm = 91sqm	Pass
	Floor to ceiling height	86% at or above 2.3m	2.3m for at least 75% of gross internal area	Pass
	Kitchen/living/dining	27.43sqm	N/A	N/A
	Bedroom 1 (double)	12.8sqm	11.5sqm	Pass
	Bedroom 2 (double)	16.99sqm	11.5sqm	Pass
	Bedroom 3 (single)	14.06sqm	7.5sqm	Pass
	Built in storage	9.8sqm	2.5sqm	
	Private Amenity Space	Worked into overall floor area	7sqm	N/A

Table 3: Two bedroom unit (Flat 1)

Unit Type	Room	Size	Policy Requirement	Pass/Fail
2 Bedroom/ 4 Person	Overall Floor Area	70.2sqm	70sqm	Pass
	Floor to ceiling height	100% at or above 2.3m	2.3m for at least 75% of gross internal area	Pass
	Kitchen/living/dining	31.9sqm	N/A	N/A
	Bedroom 1 (double)	12.67sqm	11.5sqm	Pass
	Bedroom 2 (double)	11.5sqm	11.5sqm	Pass
	Built in storage	3.86sqm	2.0sqm	Pass
	Private Amenity Space	16.6sqm	7sqm	Pass

Table 4: One bedroom unit (Flat 2)

Unit Type	Room	Size	Policy Requirement	Pass/Fail
1 Bedroom/ 2 Person	Overall Floor Area	56.7sqm	50sqm + 5sqm = 55sqm	Pass
	Floor to ceiling height	100% at or above 2.3m	2.3m for at least 75% of gross internal area	Pass
	Kitchen/living/dining	31.9sqm	N/A	N/A
	Bedroom 1 (double)	12.67sqm	11.5sqm	Pass
	Built in storage	5.3sqm	1.5sqm	Pass
	Private Amenity Space	Worked into overall floor area	5sqm	N/A

6.15 The proposed units are of a good size and all either meet or surpass the requirements of the technical housing standards. They would all be dual aspect and would feature good outlook and levels of natural light, as required by DM Policy 32 Housing design, layout and space standards. While the internal layout of the larger

four bedroom house is slightly unconventional in that the kitchen, dining room and lounge are all located to the rear of the property, Officers assert that this in itself does not make the scheme unacceptable. Moreover, the location of these areas would in fact provide greater distance between them and the proposed bedrooms. Given that this is a family sized unit likely to hold a small or medium sized family, this relief from noise and other disturbances from the main habitable rooms could be of benefit to the future occupiers.

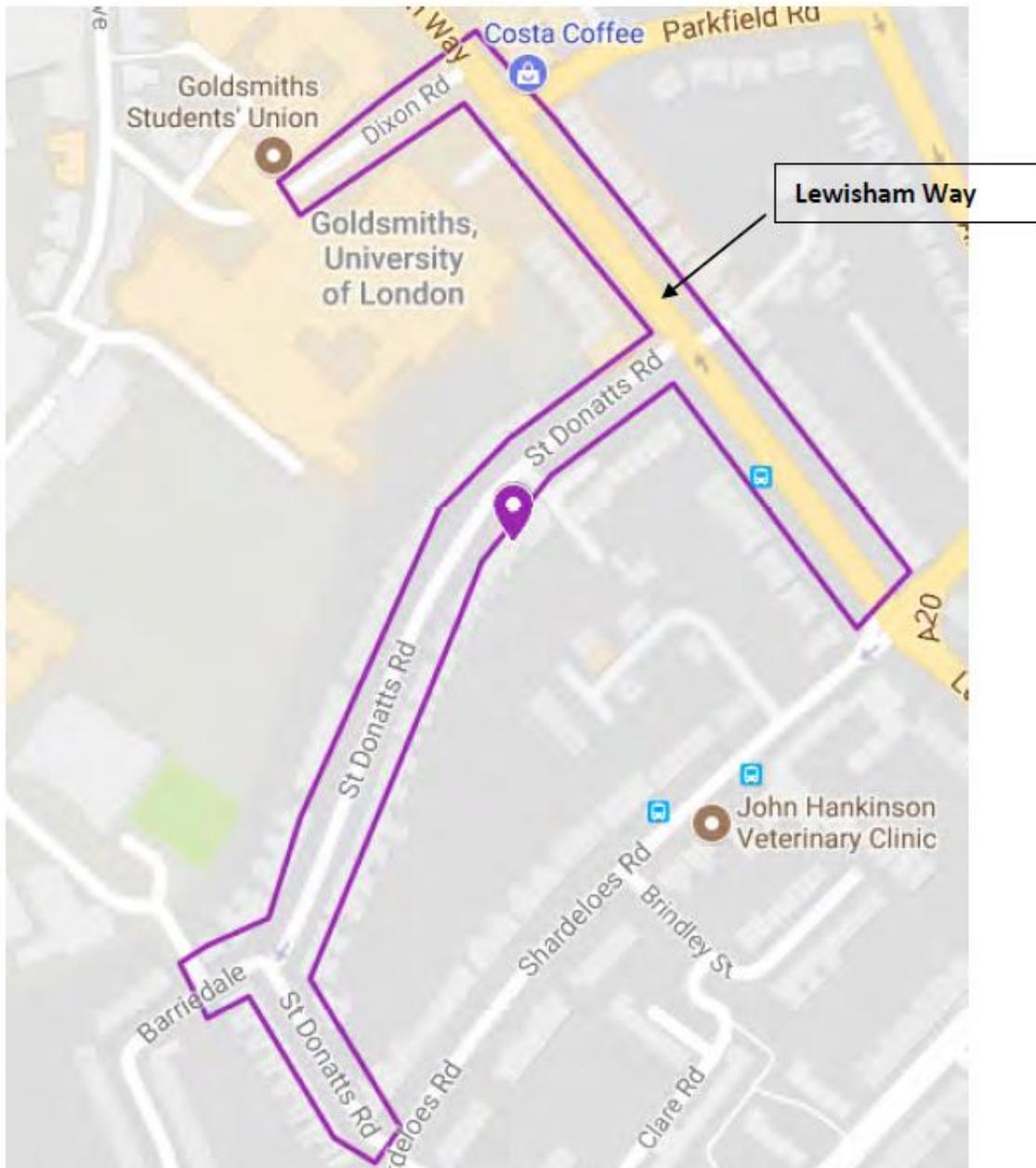
- 6.16 It is noted that flats 2 and 3 would not feature any private external amenity space. While this is a requirement of the London Plan, the Housing Supplementary Planning Guidance (2016) does state that where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. In this instance, it was Officers' opinion that the rear garden should be utilized for the four bedroom family house, as in its existing arrangement, the rear garden is accessible only to the one bed flat, while the 4 bed maisonette has the use of only a terrace. The division of the garden was seen as unacceptable, as this would require access stairways to the rear for the upper floor flats, which would consequently cause privacy concerns. The applicant was consequently advised that the units without private outdoor amenity space should instead be provided with additional internal floor space, which the applicant has achieved. Therefore, given the above, coupled with the fact that the site is located just a 7 minute walk from the Fordham Park, it is considered the scheme can be supported without despite the lack of private amenity space to flats 2 and 3.
- 6.17 The proposal is therefore considered to provide a good standard of accommodation, in accordance with the requirements of DM Policy 32.

#### Highways and Traffic Issues

##### *Highways impacts and car parking*

- 6.18 The main impact of the scheme with regard to highways would be the additional parking stress caused by the scheme. It is not expected that the scheme would cause any other significant highways impacts.
- 6.19 The parking survey submitted by the applicant provides an assessment of the impact of the proposal on parking stress within the area. The survey asserts that the estimated total parking demand to be generated as a result of the scheme would be for two cars. This estimation is based on the 2011 Census data, which stated that in Lewisham there is an average of 0.5 cars per household and the June 2017 TFL data for Lewisham, which states that 48% of households do not own a car. Initially the applicant submitted an informal parking survey which they carried out themselves, however, following comments from Officers and the Highways Officer a full independent survey was undertaken.
- 6.20 The independent survey was undertaken between 1am and 5am on Wednesday 12<sup>th</sup> and Thursday 13<sup>th</sup> July 2017 and examined the roads within 200 metres' walking distance of the site (as seen in Figure 2 below) to establish the existing levels of "parking stress", meaning the percentage of the kerbside parking space occupied at peak periods (overnight when most residents' cars are expected to be parked).

Figure 2: Survey Area



*The pin drop shows the property location*

- 6.21 While the survey did identify that parking stress within St Donatt's Road on the two nights was at 100%, it also identified available parking within Lewisham Way, Dixon Road and Barriedale. This additional parking on the adjacent roads resulted in the overall parking stress for the road being reduced to 74.07% on day one and 74.07% on day two.
- 6.22 Lewisham Way, while having a bus lane on the southern side of the road, features single red lines on the northern side, allowing parking between 7pm-7am Monday-Saturday, with unrestricted parking on Sundays. Dixon Road, which forms part of the Goldsmith's estate, features single yellow lines on the area identified in Figure 2.

- 6.23 The Highways Officer was invited to comment on the results of the survey and provided the following response:
- 6.24 *'There are concerns about the impact of the proposal on parking on St Donatt's Road, as the parking survey showed 100% parking stress on St Donatt's Rd. However, as the parking survey showed the surrounding streets within 200m of the development to have the capacity to accommodate for overspill parking, I have no objections to the proposal.'*
- 6.25 Further to these comments, the applicant enquired as to any other mitigation methods which could be utilised to mitigate against the impact of the proposed development. The use of a 'Car Club' was suggested and the applicant agreed to provide membership for the smaller units in order to discourage car ownership in these units. There is 1 Zipcar location within 500m of the site and a total of 4 within 1000m. Furthermore, it is noted that the existing area of hardstanding on site would be retained for use as car parking by the proposed four bedroom house. This, in combination to the findings of the parking survey, lead Officers to conclude that while the proposed development would impact on parking stress within the area, said impacts would not be so detrimental to make the scheme unacceptable.

#### *Cycle Parking*

- 6.26 Details for cycle parking have not been provided as part of the application. However, it is considered that the site is large enough to facilitate the necessary cycle parking, and that the details of which can be secured by condition. The applicant has agreed to this. It is noted that the condition is a pre-commencement condition, meaning the application would have to demonstrate that necessary cycle parking could be provided before any works can commence on site.

#### *Refuse Storage*

- 6.27 Details of refuse storage have been provided as part of the application. However, following comments received from the Urban Design Officer, it is considered that minor tweaking is still required for the bin store serving the proposed flats. Officers have therefore attached a condition requiring further details to be provided.

#### *Summary*

- 6.28 With the mitigation identified, proposal is therefore considered to have an acceptable impact with regard to highways and traffic issues, in compliance with DM Policy 29 Car parking.

#### Impact on Adjoining Properties

- 6.29 The main impact of the proposed development would be felt by the directly adjoining properties, 11 & 15 St Donatt's Road. All other adjoining properties located on Chestnut Close would be a significant distance away and therefore largely unaffected by the proposed development.
- 6.30 While it is noted that some of the objectors cited light pollution to the dwellings located on Chestnut Close, said dwellings would be located approximately 32m from the application property. Officers assert that at this distance, there would be no significant increase in light pollution to the adjoining residential properties on Chestnut Close.

- 6.31 Several objectors also cited additional light pollution to the properties opposite on St Donatt's Road, due to the increase in glazing within the existing two storey building. Again, Officers do not consider this to be the case, as the properties opposite would be approximately 22.5m from the application site, and in any event would be subject to lighting from passing vehicles and street furniture. Additionally, within the four bedroom unit, all the main habitable rooms would be located to the rear of the property, with only two bedrooms and the entrance hall featuring windows within the front elevation. Therefore any additional light spillage from these rooms would be minimal.

*11 St Donatt's Road*

- 6.32 The main impact of the proposed development on 11 St Donatt's Road would arise from the construction of the proposed single storey rear extension. It would project past the neighbouring rear extension by 3.75m and would have a perceived height from the neighbouring garden of 2.9m.
- 6.33 At the proposed height and depth, coupled with the large 28m deep rear garden at the neighbouring property, it is not considered that the proposed extension would result in any significant increase in overbearingness or sense of enclosure.
- 6.34 The applicant has also submitted an overshadowing study (shading study), which shows the impacts of the proposed single storey extension on the neighbouring property during March, June and December. While it is acknowledged that the proposed extension would result in some additional overshadowing to the rear elevation of the neighbouring extension, this would be contained to certain periods of the day after 12pm. Furthermore, when compared to the existing level of overshadowing, the impact is not significant. It is also noted that the adjoining occupiers of 11 St Donatt's Road have not objected to the scheme. Officers consider the impacts of the extension to be acceptable and raise no objections.
- 6.35 Regarding the proposed dormer roof extension, while the extension would result in additional outlooks from the application property onto the rear gardens of neighbouring properties, this would be no more so than can already be experienced from the existing first and second floor windows. Due to the positioning of the dormer, it would not result in any significant additional overshadowing or loss of light to any adjoining property.
- 6.36 The changes to the rear fenestration are not considered to result in any additional overlooking or loss of privacy in comparison to the existing site arrangement.

*15 St Donatt's Road*

- 6.37 The only significant change proposed along the shared boundary with 15 St Donatt's Road, would be the extension to the existing two storey building, which to the rear would have a height of 5.2m and to the front would be 0.96m. However, as both extensions would be constructed flush with the front and rear elevations of the neighbouring dwelling, and would both be lower in height than the neighbouring building, it would have no impact on the amenities of 15 St Donatt's Road.
- 6.38 The existing rear terrace at first floor level would be retained, with the overall area reduced in size as a result of the extension to first and second floor level. This would therefore have no impact with regard to loss of privacy or increased overlooking, in comparison to the existing arrangement. In fact, the reduction in size would see a

minor improvement as it would allow for less space for people to congregate on the terrace and disturb neighbouring occupiers. It is noted that the occupiers of 15 St Donatt's Road requested that the boundary wall adjacent to the existing terrace be raised to address their privacy concerns. However, this could lead to adverse impact on 15 St Donatt's Road, by way of increased overbearingness and tunnelling effect. The neighbouring occupier was advised during the local meeting that this would not be supported as part of the current application as it would have an adverse impact on a neighbouring property, but should they wish to submit their own application, such works could be considered.

- 6.39 The other potential impact on 15 St Donatt's Road would be potential overlooking from the new windows within the existing two storey building. However, as these would look out towards the rear of the property's garden, it is considered that any overlooking would be no worse than can be experienced from the existing windows at 13 St Donatt's Road. Moreover, none of these would provide new terraces/balconies which would provide an external platform to view from.
- 6.40 Officers recommend that if this application is approved, conditions are imposed which remove certain permitted development rights in respect of the site. Paragraph 017 of that part of the Planning Practice Guidance that is concerned with the use of planning conditions states that "conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances". Officers in this case consider that exceptional circumstances exist to justify the limited removal of the permitted development rights set out in the proposed conditions 6 and 7 because of the arrangement of the proposed building and relationship to existing neighbouring properties and the need to manage amenity considerations.

#### *Noise and light pollution*

- 6.41 Given the residential nature of the street, it is not considered that the addition of two additional units would generate an unacceptable increase in either noise or light pollution in comparison to the existing circumstances.

#### *Summary*

- 6.42 In light of the above, it is considered that the proposal would have an acceptable impact on neighbouring amenity, and would therefore be compliant with DM Policies 31 and 33.

#### Sustainability and energy considerations

- 6.43 Policy 5.3 'Sustainable Design and Construction' of the London Plan states that the highest standards of sustainable design should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. In light of this, all proposed developments should demonstrate that sustainable design standards are integral to the proposal. Core Strategy Policy 7 'Climate change and adapting to the effects' requires the Council to apply London Plan policies relevant to climate change.
- 6.44 Core Strategy Policy 8 'Sustainable design and construction and energy efficiency' outlines the Council's commitment to prioritising the reduction of the environmental impact of all new development. It outlines the focus on minimising the overall carbon dioxide emissions of the development while improving sustainability

aspects through sustainable design and construction, to meet the highest feasible environmental standards during design, construction and occupation. Core Strategy Policy 8 therefore requires all new residential development to achieve a minimum of Level 4 Code for Sustainable Homes.

6.45 However, following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes, elements of which will now be incorporated into building regulations. The requirement to meet code level with regard to energy performance and water efficiency has also since been absorbed into building regulations.

## **7.0 Equalities**

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

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

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

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

7.4 Officers consider that in this matter there is minimal impact on equality and the proposed development is therefore acceptable.

## **8.0 Community Infrastructure Levy**

8.1 The above development is CIL liable.

## **9.0 Conclusion**

9.1 This application has been considered in the light of the relevant policies as set out in the development plan and other material considerations, and it is considered that the application complies with all such policies.

9.2 The proposed development would provide a total of four residential units, an increase of 2 from the existing arrangement. Two of the four units would also be family sized dwellings (i.e. they would consist of three or more bedrooms), which are seen as valuable additional resources given the high demand for such properties within the borough.

9.3 The overall design and appearance of the proposal is considered to be of an exceptionally high standard, with the high quality materiality and contemporary design successfully complementing the existing built form of both the host dwelling and wider streetscene. This is considered to be a vast improvement on the existing buildings which currently occupy the site.

- 9.4 The impact on neighbouring amenity is considered to be minimal.
- 9.5 It is recognised that the proposal would have an impact on parking stress within the area, specifically within St Donatt's Road itself. However, the applicant has not only provided a parking survey which indicated that the impacts would be acceptable and in line with Council policy, but they have also looked to add additional measures of mitigation to reduce the impacts on highways.
- 9.6 Officers consider that the exceptional design quality and provision of additional housing, together with the mitigation measures to be put in place by the applicant outweigh the impact potential impacts on parking stress within the area. It is therefore recommended that the application be approved.

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

**Conditions**

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

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

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

Design and Access Statement; Shading Analysis Received 27/03/17; Parking Survey Received 25/07/17; 237 00 001 Rev P2; 237 00 002 Rev P2; 237 00 010 Rev P2; 237 00 011 Rev P2; 237 00 012 Rev P2; 237 00 013 Rev P2; 237 00 014 Rev P2; 237 00 021 Rev P2; 237 00 022 Rev P2; 237 00 030 Rev P2; 237 00 031 Rev P2; 237 00 032 Rev P2; 237 10 002 Rev P2; 237 20 000 Rev P2; 237 20 001 Rev P2; 237 20 02 Rev P4; 237 20 003 Rev P3; 237 20 004 Rev P2; 237 21 001 Rev P2; 237 21 002 Rev P2; 237 21 003 Rev P2; 237 21 004 Rev P2; 237 22 000 Rev P2; 237 22 001 Rev P3; 237 22 002 Rev P2; 237 30 000 Rev P2; 237 30 001 Rev P2 Received 22/09/17.

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

3. No development shall commence on site until a detailed schedule and samples of the proposed uPVC windows to be used on the building(s) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

4. (a) No development shall commence on site until details of proposals for the storage of refuse and recycling facilities for each residential units hereby approved, have been submitted to and approved in writing by the local planning authority.

- (b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

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

- 5. (a) A minimum of **7** secure and dry cycle parking spaces shall be provided within the development.
- (b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

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

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

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

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

8.
  - (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. **237 20 001 Rev P2, 237 20 004 Rev P2 and 237 21 001 Rev P2** hereby approved and maintained thereafter.
  - (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
  - (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

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

9. Prior to occupation of any of the residential units hereby approved, evidence shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that car club membership for each of the flats has been provided.

**Reason:** To limit car ownership/use and encourage sustainable modes of transport in accordance with Policies Objective 9: Transport and accessibility and Core Strategy Policy 14: Sustainable movement and transport (June 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

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

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

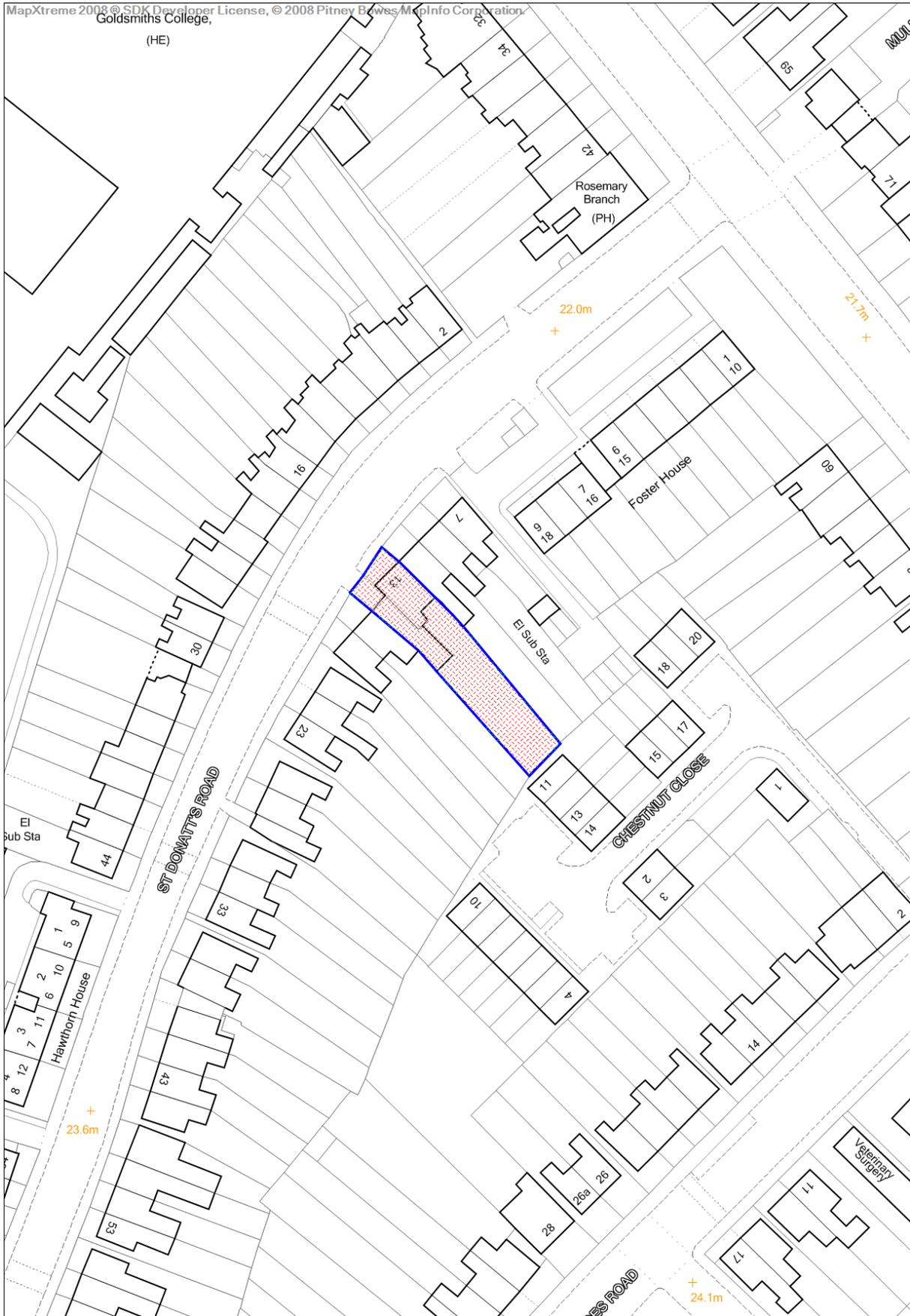
11. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed extension hereby approved shall be as set out in the application and no development or the formation of any door providing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

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

## **Informatives**

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

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