

## PLANNING COMMITTEE C

Date of Meeting: **THURSDAY, 31 OCTOBER 2019 TIME 7.30 PM**

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

Members of the Committee are summoned to attend this meeting:

**Membership  
Councillors:**

**Olurotimi Ogunbadewa (Chair)**

**Stephen Penfold (Vice-Chair)**

**John Paschoud**

**Peter Bernards**

**James Rathbone**

**Louise Krupski**

**Hilary Moore**

**Lionel Openshaw**

**Paul Maslin**

**Liz Johnston-Franklin**

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.

**Kim Wright**  
Chief Executive  
Lewisham Town Hall  
London SE6 4RU  
Date: Tuesday, 22 October 2019

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Committee	PLANNING COMMITTEE (C)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 31 October 2019

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 C	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 31 October 2019

### MINUTES

To approve the minutes of the meeting of Planning Committee 19 September 2019 held on the.

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**LEWISHAM COUNCIL  
PLANNING COMMITTEE C  
THURSDAY, 19 SEPTEMBER 2019 AT 7.30 PM  
MINUTES**

**PRESENT:** Councillor Olurotimi Ogunbadewa (Chair), Councillors Stephen Penfold, John Paschoud, James Rathbone, Hilary Moore, Louise Krupski, Paul Maslin, Liz Johnston-Franklin, Lionel Openshaw.

**APOLOGIES FOR ABSENCE:** Councillor Peter Bernards.

**OFFICERS:** Development Management Team Leader (DMTL), Planning Officers and Committee Officer

**ALSO PRESENT:** Kheng Chau – Legal Representative

**Item  
No.**

**1     Declarations of Interest**

Councillor Paschoud declared a personal interest as a member of the Sydenham Society. He confirmed he had not discussed item 3 with the Society.

**2     Minutes**

**Resolved –**

That the minutes of the meeting of the Planning Committee C held on 1 August 2019 to be agreed and signed as a true and accurate record.

**3     9 Thakeham Close, SE26 6HN.**

The Planning Officer gave an illustrative presentation recommending the grant of full planning permission for the construction of a three storey, three bedroom single family dwelling house to the side of 9 Thakeham Close, SE26, together with the provision of bicycle and refuse storage associated landscaping, subject to the conditions and informatives outlined in the report.

The committee noted the report and that the main planning considerations in relation to the application were:

- Principle of Development
- Housing and Standard of Accommodation
- Design
- Transport
- Impact on Adjoining Properties
- Sustainable Development

In response to a member enquiry, the Officer confirmed that a condition would be added for the provision of a refuse store for No. 9 Thakeham Close. He also advised that a condition existed for a ground investigation to be carried out in relation to subsidence concerns. The Officer advised the Committee that a condition would be put in place to ensure that appropriate materials would be used during the construction of the site that would not result in an incongruous appearance.

In response to questions raised regarding the impact of sunlight and daylight to the property, the DMTL stated that the main impact would be the blocking up of the existing side elevation windows to No.9 (ground) and No.8 (first & second floor). The DMTL advised the Committee that the side elevation windows that would be affected were all secondary windows to the rooms they served, therefore the affected rooms would all still receive adequate and policy compliant levels of outlook and natural light.

The applicant, Mr David Lawton addressed the committee stating that the proposed dwelling would integrate with the surroundings, while retaining an appropriate level of subservience necessary to distinguish the proposal from the rest of the terrace. The loss of openness was balanced against the high quality design and standard of accommodation proposed. The applicant acknowledged the objections made on the grounds of parking and confirmed that the developer had demonstrated through parking surveys that there was parking capacity. The applicant advised there would be cycle storage provision. Following enquiries relating to subsidence, the applicant stated building controls would monitor this. The applicant also advised their architect had conducted a desktop daylight modelling survey which showed there would be no adverse effects to neighbouring properties.

A resident, Mr Dominic Canty also addressed the Committee, advising that he was representing the residents of Thakeham Close. Residents were opposed to the proposal because of the following concerns:

- Interruption to the uniform appearance and symmetry of design. Glazing of a different design to existing.
- Pressure on parking already exists due to school. Congestion particularly acute at weekends.
- Appearance of application site is out of keeping with existing buildings.
- Subsidence.

The resident requested legal assurance that compensation would be provided if neighbouring properties suffered subsidence in the future due to this development.

The Committee considered the submissions made at the meeting, and

### **Resolved –**

That full planning permission be GRANTED for the construction of a three storey, three bedroom single family dwelling house to the side of 9 Thakeham Close, SE26, together with the provision of bicycle and refuse storage associated landscaping works.

Subject to Conditions and Informatives outlined in the report, and additional condition requiring the erection of bin storage for adjoining occupiers.

#### **4 11 Havelock Walk, SE23 3HG.**

The DMTL gave an illustrative presentation recommending the grant of full planning permission for the demolition of existing building, construction of 3 storey building containing 4 commercial studio spaces (Use Class B1) on the ground floor and 4 residential units (Use Class C3) above, a roof terrace at top floor level and associated bin and cycle storage at 11 Havelock Walk, SE23.

The committee noted the report and that the main planning considerations in relation to the application were:

- Principle of Development
- Housing
- Mix use employment
- Urban Design
- Impact on Adjoining Properties
- Transport

- Sustainable Development

Following members' enquiries, the Officer provided clarification regarding the Controlled Parking Zone, confirming the development would be a car free zone. The Officer also advised that there was no policy requirement to provide live/work units in the Local Plan or the London Plan in this location. There was evidence that a number of live/work units had recently been converted into purely residential dwellings. The current proposal was not for live/work units, officers were satisfied that the negligible loss of employment space to facilitate access would be acceptable in principle. The commercial part of the development would be on the ground floor and be divided into four areas, with four separate residential units above. The residential element of the proposal would provide four, 1 bedroom 2 person units.

The Officer clarified that the roof terrace would be used by 4 separate residences, noting the use of roof areas for additional amenity or garden space was encouraged. Private open space is highly valued and should be provided in all new housing developments. Where site constraints make it impossible to provide 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.

The agent, Ms Patricia Hickey and the applicant, Ms Vanessa Vanier also addressed the Committee, describing the building process, and the extensive application consultation undertaken with the council. The agent concluded that the applicant had taken all required steps to address objections raised to the site application.

A resident, Mr Simon Dickens addressed the Committee advising he represented the views of the immediate neighbours to the application site. The resident presented objections relating to: amenity, overlooking and privacy, sunlight and daylight, scale and mass, the roof terrace, increase in car parking requirements and materials used. The resident also queried whether enough time had been available between the receipt and review of objections by the Committee. The DMTL advised that feedback to the objections was provided in the Addendum to the report.

The Committee considered the submissions made at the meeting, and

**Resolved –**

That full planning permission be GRANTED for the demolition of existing building, construction of 3 storey building containing 4 commercial studio spaces (Use Class B1) on the ground floor and 4 residential units (Use Class C3) above, a roof terrace at top floor level and associated bin and cycle storage at 11 Havelock Walk, SE23.

Subject to Conditions and Informatives outlined in the report, and additional conditions outlined in the Addendum report.as follows:

- Condition 10 – Stairwell Privacy Screening and
- Condition 11 – Obscure Glazing – Flat 1

## **5 121 Burnt Ash Road, SE12 8RA.**

The Planning Officer gave an illustrative presentation recommending the grant of full planning permission for the change of use of 121 Burnt Ash Road SE12 from Use Class A1 retail unit to Use Class D1 Dental Practice.

The committee noted the report and that the main planning considerations in relation to the application were:

- Principle of Development
- Urban Design and conservation
- Transport

Following members enquiries, the Officer confirmed that the submission indicated the intention to provide signage on the shop front, and as such an informative would be added advising the applicant that any signage that would not accord with the parameters of Class 5 of Town and Country Planning (Control of Advertisements) Regulations 2007 for advertisements on business premises would require an application for advertisement consent. The DMTL assured the Committee that a condition would be added restricting the use of the unit to medical facilities because the D1 use class is broad and contains a number of uses that would be inappropriate in this location (given the proximity to residential accommodation above).

The agent for the applicant, Pars Dental addressed the Committee, describing the proposed changes to the application site. The applicant also advised the Committee of the services and employment opportunities that would be provided to the community.

The owner of the existing dental practice, Dr Raj Raajanathan addressed the Committee with objections that related to competition and parking stress.

Following the owner's address and a member enquiry, the Officer confirmed that the impact on the existing dental practice located in Lee, is not a material planning consideration given that medical facilities are not afforded policy protection from competition.

Councillor Mallory addressed the Committee representing his Ward, Lee Green speaking in favour of the application.

The Committee considered the submissions made at the meeting, and

### **Resolved –**

That full planning permission be GRANTED for the change of use of 121 Burnt Ash Road SE12 from Use Class A1 retail unit to Use Class D1 Dental Practice to provide:

- Two treatment rooms, one x-ray room, one disabled access toilet, a reception, a decontamination room and a staff room.

Subject to Conditions and Informatives outlined in the report.

## **6 Roof level 1-49 Greystead Road, London SE23 3SE.**

The Senior Planning Officer gave an illustrative presentation recommending the grant of full planning permission for the installation of a replacement 5 metre high stub tower and 3No. antennas with a 7.5 metre high stub lattice tower on the Roof Level 1-49 Greystead Road SE23, together with 12No. antennas, the relocation of 2No. existing 0.6 metre diameter dishes to be located on the new tower, the installation of 8No. equipment cabinets located on the rooftop and ancillary development.

The committee noted the report and that the main planning considerations in relation to the application were:

- Principle of Development
- Urban Design
- Impact on Living Conditions of Neighbours

At the end of the presentation, the Chair invited questions.

In response to a member inquiry the DMTL confirmed that the increase in massing can be accommodated to the roof level without any discernible or harmful impact beyond the existing arrangement.

The Chair then called the applicant, MBNL on behalf of EE Limited and H3G UK Limited, and any objections. The applicant was not present, and no one came forward to object.

The Committee considered the submissions made at the meeting, and

**Resolved –**

That full planning permission be GRANTED for the installation of a replacement 5 metre high stub tower and 3No. antennas with a 7.5 metre high stub lattice tower on the Roof Level 1-49 Greystead Road SE23, together with 12No. antennas, the relocation of 2No. existing 0.6 metre diameter dishes to be located on the new tower, the installation of 8No. equipment cabinets located on the rooftop and ancillary development.

Subject to Conditions and Informatives outlined in the report.

The meeting closed at 9.15 pm.

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Chair

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Committee	PLANNING COMMITTEE C	
Report Title	MAYOW PARK WAREHOUSE, MAYOW ROAD, LONDON, SE23 2XJ	
Ward	PERRY VALE	
Contributors	HOLLY LUCAS	
Class	PART 1	31 October 2019

<u>Reg. Nos.</u>	(A) LE/176/K/TP (B) DC/19/113521
<u>Application Dated</u>	15/08/2019
<u>Applicant</u>	Lewisham Council
<u>Proposal</u>	The demolition of an existing two (2) storey warehouse to allow for the construction of one (1) part six/part seven storey building containing thirty-two (32) dwellings, comprised of twenty-six (26) Temporary Accommodation dwellings (Use Class C3) and six (6) Supported Living dwellings (Use Class C2) at Mayow Park Warehouse, Mayow Road, SE23 2XJ, together with the provision of two (2) accessible parking bays on Mayow Road, associated landscaping, refuse storage and cycle parking
<u>Background Papers</u>	(1) Case File LE/176/K/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	PTAL 1b Not in a Conservation Area Not a Listed Building

## 1 **SUMMARY**

- 1 This report sets out Officer's recommendation for the above proposal. The report has been brought before members for a decision as permission is recommended to be approved and there are three (3) or more valid planning objections.

## 2 **SITE AND CONTEXT**

### 2.1 **SITE DESCRIPTION AND CURRENT USE**

- 2 Mayow Road Warehouse is located within Perry Vale SE23 2XJ with a total site area of approximately 0.096ha.
- 3 The site has been identified as a potential site for infill as part of Lewisham Council's programme to deliver 1000 new Council homes by 2022 to provide genuinely affordable housing across the borough.
- 4 Mayow Road Warehouse is an existing two (2) storey warehouse with an internal area of approximately 0.07ha. The warehouse was previously occupied by Lewisham Council's Housing Needs Services and provided storage for families in temporary accommodation (TA), however has been identified as a surplus provision and is now vacant.



**Figure 1.0: Site Location Plan**

- 5 The existing warehouse covers almost the entire site (as identified above in Figure 1).
- 6 It includes a raised planter on the eastern portion addressing Mayow Road, which supports three (3) mature trees.
- 7 The site is generally flat with a level change of 1.4m increasing from south to north.

**2.2 CHARACTER OF AREA**

- 8 The site and its surrounding context is predominately residential in character, presenting generally 2-3 storeys in height with the exception of the twelve (12) storey tower blocks and five (5) storey Forest Hill Secondary School.
- 9 The subject site is located on Mayow Road in Forest Hill SE23 2XJ. There is small patch of land to the north of the site, which fronts Dacres Road and services the three (3) existing tower blocks (Heathwood Point, Ashleigh Point and Deepdene Point) to the north-west. The former Brent Knoll School is located to the east of the warehouse on the opposite side of Mayow Road and its imminent re-development is therefore a key consideration. Mayow Park, which is a large established park, frames the remainder of the site. Forest Hill School is also located in close proximity to the north of the site. The character of the surrounding area is predominately Victorian, low-rise residential.

**2.3 HERITAGE/ARCHAEOLOGY**

- 10 The site is not located within or near a Conservation Area. It does not contain any statutory Listed Buildings on or within close proximity to the site, nor is it an Area of Archaeological Priority.

## **2.4 SURROUNDING AREA**

11 Mayow Park adjoins the site. Dacres Wood Nature Reserve and Albion Millennium Green are all located within approximately 900m of the subject site and provide opportunity for public open space.

12 Forest Hill Secondary School, Perry Mount Primary School, Our Lady & St Philip Neri and St George's CE Primary School are also located within an approximate 900m radius.

## **2.5 LOCAL ENVIRONMENT**

13 The site falls within Flood Risk Zone 1 and is therefore considered as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).

## **2.6 TRANSPORT**

14 The site presents a Public Transport Access Level (PTAL) score of 1b (poor) on a scale of 1-6b, 1 being lowest and 6b is highest.

15 It is located within 900m of the Sydenham Overground Station and within 1 mile of Lower Sydenham Station and Forest Hill Overground Stations. It is well serviced by three (3) bus links (Bus Routes 75, 122 and 185), approximately 200m from the site providing access to Lewisham, Crystal Palace and Victoria.

## **3 RELEVANT PLANNING HISTORY**

16 Nil

## **4 CURRENT PLANNING APPLICATION**

### **4.1 THE PROPOSALS**

17 Full planning permission is sought for the demolition of the existing warehouse (Use Class B8), to allow for the construction of a part 6/part 7 storey building to provide thirty-two (32) dwellings comprised of six (6) Supported Living dwellings (Use Class C2) and twenty-six (26) Temporary Accommodation dwellings.

18 In addition, the proposal includes two (2) new wheelchair parking bays, fifty-six (56) cycle parking spaces, refuse, landscaping and shared amenity space for the Supported Living cluster.

19 The six (6) Supported Living dwellings would be located on ground and first floor and are designed as 1BED/2PERSON dwellings to accommodate one (1) resident with support staff. Staff would be present 24 hours a day, but would not live in the flats. Staff rest and office spaces are provided at First & Second Floors. All six (6) dwellings would be wheelchair dwellings in accordance with M4(3).

20 The temporary accommodation is comprised of twenty-six (26) dwellings, including fourteen (14) 2BED/4PERSON dwellings and twelve (12) 3BED/6PERSON dwellings. All TA dwellings would be accessible and adaptable in accordance with M4(2).

21 The flats are designed to meet Building Regulations Part M4 with 81% % (26 dwellings) meeting M4(2) to be Accessible and Adaptable and 19% (6 dwellings) to be M4(3) Wheelchair User Dwellings.

22 The proposed development would provide thirty-two (32) new dwellings of which 100% would be for Affordable Rent at Local Housing Allowance Levels, including Supported Living and Temporary Accommodation. They will be managed by Lewisham Homes.

## 5 CONSULTATION

### 5.1 PRE-APPLICATION ENGAGEMENT

23 Pre-application discussions started between the Applicant (Lewisham Strategic Housing Team) and Council Officers in December 2018 and continued up until June 2019, which included input from Urban Design, Highways, Ecology and Tree Officers.

24 Two (2) pre-application meetings were held in December 2018 and April 2019 prior to submission of the planning application, which included input from Urban Design, Highways, Ecology and Tree Officers.

### 5.2 APPLICATION PUBLICITY

25 Consultation for the application has been carried out in accordance with Lewisham Council's Statement of Community Involvement for a major development.

26 Site notices were displayed on 23 August 2019 and a press notice was published on 28 August 2019.

27 Letters were sent to 140 residents and businesses in the surrounding area, including the Forest Hill Society and the relevant ward Councillors on 23 August 2019.

28 Four (4) responses were received, comprising nine (9) objections and one (1) comment.

#### 5.2.1 Objections

Material planning consideration	Para where addressed
<b>Disruption:</b> <i>Already have overflowing of noise, traffic and rubbish from the existing boys school, disruption of three new builds all at the same time; noise, heavy machinery, It is unclear what the demolition/construction impact will be on existing residents</i>	Section 7.2.3
<b>Safety and Security:</b> <i>Concern regarding the type of people who will live in this proposal, cars and property already being defaced and damaged, will make people feel less safe in their homes, lack of safety and security to existing tenants, temporary accommodation tenants have no respect for their neighbours, this will create a whole new level of anti-social behaviour, I will have to worry about being in my home, can you assure me my family will be safe, Class C2 dwellings mean alcohol abuse and mental disorders, not safe and these are usually put in least desirable places, which is not Mayow Road</i>	Section 7.3
<b>Design:</b>	Section 7.4

<i>It was stated the building would be part four but now changed to part 6/part 7, 7 storeys does not fit with the surrounding, Communal garden will encourage fly-tipping and danger</i>	
<b>Parking and Traffic:</b>  <i>More than 2 parking spaces required, traffic increase particularly at peak times, construction vehicles must be banned from the area at the start and finish of school times or it will be more grid locked than currently</i>	Section 7.5.3
<b>Impact on Surrounding Buildings:</b>  <i>Invasion of privacy being so close, overlooking of existing properties, loss of light to existing properties, concern about scale and massing and impact on existing properties, sunlight/daylight impacts will be unacceptable to a couple of windows, impact on already overcrowded diverse community</i>	Section 7.6
<b>Sustainability:</b>  <i>Air quality readings from the site should be available to the public on the day they are taken</i>	Section 7.7
<b>Consultation:</b>  <i>No one from the department has visited any surrounding properties</i>	Section 5

29 Some non-material planning considerations were also raised as follows:

- Proposal may affect value of surrounding properties
- Residents will come from criminal backgrounds with drugs and be unsafe in the local area and is unacceptable next to a school.

### 5.3 INTERNAL CONSULTATION

30 The following internal consultees were notified on 23 August 2019, their responses are summarised below:

#### 31 Highways

Highways Officers have been involved throughout pre-application stage and raise no objection to the proposal subject to Conditions to secure section 278 Highways works, a Delivery and Servicing Plan, Cycle Parking details, Travel Plan and Construction Management Plan.

- 32 Tree Officer  
Involved throughout pre-application and provided significant input throughout the design process.
- 33 Ecological Regeneration  
Raised no objection subject to details and area of the Living Roof being Conditioned, in addition to a Condition to secure two (2) swift boxes, two (2) bird boxes and four (4) bat boxes.
- 34 Met Police (Designing Out Crime Officer)  
Met Police have not been involved throughout pre-application, however raise no objection and consider the application incorporates excellent crime prevention methods including lines of site and natural surveillance, which would activate the area. The ground floor design is also considered to include positive crime prevention design with no alcoves or secluded areas. An informative would be added to include the recommendations made by Met Police.
- 35 Urban Design  
Involved throughout pre-application and provided significant input throughout the design process.
- 36 Environmental Protection/Health – Contamination  
Raised no objection, however requested a Site Contamination condition.
- 37 Environmental Protection/Health - Air Quality  
In principle accept the assurances and recommendations in the Air Quality Report, however request clarification relating to assessing background levels, details/confirmation that all plant equipment will meet NRMM standards in relation to emissions, confirmation on the make and number of boilers and calculations that the buildings emissions would be Air Quality Neutral. A Dust Management as part of the Construction Logistics Management Plan would be Conditioned.
- 38 Planning Policy  
No response received.
- 39 Occupational Therapist  
No response received.
- 40 Children and Young People  
No response received.
- 41 Sustainability – Heat  
Sustainability Officers are broadly supportive of the proposal, however have requested an appropriately worded pre-commencement Condition to address their outstanding concerns, which is discussed further in section 7.7 of this report.
- 42 Sustainability – Flooding and Surface Water

Sustainability Officers are broadly supportive of the proposal, however have requested an appropriately worded pre-commencement Condition to address their outstanding concerns, which is discussed further in section 7.7 of this report.

## **5.4 STATUTORY CONSULTATION**

43 The following Statutory Consultees were notified on 23 August 2019:

### **44 Natural England**

Confirmed no comment to make in relation to the proposal as the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

### **45 Thames Water**

With regard to Surface Water, Waste Water and Sewage Treatment Works, Thames Water raise no objection based on the information provided. Conditions and informatives requested.

## **6 POLICY CONTEXT**

### **6.1 LEGISLATION**

46 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

### **47 MATERIAL CONSIDERATIONS**

48 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

49 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

50 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to the test of reasonableness.

### **6.2 NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance

### **6.3 DEVELOPMENT PLAN**

51 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013)

## **6.4 SUPPLEMENTARY PLANNING GUIDANCE**

52 Lewisham SPG/SPD:

- Planning Obligations Supplementary Planning Document (February 2015)

53 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- London View Management Framework (March 2012)
- All London Green Grid (March 2012)
- Play and Informal Recreation (September 2012)
- Sustainable Design and Construction (April 2014)
- Character and Context (June 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Energy Assessment Guidance (October 2018)

## **6.5 OTHER PLANNING GUIDANCE**

- Draft London Plan (July 2019): The Mayor of London published a draft London Plan on 29 November 2017 and minor modifications were published on 13 August. The Examination in Public commenced on 15 January 2019 and concluded on 22 May 2019. This document now has some limited weight as a material consideration when determining planning applications. The relevant draft policies are discussed within the report (DLPP)

## **7**      **PLANNING CONSIDERATIONS**

54      The main issues are:

- Principle of Development
- Housing
- Specialist Residential Uses
- Urban Design
- Transport Impact
- Impact on Adjoining Properties
- Sustainable Development
- Natural Environment

## 7.1 PRINCIPLE OF DEVELOPMENT

### *General policy*

55 The National Planning Policy Framework (NPPF) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

56 Lewisham is defined as an Inner London borough in the London Plan. LPP 2.9 sets out the Mayor of London's vision for Inner London. This includes among other things sustaining and enhancing its recent economic and demographic growth; supporting and sustaining existing and new communities; addressing its unique concentrations of deprivation; ensuring the availability of appropriate workspaces for the area's changing economy; and improving quality of life and health.

### *Policy*

57 The application site is not located within a town centre or designated shopping frontage. It is not within any of the defined Strategic Industrial Locations, Local Employment Locations or Mixed Use Locations as defined by Core Strategy and is not located within an Area of Archaeological Priority.

58 The London Plan, London Plan Supplementary Planning Guidance (SPG), Core Strategy, Development Management Local Plan, Residential Standards Supplementary Planning Document and other national planning guidance emphasise the importance of high quality design that complements the existing development and establishes suitable character.

59 NPPF Chapter 11 outlines that planning decisions should make effective use of land by promoting and supporting under-utilised land and buildings, particularly where they would contribute to housing need and where sites could be used more effectively.

60 NPPF Chapter 12 seeks to achieve well-designed places and seeks to ensure that developments are visually attractive. London Plan Policy 3.4 supports new housing schemes where the local character and context are well considered, which is in line with DM Policy 33 which resists residential development on existing amenity areas of landscaped open space attached to existing residential development, unless it is of the highest design quality and it relates successfully to the existing design quality of the streetscape.

61 Core Strategy 5 recognises the importance of maintaining a supply of business clusters in the borough and supports residential development if it can be demonstrated that the site is unsuitable for its current use.

### **7.1.1 Principle of development conclusions**

62 The proposed development forms part of Lewisham Council's programme to deliver 1,000 new genuinely affordable Council homes across the borough by 2022.

63 Providing housing, particularly affordable housing is a current priority to tackle the housing crisis in the borough and wider London.

64 In February 2019, Lewisham Mayor and Cabinet was advised of the intended proposals for Council housing at Mayow Road. A report was put to Mayor and Cabinet setting out that a s105 consultation would be undertaken and to agree the demolition of the existing warehouse. Authority was also delegated to the Executive Director of Regeneration, Housing & Environment (formerly Customer Services) to agree that a planning application should be submitted for the construction of 32 new Council homes on the estate for Supported Living and Temporary Accommodation. Mayor and Cabinet agreed the strategy

for the redevelopment of Mayow Road Warehouse to be demolished to deliver high quality new Council homes on site. The Supported Living component would also employ carer staff at a ratio of 1:1 to residents.

- 65 The site currently supports the Mayow Road Warehouse (Use Class B8), which would be demolished to allow for the thirty-two (32) 100% affordable rented residential dwellings (Use Class C2). The existing warehouse has been identified as no longer suitable for its current use and a more efficient and financially viable option exists outside the borough. The site has therefore been identified as an efficient option to provide high-quality Council housing. The existing warehouse is also not up to standard as a storage facility and is prone to damp. The loss of the B8 use is therefore supported.
- 66 The site will make a valuable contribution towards meeting housing needs as identified in the London Plan Policies 3.3 and 3.4 to increase housing supply and optimising housing potential, taking into account local context and character, design principles and public transport capacity. Furthermore, the London Plan Policy 3.8 identifies the need for Londoners to have a genuine choice of high quality affordable housing, which is considered to be in line with this proposal. The proposal will make use of land and Officers therefore raise no objection to the principle of development, subject to securing a high quality design.

## 7.2 HOUSING

67 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; (iii) the standard of accommodation; and (iv) total affordable housing proposed and its tenure split.

### 7.2.1 Contribution to housing supply

#### *Policy*

68 National and regional policy promotes the most efficient use of land.

69 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF sets out the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

70 The NPPF encourages the efficient use of land subject to several criteria set out in paragraph 122. Paragraph 123 applies where there is an existing or anticipated shortage of land for meeting identified housing needs and strongly encourages the optimal use of the potential of each site.

71 London Plan Policies (LPPs) 3.3 and 3.4 seek to increase housing supply and to optimise housing output within the density ranges set out in the sustainable residential quality (SRQ) matrix.

72 Emerging Draft LPPs H1, H2 and support the most efficient use of land and development at the optimum density. Defining optimum is particular to each site and is the result of the design-led approach. Consideration should be given to: (i) the site context; (ii) its connectivity and accessibility by walking and cycling and existing and planned public transport (including PTAL); and (iii) the capacity of surrounding infrastructure.

73 The current London Plan sets an annual target of 1,385 new homes until 2025. The emerging draft London Plan, if unchanged, would increase this to 2,117.

74 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.

75 NPPF para 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.

76 LPP 3.8 states Londoners should have a genuine choice of homes, including differing sizes and types. Emerging DLPP H12 sets out that an appropriate mix of unit sizes should be informed by several criteria set out in the policy.

77 CSP 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments.

78 Determining an appropriate mix of dwelling sizes for a site depend on several criteria in CSP 1, relating to: (i) the site's character and context; (ii) previous or existing use of the site; (iii) access to amenity space for family dwellings; (iv) likely parking demand; (v) local housing mix and population density; and (vi) social and other infrastructure availability and requirements.

#### *Discussion*

79 The existing site is 959m<sup>2</sup> (0.096ha), which is almost entirely covered by the existing warehouse. The proposed building lies within the footprint of the existing warehouse, with

further reductions to the footprint to allow for the Supported Living secure garden. The proposed thirty-two (32) residential dwellings would present a density of 410 dwellings per hectare, which is considered to be in excess of the London Plan density range for an urban location with a low PTAL. However, with consideration to the high quality building and 12 storey adjoining tower blocks it is considered the proposal would make optimum use of the underutilised site, which would provide much needed genuinely affordable housing offset by the large area of open space adjoining the site. The density is therefore considered to be acceptable.

- 80 The proposed development would provide thirty-two (32) new dwellings of which 100% would be for Affordable Rent at Local Housing Allowance Levels, including Supported Living and Temporary Accommodation. This will make a valuable contribution to housing targets set by the Mayor of London, equating to 2.3% of the 1385 dwelling existing target and to be 1.51% of the 2117 dwelling target.

## **7.2.2 Affordable housing**

### ***Percentage of affordable housing***

#### *Policy*

- 81 Core Strategy Policy 1 and Development Management Policy 7 seek to provide a mix of dwellings and provide affordable housing. It confirms that the maximum level of affordable housing would be sought by the Council, with a strategic target of 50% as a starting point for negotiations and subject to the assessment of viability. The policy seeks provision at 70% social rented and 30% intermediate housing (based on total unit numbers).
- 82 The Affordable Housing and Viability SPG (AHV) introduced the threshold approach to viability. Proposals are not required to be supported by viability information where they: (i) deliver at least 35% affordable housing on-site without public subsidy; (ii) are consistent with the relevant tenure split; and (iii) have sought to increase the level about 35% by accessing grant (GLA, 2017, p17).

### ***Affordable housing tenure split and dwelling size mix***

#### *Policy*

- 83 Core Strategy Policy 1 requires major residential development (10 or more dwellings) to provide a proportion of family sized dwellings (three + bedrooms) to create a balanced mix of dwellings and DM Policy 7 gives priority to providing family dwellings.

#### *Discussion*

- 84 The proposed development would provide thirty-two (32) new dwellings of which 100% would be for Affordable Rent at Local Housing Allowance Levels, including Supported Living and Temporary Accommodation. As the Supported Living element provides specialised housing need, the proposal for all six (6) dwellings to be 1BED is justified to meet demand and has been identified as appropriate by National Health Service (NHS). NHS have provided encouragement for the development and ongoing discussion and agreement is being facilitated by Lewisham Council for them for provisional grant funding to support for Supported Living element. All six (6) Supported Living units would be provided as M4(3) to accommodate the Supported Living residents
- 85 The Temporary Accommodation element of the proposal would include fourteen (14) 2BED dwellings (44% provision) and twelve (12) 3BED (37.5% provision), which is considered to exceed policy of 10% provision of 3+ bed dwellings.

**Table 2: Tenure Mix by Dwelling Size\***

	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed +</b>	<b>Total</b>
<b>Private</b>	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Affordable Rent</b>	6 (6)	14 (0)	12 (0)	0 (0)	32 (0)
<b>Shared Ownership</b>	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	6 (6)	14 (0)	12 (0)	0 (0)	32 (0)

- 86 The proposal would provide thirty-two (32) 100% affordable dwellings at Local Housing Allowance Levels to provide Temporary Accommodation and Supported Living. Whilst the proposed development would not achieve the 70:30 split in favour of social rented dwellings as specified by the Core Strategy, Officers consider the proposal to be acceptable in this instance given the urgent need for Temporary Accommodation dwellings within the borough.
- 87 Lewisham Council is experiencing a significant increase in the number of households facing homelessness and requiring housing assistance. Since 2010 the Council has witnessed a significant increase in the number of households in Temporary Accommodation (TA), whilst the number of available affordable housing lets has almost halved. This reduction in available Council Housing stock is placing a significant strain across Council housing services, including the provision of suitable, high quality and well-designed TA. It is also forcing the Council to utilise expensive private B&B/Nightly Paid emergency accommodation, which can often be of a poor quality, operating basic shared facilities and located in areas outside of an individual's local support network. Over 2200 people currently live in TA in Lewisham, of which approximately 630 people occupy expensive nightly paid/B&B accommodation. In 2018/2019 the Council spent £3.6m on temporary accommodation, which is a significant expenditure for the Council and therefore supports the urgent need for permanent, high quality affordable housing. Objections received relates to potential residents with drugs and criminal backgrounds, the Councils Housing team have confirmed that this is not the case and that the dwellings will be for homeless families with children as well as supported living residents who have challenging learning needs.
- 88 The six (6) proposed Supported Living dwellings have been specifically designed for residents with learning disability and/or autism who have challenging behaviour and may otherwise be at risk of inappropriate hospital admission or out of borough placement, demand has therefore increased for this type of service. The scheme is part of the Council's aim to provide a range of appropriate accommodation aligned with the National Transforming Care Programme to ensure this type of accommodation is aligned with the correct support and type of service locally.
- 89 The residents would live independently with in-house care and support will be provided 24/7 to the Supported Living dwellings. The development is supported by NHS England.
- 90 As such, Officers consider that the proposed development therefore meets the requirements of Core Strategy 1 and significantly contributes to providing affordable housing for the aging community in the borough.

***Dwelling Size***

*Policy*

- 91 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.
- 92 NPPF para 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.
- 93 The London Plan Policies 3.3 and 3.4 seek to increase housing supply and optimise housing potential, taking into account local context and character. Furthermore, the London Plan Policy 3.8 identifies the need for Londoners to have a genuine choice of high quality affordable housing, which is considered to be in line with this proposal.
- 94 Core Strategy Policy 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments including the site's character and context; previous or existing use of the site; access to amenity space for family dwellings; likely parking demand; local housing mix and population density; and social and other infrastructure availability and requirements.

### ***Summary of Affordable housing***

- 95 The proposed development would provide thirty-two (32) new dwellings of which 100% would be for Affordable Rent at Local Housing Allowance Levels, including Supported Living and Temporary Accommodation. This is in accordance with DM Policy 7 and 32 and London Plan Policies 3.10, 3.11 and 3.13 and exceeds the requirement of DM Policy 7, however when providing genuinely affordable housing is considered acceptable. The development would exceed the requirement of Core Strategy 1 in providing family sized dwellings and would comply with the requirement to provide 10% wheelchair dwellings.

## **7.2.3 Residential Quality**

### *General Policy*

- 96 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LPP 3.5), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).
- 97 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity; and (vii) children's play space.

### ***Internal space standards***

#### *Policy*

- 98 The Technical Housing Standards (2015), Mayors Housing Supplementary Planning Guidance (SPG), London Plan Policy 3.5 and DM Policy 32 set out or make reference to the minimum internal space standards to achieve housing development that provides the highest quality of space externally in relation to its context.
- 99 The London Plan Policy 3.5 seeks to achieve housing development that provides the highest quality of space internally and externally in relation to its context.

#### *Discussion*

- 100 Any single storey 1BED/2P dwelling, as outlined by The London Plan is required to provide a minimum 50m<sup>2</sup> Gross Internal Area (GIA) with a minimum of 1.5m<sup>2</sup> built-in storage, while a 2BED/4P dwelling is required to provide a minimum of 70m<sup>2</sup> GIA with a minimum of 2m<sup>2</sup>

built in storage and a 3BED/4P is required to provide a minimum of 75m<sup>2</sup> GIA with 2.5m<sup>2</sup> built in storage. All of the proposed dwellings would meet or exceed the minimum GIA and storage standards, with most of the Supported Living dwellings exceeding minimum requirement by at least a minimum of 15m<sup>2</sup>.

### ***Outlook & Privacy***

#### *Policy*

- 101 DM Policy 32 expects all new development to provide a satisfactory level of privacy, outlook and natural lighting for both its future residents, which is also supported by the Mayors Housing SPG. Furthermore, The London Plan Policy 5.3 requires the highest standards of sustainable design and construction to be achieved, including the avoidance of single-aspect units. The Lewisham Residential Development Standards SPD also requires a flexible 21m distance between habitable windows on main rear elevations.

#### *Discussion*

- 102 The closest relationship with the proposed building to existing buildings would be the 10.3m separation from existing tower block (Heathwood Point), which would address a proposed flank elevation. Windows have been carefully positioned to ensure an appropriate separation distance. Given the proposal adjoins Mayow Park to the west, small greenspace to the north and Mayow Road to the east, all other separation distances would exceed 21m.
- 103 DM Policy 32 also assesses whether the proposed accommodation would provide a good outlook and adequate privacy. The design proposes all dwellings to be at least single aspect with twenty-five (25) dwellings achieving dual aspect and the remaining seven (7) achieving east facing single aspect. Private terraces and perimeter planting are proposed to the ground floor amenity spaces, which will help to increase privacy.
- 104 Owing to the block style design, there is no scenario of habitable windows directly facing one and other.

### ***Overheating***

#### *Policy*

- 105 London Plan Policies 5.3 and 5.9 seek to avoid internal overheating through design, materials, construction and operation of the development. The Mayors Housing SPG also demonstrates that development proposals should achieve an appropriate design of dwellings to avoid overheating without heavy reliance on energy intensive mechanical cooling systems.

#### *Discussion*

- 106 The design allows for a combination of single, dual and triple aspect dwellings, which would allow for better daylight and reduce overheating which is supported.

### ***Daylight and Sunlight***

#### *Policy*

- 107 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents.

108 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards. This is not formal planning guidance and should be applied flexibly according to context. The BRE standards set out below are not a mandatory planning threshold.

109 In new dwellings, the BRE minimum recommended average daylight factor (ADF) is 1 % for bedrooms, 1.5% for living rooms and 2 % for kitchens.

#### *Discussion*

110 The Daylight and Sunlight Study (Within Development) undertaken, determined that all rooms within the development would meet the recommended Average Daylight Factor (ADF), with one (1) achieving negligible ADF of 1.47% where the BRE recommends 1.50%, however this window serves a living room and the dwelling is also dual aspect and therefore the impact would not be noticeable.

111 Ninety (90) of the one-hundred and six (106) surveyed windows would achieve appropriate Daylight Distribution. The remaining sixteen (16) windows would receive a noticeable reduction, however none of these dwellings are single aspect and most of these windows serve bedrooms which BRE guidance acknowledge are less important than kitchen and living rooms with regard to daylight. Furthermore, all of these dwellings are dual aspect and meet the ADF recommended levels.

112 Majority of the assessed rooms will meet the Annual Probable Sunlight Hours (APSH), with one (1) achieving negligible sunlight levels and ten (10) achieving noticeable sunlight amenity levels. Where rooms achieve results below the recommended levels, they are generally obscured by their own inset balcony.

113 Overall, Officers acknowledge that a major development may result in some dwellings not receiving the recommended internal daylight and sunlight levels, however on balance it is considered that the proposal achieves a satisfactory level of residential amenity and that all units would have good outlook through most dwellings (25 dwellings) achieving dual aspect and the remaining seven (7) achieving east facing single aspect.

#### **Noise & Disturbance**

##### *Policy*

114 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions. Para 180 states decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

115 Planning controls the effect of noise from external sources on residential uses and noise transmission between different uses. The relevant standard is BS: 8233:2014. This states the internal noise levels within living rooms must not exceed 35dB(A) during the daytime (0700-2300) and 30 dB(A) in bedrooms during the night –time (2300-0700).

116 With respect to external areas, BS 8233:2014 recommends that external noise level does not exceed 50dB LAeq,T with an upper guideline of value of 55dB LAeq,T

117 The NPPG states LPAs should consider noise when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved

118 The objectives of the NPPF and NPPG are reflected in LPP 7.15, DLPP D1,D12 and D13, CS Objective 5 and DMP 26.

*Discussion*

119 A Construction Management Plan would be Conditioned to ensure details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process. This would also include details of construction traffic movements including cumulative impacts, rationalising travel and traffic routes to and from the site, full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity and details of how the impacts of construction activities and associated traffic will be managed.

***Accessibility and inclusivity***

*Policy*

120 The Local Plan Policy 3.8 requires 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings' and therefore be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% to M4(2) 'accessible and adaptable dwellings'.

121 Core Strategy Policy 1 requires major schemes to provide 10% of all units and each tenure type to be constructed as accessible. DM 32 states that the Council will require new build housing to be designed to ensure that internal layout and external design features provides housing that is accessible to all intended users.

*Discussion*

122 The proposed development has been designed to comply with Core Strategy 1 in providing 72% Lifetime Homes and 18% wheelchair accessible in accordance with Part M of the building regulations. All wheelchair user dwellings would be provided within the Supported Living element of the proposal.

123 Overall, the proposed standard of accommodation and private/public amenity space proposed for each unit are considered to be acceptable and policy compliant.

124 Two (2) wheelchair parking bays are proposed to be located on Mayow Road, which would support the Supported Living element of the proposal. The parking bays would be unallocated, however would provide an opportunity for convenient access to the proposal.

125 Furthermore, an independent parking survey was undertaken to assess the existing parking stress on the public highway surrounding the application site and confirmed there is capacity on the surrounding street network to accommodate the parking demand generated by the development proposals.

***External space standards***

*Policy*

126 The Technical Housing Standards (2015), Mayors Housing Supplementary Planning Guidance (SPG), London Plan Policy 3.1 and DM Policy 32 set out or make reference to

the minimum space standards required for amenity space to achieve housing development that provides the highest quality of space externally in relation to its context.

- 127 Standard 4 of the Housing SPG states that, where communal open space is provided, development proposals should demonstrate that the space: is overlooked by surrounding development; is accessible to disabled people including people who require level access and wheelchair users; and is designed to take advantage of direct sunlight; has suitable management arrangements in place.

*Discussion*

- 128 Specifically, the Housing SPG requires private outdoor amenity space standards to provide a minimum of 5m<sup>2</sup> for any 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant with a minimum depth of 1500mm. A 2B/4P dwelling therefore requires 7m<sup>2</sup> of private amenity space and a 3B/6P dwellings requires a minimum of 9m<sup>2</sup> of private amenity space, which is met or exceeded in all circumstances of the Temporary Accommodation.
- 129 For safety reasons, the Supported Living element of the proposal does not propose individual private amenity space, however it does provide a communal 75m<sup>2</sup> secure courtyard garden to be used by the Supported Living residents and their carers, which would exceed the requirement of six (6) 1BED dwellings (30m<sup>2</sup>) as per London Plan standards. It should also be noted that most of the Supported Living dwellings exceeding minimum requirement by at least a minimum of 15m<sup>2</sup>.

**Children's play space**

*Policy*

- 130 LPP3.6 states housing proposals should make provision for play and informal recreation.
- 131 The Mayor's Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG recommends 10sqm of play space per child. The GLA divide the requirements of children's play space into three categories: (i) under 5s, described as doorstep play and generally considered as part of the plot; (ii) ages 5-11; and (iii) children 12 plus.

*Discussion*

- 132 As identified above, all Temporary Accommodation would meet or exceed the required private amenity space and the Supported Living element would provide a significant area of external private amenity space, however owing to the constraints of the site, no play space would be provided. The site does however adjoin Mayow Park (which is located within 50m of the site) which has a play area, outdoor gym, nature reserve, café, tennis and cricket facilities), which is considered to be a convenient and appropriate alternative to providing onsite play space provision.

**7.2.4 Housing conclusion**

- 133 The proposal contributes to the Council's New Homes Programme by creating 100% new Council homes to households on Lewisham's Housing Register.
- 134 The current application helps to address this demand and is in line with the Council's Housing Strategy. The Strategy states that 'In particular we need to ensure that there is an increase in the supply of affordable homes for those who have least capacity to pay unaffordable market rents' and from this, a key objective of the Strategy is to build the homes the borough's residents need.

135 The site will make a valuable contribution towards meeting affordable housing needs as identified in the London Plan Policies 3.3 and 3.4 to increase housing supply and optimising housing potential in a sustainable urban location making efficient use of the land. Furthermore, the London Plan Policy 3.8 identifies the need for Londoners to have a genuine choice of high quality affordable housing, which is considered to be in line with this proposal. The proposal will make use of open space and officers therefore do not raise an objection to the principle of development, subject to securing a high quality design.

### **7.3 SPECIALIST RESIDENTIAL USES**

#### *Policy*

136 NPPF seeks to ensure that the needs of groups with specific housing requirements are addressed, more specifically DM Policy 5 aims to ensure specialist accommodation is provided in the appropriate locations, which is also consistent with The London Plan Policy 3.1, 3.5 and 3.8.

#### *Discussion*

137 Specialist accommodation is supported by the Council where it is well designed to meet the specific requirements of the intended residents and their social, physical, mental and/or health care needs and where development proposals provide easy access to public transport, shops, local services, community facilities and social networks.

138 The proposal would support six (6) Supported Living flats (Use Class C2) and twenty-six (26) Temporary Accommodation dwellings (Use Class C3) which would provide new high quality Temporary Accommodation for local homeless families in the borough, provide high quality Supported Living accommodation for adults who have learning difficulty and/or autism. It would also relieve financial pressure from the Council where expensive nightly accommodation is currently being used as an alternative.

139 The Supported Living component of the proposal would be purpose built to support the needs of the residents with involvement from the NHS.

140 The building has therefore been designed as fit for purpose with a good fit between the facilities supplied and the specialist needs of residents. The dwellings all provide a kitchen, bathroom, bedroom and living area and therefore provide independent living with the support from full time carer staff.

141 The Supported Living element would also provide social opportunity in the shared amenity space, which would facilitate interaction and help to prevent isolation.

142 In documentation submitted with the application, the Applicant confirmed Supported Living element of the proposal would also employ approximately 26-27 Full Time working staff.

143 Representations received raised concern with regard to the behaviour of residents within the proposed specialist residential uses and residential Use Class. The Temporary Accommodation would provide accommodation for homeless families, as well as those in Supported Living who require 24/7 support. It is considered that the design carefully considers the needs of the existing and future residents and neighbours. There is no promotion of any vulnerable individual accommodation or those with any drug/alcohol dependency.

144 On this basis, Officers are satisfied that the proposal would deliver high quality and much needed genuinely affordable housing for people in the borough.



## **7.4 URBAN DESIGN**

### *General Policy*

- 145 The NPPF at para 124 states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. The NPPG encourages decision takers to always secure high quality design; this includes being visually attractive and functional, however other issues should be considered.
- 146 LPP 7.6 requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design.
- 147 CSP 15 repeats the necessity to achieve high quality design. DMP 30 states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity.
- 148 Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that in weighing applications that directly or indirectly affect 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.

### **7.4.1 Appearance and character**

#### *Policy*

- 149 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG).
- 150 In terms of architectural style, the NPPF encourages development that achieves well designed places, specifically development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 127). At para 131, the NPPF states great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area.

#### ***Form, Scale and Layout***

#### *Policy*

- 151 The London Plan Policy 7.1 seeks to shape places by providing lifetime neighbourhoods and outlines the design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of their location. Furthermore, London Plan Policy 7.4 states that buildings, street and open spaces should provide a high-quality design that has regard to pattern and grain of the existing spaces and streets, scale, proportion and mass. The London Plan Policy 7.6 states that buildings should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and further that the building form and layout of new developments should have regard to the density and character of the surrounding development.
- 152 The development has carefully considered designing out crime in accordance with DM Policy 32, London Plan Policy 7.3 and Core Strategy 15 and fear of crime also identified within paragraph 91 of the NPPF (2018). The entrance of the buildings will be safe as they are clearly defined and visible from the street through the use of materiality contrast and lighting in accordance with DM Policy 27.

### *Discussion*

- 153 The scale, massing and articulation of the proposed flats block have been the subject of extensive discussion between Officers and the applicant during pre-application as well as public consultation and further shaped by input from local residents. The proposed development considers its immediate surroundings and wider context. The building is considered to be of an appropriate proportion, scale and orientation to its surroundings.
- 154 The proposal presents a stepped massing of part six/part seven storeys ranging in height from approximately 19.79m – 23.14m, which is considerably lower than the adjoining tower blocks which present twelve (12) storeys in height, however would be noticeably taller than the predominate 2-4 storey surrounding context.
- 155 Two entrances are proposed to the building, one to serve the Supported Living element and one to serve the Temporary Accommodation element, which is necessary for the purpose of the criteria of providing Supported Living dwellings.
- 156 It is acknowledged the development would give rise to a considerable increase in scale and massing comparative to the existing warehouse, however the stepped massing paired with the proposed building being framed predominantly by Mayow Park it is considered to sit comfortably in the context.

### ***Detailing and Materials***

#### *Policy*

- 157 Lewisham Residential Standards Document sets out guidance relating to design, development, layout and materials. The London Plan Policy 7.6 and DM Policy 32 seek to ensure buildings are of a high architectural quality, and comprise details and materials that complement the local architectural character without necessarily replicating it.

#### *Discussion*

- 158 The proposal includes vertical, horizontal and stretcher bond, powder coated aluminium windows, steel balustrade, vertical fins, recessed brick course, brick reveals and privacy glazing.
- 159 The proposal aims to use predominately multi light coloured brick (red/orange tones) with a contrasting darker brick to double height brick panels at ground and first floor.
- 160 Brick detailing would also include vertical bonded banding at each floor level with a return to window reveals.
- 161 The Supported Living proposes louvre panels within the design to provide secure ventilation with consideration to the vulnerable residents.
- 162 Precast concrete is proposed to the external landscape.
- 163 The proposed material palette is considered to be high quality and the final details would be secured by Condition.

## **7.4.2 Public Realm**

#### *Policy*

- 164 The London Plan Policy 7.5 seeks to deliver high quality public realm that is secure, accessible, inclusive, connected and easy to understand and maintain.

### *Discussion*

- 165 The scheme proposes multiple elements of landscape and amenity, which would contribute to public realm including trees and soft landscape, private amenity space, shared amenity space and wider amenity provision.
- 166 Four (4) trees are proposed to be removed to facilitate development on the site, which are discussed in detail below in Section 7.8. The proposed tree loss would be replaced in addition to green living roof, new planting, Supported Living amenity space, hard and soft landscaping and tree-loss provision which cumulatively would present a net gain in green infrastructure.
- 167 Specifically, the Housing SPG requires private outdoor amenity space standards to provide a minimum of 5m<sup>2</sup> for any 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant with a minimum depth of 1500mm. A 2B/4P dwelling therefore requires 7m<sup>2</sup> of private amenity space and a 3B/6P dwellings requires a minimum of 9m<sup>2</sup> of private amenity space, which is met or exceeded in all circumstances of the Temporary Accommodation. The private amenity space to the north-west corner of the building proposes angled louvers to ensure there is no overlooking from existing adjoining tower blocks.
- 168 For safety reasons, the Supported Living element of the proposal does not propose individual private amenity space, however it does provide a communal 75m<sup>2</sup> secure courtyard garden to be used by the Supported Living residents and their carers, which would exceed the requirement of six (6) 1BED dwellings (30m<sup>2</sup>) as per London Plan standards. The amenity space has been designed to be safe and secure and would only be accessible to Supported Living residents and the staff, which will include landscaping, fencing and sensory planting.
- 169 Overall, the site would achieve a high quality landscape scheme including buffer planting to ground floor, understorey planting, gravel maintenance strips (where necessary), concrete paving, replacement and additional tree planting, boundary planting, aggregate paths and biodiverse roof planting.
- 170 Officers consider that the existing warehouse does not positively contribute to the streetscene and the setback building within the footprint of the existing warehouse supported by high quality boundary treatment and planting would be a positive improvement.
- 171 The details of the soft and hard landscaping in addition to the details of the proposed living roof would be secured by Condition.

### **7.4.3 Accessibility and inclusivity**

#### *Policy*

- 172 The London Plan Policy 7.2 seeks to achieve an inclusive environment in all new development by providing the highest standards of accessible and inclusive design. The Mayors Accessible London SPG also outlines and advises who accessible and inclusive design can be achieved. DM Policy 35 aims to design public spaces to be safe, inclusive, accessible, attractive and robust.

#### *Discussion*

- 173 Consideration has been given to the design of the Supported Living element, which includes separate and secure entrance, wheelchair access, lift access, ease of access, supervision and wellbeing through daylight views and limited corridor lengths. The shared amenity space is also designed to be quiet and secluded.

174 The flats are designed to meet Building Regulations Part M4 with 81% (26 dwellings) meeting M4(2) to be Accessible and Adaptable and 19% (6 dwellings) to be M4(3) Wheelchair User Dwellings.

175 Consideration has also been given to safety and access in the event of fire or emergency. Fire engineers have been involved throughout the building design, which ensures the proposal is in line with Building Regulations. Sprinkler protection is also proposed.

#### **7.4.4 Urban design conclusion**

176 In conclusion, Officers are satisfied that the proposal would deliver a scheme of high quality design and landscaping strategy that would enhance the site while providing much needed affordable housing. The applicant has engaged with officers at pre-application stage consistently and responded to formal feedback to ensure the proposal is considered to be of an appropriate design and scale.

## 7.5 TRANSPORT IMPACT

### *General policy*

- 177 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para 102. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic; and (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.
- 178 Para 109 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 179 Regionally, the Mayor’s Transport Strategy (‘the MTS’, GLA, March 2018) sets out the vision for London to become a city where walking, cycling and green public transport become the most appealing and practical choices. The MTS recognises links between car dependency and public health concerns.
- 180 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

### 7.5.1 Access

#### *Policy*

- 181 The NPPF requires safe and suitable access for all users. Paragraph 108 states that in assessing applications for development it should be ensured that appropriate opportunities to promote sustainable transport modes can – or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users.
- 182 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised; that a restrained approach to parking provision will adopted; and that car-free status for new development can only be assured where on-street parking is managed so as to prevent parking demand being displaced from the development onto the street.
- 183 DMP 29 identifies that car limited major residential will be supported in areas with a PTAL of 4 or above and that amongst other factors development should not have a detrimental impact on on-street parking provision in the vicinity. It outlines that measures such as car-clubs and cycle storage will be expected to ensure that sustainable transport modes are encouraged.

#### *Discussion*

- 184 The site does not support vehicular access and the proposal is for car-free development, however two (2) Wheelchair parking bays are proposed on Mayow Road to support the Supported Living element of the proposal.
- 185 An independent Parking survey was undertaken to assess the existing parking stress on the public highway surrounding the application site. The results of the surveys confirmed that there is capacity on-street to accommodate the parking demand generated by the development proposals.

186 Highways Officers have been involved throughout pre-application stage and raise no objection to the proposal subject to Conditions to secure section 278 Highways works, a Delivery and Servicing Plan, Cycle Parking details, Travel Plan and Construction Management Plan.

### **7.5.2 Servicing and refuse**

#### *Policy*

187 The NPPF states development should allow for the efficient delivery of goods and access by service and emergency vehicles.

188 LPP 6.13 requires schemes to provide for the needs of businesses and residents for delivery and servicing and LPP 6.14 states that development proposals should promote the uptake of Delivery and Service Plans.

189 Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Buildings in accordance with London Plan Housing Supplementary Planning Guidance (2016) standard 23.

#### *Discussion*

190 Separate refuse is proposed for the Temporary Accommodation and Supported Living elements, both are provided at Ground Floor. Internal refuse storage is provided which is accessed via lockable doors that address Mayow Road with a pull length of 10m to collection point for the Temporary Accommodation and 7.5m for the Supported Living element. Facilities maintenance personnel will manage the pull to kerb for collection. Refuse has been provided in accordance with Part H or Building Regulations.

191 The refuse would be collected from Mayow Road in accordance with the current arrangement.

192 A Delivery and Servicing Plan would be conditioned to secure the details of all future deliveries and services.

### **7.5.3 Transport modes**

#### ***Walking, Cycling and Public Transport***

#### *Policy*

193 Paragraph 110 of the NPPF states that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring area.

194 Development should create places that are safe, secure and attractive, minimising the scope for conflicts between pedestrians, cyclists and vehicles

195 LPP 6.9 sets out to bring a significant increase in cycling to at least 5% of modal share by 2026, supported by the implementation of Cycle Superhighways and the central London cycle hire scheme and provision of facilities for cyclists including secure cycle parking and on-site changing and shower facilities for cyclists.

196 The London Plan Housing SPG Standard 20, London Plan Policy 6.9 and DM Policy 29 state that all developments should provide dedicated storage space for cycles at the following level:

- 1 per studio and one bed

- 2 per all other dwellings

In addition, one short stay cycle parking space should be provided for every 40 units.

*Discussion*

- 197 A total of fifty-six (56) cycle spaces are proposed for the Temporary Accommodation element and Supported Living staff, which would be provided at ground floor accessed externally from the cycle store in the north-west corner of the building via a metal bicycle ramp to aid access.
- 198 The number of cycle spaces is in accordance with the London Plan by providing fifty-two (52) spaces for the Temporary Accommodation element and four (4) for Supported Living staff and as such is considered acceptable.
- 199 The site is located within an area with low accessibility to public transport, with a PTAL of 1b, however in reality is well serviced by public transport and within 100m of the site the PTAL increases to 3.

***Private cars (include disabled and electric charging points)***

*Policy*

- 200 LPP 6.13 seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use and through the use of well-considered travel, plans aim to reduce reliance on private means of transport. Table 6.2 Car parking standards in the London Plan states that all residential developments in areas of good public transport accessibility should aim for significantly less than one space per unit. It also requires that developments must provide for the needs of disabled users.
- 201 CSP 14 states that the Council will take a restrained approach to parking provision. DMP 29 requires wheelchair parking to be provided in accordance with best practice standards and London Plan Standard 18 requires designated wheelchair accessible dwellings to have a designated disabled car parking space.
- 202 DMP 29 states that development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

*Discussion*

- 203 The site does not support vehicular access and the proposal is for car-free development, however two (2) Wheelchair parking bays are proposed on Mayow Road to support the Supported Living element of the proposal.
- 204 The proposed bays would be unallocated and therefore would not be provided exclusively for the proposal, however would allow for ease of parking for the associated Supported Living element. Swept paths provided with the application and consultation with Councils Highways Officers identify the location is acceptable and would not give rise to car or pedestrian conflict.
- 205 The Transport Statement submitted with the application also identifies there is approximately 45% parking capacity on the surrounding street network.
- 206 Highways Officers have been involved throughout pre-application stage and raise no objection to the proposal subject to Conditions to secure section 278 Highways works, a Delivery and Servicing Plan, Cycle Parking details, Travel Plan and Construction Management Plan.

## **Transport impact conclusion**

207 Subject to the proposed Conditions, the development proposal would not result in harm to the local highway network or pedestrian or highway safety.

## 7.6 IMPACT ON ADJOINING PROPERTIES

### *General Policy*

- 208 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At paragraph 180 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.
- 209 This is reflected in relevant policies of the London Plan (LP7.6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA).
- 210 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 211 Further guidance is given in Housing SPD 2017, GLA.

### 7.6.1 Enclosure, Outlook and Privacy

#### *Policy*

- 212 Overbearing impact arising from the scale and position of blocks is subject to local context. Outlook is quoted as a distance between habitable rooms and boundaries.
- 213 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.
- 214 LPP 3.5 focuses on standards in new development, with the Mayor of London's Housing SPG noting that former commonly used minimum separation distances between habitable rooms of 18 – 21 metres may be useful guides, but advocates a more flexible approach to managing privacy.

#### *Discussion*

- 215 The closest relationship with the proposed building to existing buildings would be the 10.3m separation from existing tower block (Heathwood Point), which would address a proposed flank elevation. Windows have been carefully positioned to ensure an appropriate separation distance. Given the proposal adjoins Mayow Park to the west, small greenspace to the north and Mayow Road to the east, all other separation distances would exceed 21m.
- 216 DM Policy 32 also assesses whether the proposed accommodation would provide a good outlook and adequate privacy. The design proposes all dwellings to be at least single aspect with fourteen (14) dwellings achieving dual aspect, six (6) achieving triple aspect and the remaining twelve (12) achieving single aspect, seven (7) of which would achieve east facing single aspect. Private terraces and perimeter planting are proposed to the ground floor amenity spaces, which will help to increase privacy.

#### *Summary*

- 217 The proposals therefore would provide a good level of privacy for the occupants and not result in a harmful impact on the occupants of any nearby dwellings. Officers consider the proposed impacts are policy compliant and would not be materially harmful to adjoining properties.

## 7.6.2 Daylight and Sunlight

### *Policy*

- 218 Paragraph 127 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 219 DMP 32 states that new development must be neighbourly, provide a satisfactory level of outlook and natural light for both its future residents and its neighbours. DMP 32(2) also states that new-build housing development, including the housing element of new build housing will need to respond positively to the site specific constraints and opportunities as well as to the existing and emerging context for the site and surrounding area.
- 220 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards however this is not formal planning guidance and should be applied flexibly according to context.
- 221 The NPPF does not express particular standards for daylight and sunlight. Para 123 (c) states that, where there is an existing or anticipated shortage of land for meeting identified housing need, LPAs should take a flexible approach to policies or guidance relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site.
- 222 Standard 32 of the Housing SPG details that “All homes should provide for direct sunlight to enter at least one habitable room for part of the day.” The Housing SPG further states that where direct sunlight cannot be achieved in line with Standard 32, developers should demonstrate how the daylight standards proposed within a scheme and individual units will achieve good amenity for residents.
- 223 The GLA states that ‘An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.’ (GLA, 2017, Housing SPG, para 1.3.45).
- 224 Alternatives may include ‘drawing on broadly comparable residential typologies within the area and of a similar nature across London.’ (ibid, para 1.3.46).
- 225 It is therefore clear that the BRE standards set out below are not a mandatory planning threshold.
- 226 Daylight is defined as being the volume of natural light that enters a building to provide illumination of internal accommodation between sun rise and sunset. This can be known as ambient light. Sunlight refers to direct sunshine.

### ***Daylight guidance***

- 227 The three methods for calculating daylight are as follows: (i) Vertical Sky Component (VSC); (ii) Average Daylight Factor (ADF); and (iii) No Sky Line (NSL).
- 228 The VSC is the amount of skylight received at the centre of a window from an overcast sky. The ADF assesses the distribution of daylight within a room. Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced by factors including the size of the window relative to the room area and the transmittance of the

glazing, with the size of the proposed obstruction being a smaller influence. NSL is a further measure of daylight distribution within a room. This divides those areas that can see direct daylight from those which cannot and helps to indicate how good the distribution of daylight is in a room.

229 In terms of material impacts, the maximum VSC for a completely unobstructed vertical window is 39.6%. If the VSC falls below 27% and would be less than 0.8 times the former value, occupants of the existing building would notice the reduction in the amount of skylight. The acceptable minimum ADF target value depends on the room use: 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. If the NSL would be less than 0.8 times its former value, this would also be noticeable.

230 While any reduction of more than 20% would be noticeable, the significance and therefore the potential harm of the loss of daylight is incremental.

231 It is important to consider also the context and character of a site when relating the degree of significance to the degree of harm.

### ***Sunlight guidance***

232 Sunlight is measured as follows: (i) Annual Probable Sunlight Hours (APSH); and (ii) Area of Permanent Shadow (APS)

#### *Discussion*

233 The application is accompanied by a Daylight & Sunlight Study (Prepared by Calford Seaden), dated August 2019. This sets out daylight and sunlight impact on adjoining properties.

### ***Daylight***

234 The daylight received from the neighbouring properties is summarised as being BRE compliant, aside from four (4) neighbouring window in Heathwood Point, which serve kitchens and a living room. Only one (1) window (kitchen) would receive a noticeable reduction. It should however be noted that the VSC received (25.1%) would only be marginally below the VSC guidance of 27%, which is considered to be appropriate in an urban location. The remaining three (3) windows would notice a negligible reduction (0.77, 0.78 and 0.8 reduction) however these results are primarily owing to the existing inset balconies.

235 The daylight distribution was also assessed, which found that four (4) windows within Heathwood Point would notice a Daylight Distribution reduction, which service kitchens. The assessment found that one (1) window would experience a negligible reduction and three (3) would experience a noticeable reduction, however would retain between 56-75% daylight. This is considered to be an acceptable outcome in an urban context.

### ***Sunlight***

236 The report confirms that with regard to sunlight, most windows in Heathwood Point would meet or exceed BRE guidance. Five (5) windows within Heathwood Point would receive a reduction in Annual Probable Sunlight Hours, one (1) which would be negligible and four (4) which would be noticeable. The windows which would receive the most impact would service kitchen windows and it is considered in their existing scenario they receive an unusually high amount of sunlight for an urban context. It is considered that the results are also owing to the existing inset balconies.

#### *Summary*

237 The proposed development therefore is considered to comply with DM Policy 32 and paragraph 127 of the NPPF.

### **7.6.3 Noise and estate disturbance**

#### *Policy*

238 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions. Para 180 states decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

239 The NPPG states LPAs should consider noise when new developments may create additional noise.

240 The objectives of the NPPF and NPPG are reflected in LPP 7.15, Draft LPP D1,D12 and D13, CS Objective 5 and DMP 26.

#### *Discussion*

241 Officers consider that subject to a Construction Logistics Management Plan being conditioned, the noise and estate disturbance will not be unreasonable.

### **7.6.4 Impact on neighbours conclusion**

242 Officers consider that proposed development would result in an acceptable impact on the neighbouring amenity of surrounding properties.

## **7.7 SUSTAINABLE DEVELOPMENT**

### *General Policy*

243 NPPF para 148 sets an expectation that planning will support transition to a low carbon future.

244 This is reflected in relevant policies of the London Plan and the Local Plan.

### **7.7.1 Energy and carbon emissions reduction**

#### *Policy*

245 LPP 5.1 seeks an overall reduction in carbon dioxide (CO<sub>2</sub>) emissions whilst LPP 5.2 (Minimising Carbon Dioxide Emissions) states that major development proposals should make the fullest contribution to minimising CO<sub>2</sub> in accordance with the following hierarchy: (1) be lean: use less energy; (2) be clean: supply energy efficiently; and (3) be green: use renewable energy.

246 In addition, LPP 5.2 sets targets for CO<sub>2</sub> reduction in buildings, expressed as minimum improvements over the Target Emission Rate (TER) outlined in national building regulations. The target for residential buildings is zero carbon from 2016 and non-domestic buildings from 2019, prior to which the target is as per building regulations (35%). LPP 5.3 advocates the need for sustainable development.

247 LPP 5.7 presumes that all major development proposals will seek to reduce CO<sub>2</sub> by at least 20 per cent through the use of on-site renewable energy generation wherever feasible.

248 Further guidance is given in The Mayor's Sustainable Design and Construction SPG (April 2014), which sets out targets and provides guidance as to how to achieve those targets as efficiently as possible.

#### *Discussion*

249 The application is accompanied by an Energy Strategy (Prepared by MLM Consulting Engineers), dated 13 August 2019. This sets out the measures to be taken to reduce carbon emissions in compliance with the energy hierarchy.

#### **Carbon reduction**

250 The accompanying Energy Statement identifies that through the incorporation of improved U-values of thermal elements and controlled fittings, careful design and construction to achieve an air tight building, incorporation of accredited construction details, low energy lighting (LED) where viable and an efficient communal gas boiler, the development achieves on site CO<sub>2</sub> reduction of 40.98%.

251 Given that the site does not achieve zero carbon, a financial carbon offset of £45,725.45 would be secured.

### **7.7.2 Overheating**

#### *Policy*

252 LP5.9 states that proposals should reduce potential overheating beyond Part L 2013 of the Building Regulations reduce and reliance on air conditioning systems and demonstrate this in accordance with the Mayor's cooling hierarchy.

- 253 DMP 22 reflects regional policy.
- 254 Further guidance is given in the Sustainable Design and Construction SPG (GLA) and Chapter 5 of the London Climate Change Adaptation Strategy.

*Discussion*

- 255 Sustainability Officers supported the fabric, levels of thermal insulation for the walls, floor and roof elements and the targeted air tightness achieved.
- 256 They requested further detail relating to SAP calculations, building performance, glazing, heating controls, overheating and ventilation strategy, which has been provided and considered to be acceptable.
- 257 An appropriately worded pre-commencement Condition would be attached to the permission to address outstanding points relating to the communal heating system network and Heat Interface Unit (HIU).

***Living roofs***

- 258 The proposal includes 544m<sup>2</sup> of living roof above the 5<sup>th</sup> and 6<sup>th</sup> floor, to be laid under the proposed PV panels. The Council's Ecology Officer is supportive of the proposal and has requested the details and size be secured by Condition.

**7.7.3 Flood Risk and Sustainable Urban Drainage**

*Policy*

- 259 LPP 5.12 requires the mitigation of flooding, or in the case of managed flooding, the stability of buildings, the protection of essential utilities and the quick recovery from flooding. LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including flooding.
- 260 CSP 10 requires developments to result in a positive reduction in flooding to the Borough.
- 261 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance.
- 262 The NPPF at paragraph 165 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 263 LPP 5.13 requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy's drainage hierarchy. The supporting text to the policy recognises the contribution 'green' roofs can make to SUDS. The hierarchy within LPP 5 establishes that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, CSP 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which in effect, comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.
- 264 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems.

### *Discussion*

- 265 The site is located within Flood Zone 1, which indicates a low probability of fluvial or tidal flooding. The site overall is considered to present a low to moderate risk of flooding, which would be reduced with the incorporation of SuDS measures.
- 266 Sustainability Officers requested additional information relating to the proposed drainage hierarchy, runoff detail, drainage hierarchy, agreed point of discharge and rates, attenuation storage, SuDS modelling and a site-specific Maintenance Plan.
- 267 An appropriately worded pre-commencement Condition would be attached to the permission to address these points.
- 268 Overall, there is considered to be no significant flood risk associated with the proposed development in place.

#### **7.7.4 Sustainable Infrastructure conclusion**

- 269 The proposed development has a low risk of flooding and contributes to sustainable development, providing an improvement beyond the present performance of the site and therefore future and existing occupiers would not be exposed to unacceptable risk associated with flooding.

## **7.8 NATURAL ENVIRONMENT**

### *General Policy*

- 270 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 271 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 272 The NPPF at paragraph 180 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.
- 273 LPP 2.18 sets out the Mayor of London's vision for Green Infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

### **7.8.1 Ecology and biodiversity**

#### *Policy*

- 274 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.
- 275 The NPPF at paragraph 170 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. At paragraph 175, the principles which LPAs should apply when determining applications in respect of biodiversity is set out.
- 276 LPP 7.19 seeks wherever possible to ensure that development makes a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 277 CSP 12 recognises the importance of the natural environment and environmental assets and requires the conservation and enhancement of these assets.

#### *Discussion*

- 278 A Preliminary Ecological Appraisal Preliminary Bat Roost Assessment (Prepared by CGO Ecology Ltd), dated March 2019 was submitted with the application. The survey was conducted in February 2019, which is considered to be seasonally appropriate. The existing warehouse and existing trees are considered to have bat roosting potential as well as the possible presence of hedgehog and common birds.
- 279 When surveyed, no evidence of roosting bats were found in the building and during nocturnal surveys, bat activity was recorded around the building but no bats were seen to emerge from or re-enter the building and therefore no further surveys are required.
- 280 Furthermore, the report recommends that new native planting of berry-rich and nectar-rich and shrubs to benefit invertebrates, birds and bats should be incorporated in the design and any tree and vegetation removal must take place between September to February to avoid bird-nesting season or be preceded by a nest-check giving the all-clear. These would be added as informatives.

- 281 Hedgehog searches should also be undertaken and conducted by an ecologist during site clearance, and hibernation houses provided as enhancement, which has also been added as an informative
- 282 Bat boxes should be incorporated in the design and have therefore be secured by Condition.
- 283 The proposal is acceptable in terms of ecology and biodiversity, subject to those conditions.

## **7.8.2 Green spaces and trees**

### *Policy*

- 284 Section 197 of the Town and Country Planning Act gives LPAs specific duties in respect of trees. This includes a duty to, wherever it is appropriate, that in granting planning permission for any future development adequate provision is made, by the imposition of conditions, for the preservation and planting of trees.
- 285 LPP 7.21 protects trees of value and replacements should follow the principle of 'right place, right tree'. New development should include additional trees wherever appropriate, particularly large-canopied species.
- 286 Core Strategy Policy 12 (Open Space and Environmental Assets) recognises the importance of trees and details the arboricultural considerations required during the planning process. It states that the Council's targets to conserve nature and green the public realm 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".
- 287 DM Policy 25 (Landscaping and Trees) states that Development schemes should not result in an unacceptable loss of trees, especially those that make a significant contribution to the character or appearance of an area, unless they are considered dangerous to the public by an approved Arboricultural Survey. Where trees are removed as part of new development, replacement planting will normally be required. New or replacement species should be selected to avoid the risk of decline or death arising from increases in non-native pests and diseases.

### *Discussion*

- 288 The proposal requires the removal of four (4) trees, which will be replaced in addition to green living roof, new planting, Supported Living amenity space, hard and soft landscaping and tree-loss provision which cumulatively would present a net gain in green infrastructure.
- 289 The four (4) proposed trees to be removed include two (2) Category U trees (unsuitable for retention) and two (2) Category B trees.
- 290 Both of the Category B trees to be removed are Horse Chestnut species. One (T8) is a mature tree located very close to the building and has already been heavily pruned as it overhangs the existing warehouse. Ecology and tree officers are supportive of its removal. The other Category B tree for removal (T17) is a mature tree in the raised planter on the eastern boundary, which is required to be removed to facilitate the access ramp. Throughout the design process options were explored to avoid their removal however were not possible. While it is acknowledged that their loss is regrettable, on balance, is considered to be acceptable as its retention would have compromised the design of the building and allow for the provision of thirty-two (32), high quality, 100% affordable dwellings.

- 291 There are no Category A (high quality) trees on site and none of the trees are covered by Tree Preservation Orders (TPOs).
- 292 Some construction works are proposed within root protection areas and therefore a Condition would be attached to ensure they are protected.

### **7.8.3 Ground pollution**

#### *Policy*

- 293 The NPPF at paragraph 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil pollution. Development should help to improve local environmental conditions.
- 294 The NPPF states decisions should contribute to and enhance the natural and local environment by remediating and mitigating contaminated land, where appropriate (para 170). Further, the NPPF at paragraph 178 and NPPG states decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination.
- 295 The test is that after remediation, land should not be capable of being determined as “contaminated land” under Part 2A of the Environmental Protection Act 1990.
- 296 LPP 5.21 reflects national policy. DMP 28 further reflects national policy and seeks to ensure that future residents are protected from exposure to contaminants.
- 297 Further guidance is given in *Contaminated Land Statutory Guidance* (Defra, 2012)

#### *Discussion*

- 298 A condition requiring a land contamination report would need to be imposed to ascertain likely risks.
- 299 The recommended condition would align with the consultation responses received from Environmental Protection which have requested further information relating to land contamination.

### **7.8.4 Air pollution**

#### *Policy*

- 300 The NPPF at paragraph 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality.
- 301 Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality.
- 302 LP7.14 states new development amongst other requirements must endeavour to maintain the best ambient air quality (air quality neutral) and not cause new exceedances of legal air quality standards. Draft LP S11 echoes this.
- 303 Further guidance is given in the Mayor of London’s Air Quality Strategy.
- 304 CSP 7 and DMP 23 echo this.

*Discussion*

305 The application is accompanied by an Air Quality Assessment (Prepared by MLM), dated August 2019. The assessment indicates that the air quality impacts during construction has a low risk of dust soiling and the pollutant concentrations will be within the relevant air quality objectives and concludes that based on the results of the assessment, it is not considered that the air quality would impact on the development.

**7.8.5 Natural Environment conclusion**

306 The development proposals are appropriate for the context of this urban area and a site which is characterised by its built urban form. The applicant has demonstrated that the proposals will safeguard both the natural environment and the health of surrounding residents and future residents of the proposed development.

## **8**      **LOCAL FINANCE CONSIDERATIONS**

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

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

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

309      The CIL is therefore a material consideration.

310      The proposed development is CIL liable and the applicant will claim social housing exemption.

## 9 EQUALITIES CONSIDERATIONS

312 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

313 In summary, the Council must, in the exercise of its function, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and persons who do not share it.

314 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

315 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england> and <https://www.equalityhumanrights.com/en/publication-download/services-public-functions-and-associations-statutory-code-practice>

316 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

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

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

## **10**      **HUMAN RIGHTS IMPLICATIONS**

319      In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:

- Article 8: Respect for your private and family life, home and correspondence
- Protocol 1, Article 1: Right to peaceful enjoyment of your property

320      This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.

321      Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

322      This application has the legitimate aim of providing thirty-two (32) new 100% affordable dwellings. The rights potentially engaged by this application, including respect for your private and family life, home and correspondence and the freedom to enjoy one's home are not considered to be unlawfully interfered with by this proposal.

**11**        **CONCLUSION**

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

325        The thirty-two (32) proposed dwellings for 100% affordable will meet a defined need, addressing the shortage of affordable housing in the borough, specifically for Supported Living and Temporary Accommodation.

326        Subject to the imposition of conditions the development is judged acceptable and in accordance with the development plan.

## **12**        **RECOMMENDATION**

327        That the Committee resolve to **GRANT** planning permission subject to the following conditions and informatives:

### **12.1**       **CONDITIONS**

#### **1. Full Planning Permission Time Limit**

The development to which this permission relates must be begun not later than the expiration of three (3) 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. Develop in Accordance with Approved Plan**

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

Site Location Plan (Drawing No. 18047-PL-MAY-SI-001); Plan of Demolition (Drawing No. 1804-PL-MAY-DM-001); Existing Elevations and Sections Showing Demolition (Drawing No. 18047-PL-MAY-DM-002); Plan of Existing Warehouse Building (Drawing No. 18047-PL-MAY-001); Existing Elevations and Sections (Drawing No. 18047-PL-MAY-EX-002); Proposed South Elevation (Drawing No. 18047-PL-MAY-EL-001); Proposed East Elevation (Drawing No. 18047-PL-MAY-EL-002); Proposed West Elevation (Drawing No. 18047-MAY-EL-003); Proposed North Elevation (Drawing No. 18047-PL-MAY-EL-004); Ground Floor Plan (Drawing No. 18047-MAY-PL-GA-001); First Floor Plan (Drawing No. 18047-PL-MAY-GA-002); Upper Flood Plans (Level 2, 3, 4, 5) (Drawing No. 18047-PL-MAY-GA-003); Sixth Floor Plan (Drawing No. 18047-PL-MAY-GA-004); Roof Plan (Drawing No. 18047-PL-MAY-GA-005); Proposed Section AA (Drawing No. 18047-PL-MAY-SE-001); Proposed Section BB (Drawing No. 18047-PL-MAY-SE-002); Topographical Survey and Basement Floor Plan (Drawing No. L8956/1 (Rev 0)); Illustrative Master Plan (Drawing No. D7676.01.001); Planting Plan (Drawing No. D7671.01.201); Tree Pit Details (Drawing No. D7671.01.401); Planting Schedule (Drawing No. D7671.01.200; Section 9 of the Design and Access Statement (Prepared by Avanti Architects), dated August 2019; Tree Protection Plan (Appendix A – Arboricultural Impact Assessment) (Prepared by PJC Consultancy), dated 19 June 2019

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

#### **3. Construction Management Plan (Construction)**

No development (excluding demolition) 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.
  - (iv) Provide full details of how the impacts of construction activities and associated traffic will be managed.
  - (v) Consideration of the construction phasing of the proposed development opposite the site at the former Brent Knoll School.
  - (vi) Restrict construction deliveries between school arrival and departure times of the nearby Forest Hill School.
- (e) Security Management (to minimise risks to unauthorised personnel).

**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 (2016).

#### 4. **Construction Management Plan (Demolition)**

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.
  - (iv) Provide full details of how the impacts of construction activities and associated traffic will be managed.
  - (v) Consideration of the construction phasing of the proposed development opposite the site at the former Brent Knoll School.
  - (vi) Restrict construction deliveries between school arrival and departure times of the nearby Forest Hill School.
- (e) Security Management (to minimise risks to unauthorised personnel).

**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 (2016).

#### 5. **Site Contamination**

(a) No development or phase of development (including demolition of existing buildings and structures, except where prior agreement with the Council for site investigation enabling works has been received) shall commence until :-

- (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.

(b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.

(c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

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

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

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

## 6. **Future Heating**

(a) No development above ground level (excluding demolition) shall commence until written information has been provided to approved in writing by the Local Planning Authority, identifying:

- (i) Evidence to demonstrate the communal heating system network has been designed in accordance with CIBSE CP1 - to include but not limited to design flow and return temperatures, minimisation of lateral pipework and plant and network sizing;
- (ii) Evidence to demonstrate the make and model of Heat Interface Unit (HIU) specified and installed has undergone BESA testing and provide the result.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.5 Decentralised energy networks and 5.7 Renewable energy in the London Plan (2016) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

## 7. **Site Wide Maintenance Plan**

(a) Prior to commencement of above ground works (excluding demolition), a site-specific Maintenance Plan must be submitted to and approved in writing by the Local Planning Authority, which should include the following:

- (i) Description of maintenance schedule;
- (ii) Details of who will maintain the proposed drainage system together with the full list of Sustainable Urban Drainage System elements over the lifetime of the development, confirming any adoption arrangements;
- (iii) Confirm who will maintain the full proposed drainage system with individual SuDS elements over the lifetime of the development, confirming any adoption arrangements;
- (iv) Provide evidence that access (e.g. easement or rights of way for access) will be physically possible for maintenance to be carried out as SuDS features should be located within public space;
- (v) Provide a plan for the safe and sustainable removal and disposal of waste periodically arising from the drainage system. A maintenance manual should also be produced to pass to the future maintainer. If other parties are responsible for different parts of a scheme, this should be clearly shown on the plan;
- (vi) Outline clearly the frequency of maintenance activities/timetables associated with each drainage system and SuDS elements, linking these into the site plan. Some of these information can be obtained through each proprietary product's manufacturer's instructions and specifications;
- (vii) Reference to CIRIA RP992 The SuDS Manual Update Paper RP992/23 for a guidance on completing a SuDS Maintenance Plan;
- (viii) Reflect the technical details and specifications of the final proposed drainage strategy including individual SuDS elements associated (including proposed geocellular storage and proposed surface water pipes) in the plans and drawings.

(b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

**Reason:** To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (2016) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10 Managing and reducing the risk of flooding (2011).

## 8. Surface Water and SuDS

(a) Prior to commencement of development above ground (excluding demolition), a revised scheme for Surface Water Management, must be submitted to and approved in writing by the Local Planning Authority. The detail should include:

- (i) Confirmation of all area of site development within the area that will contribute to runoff;
- (ii) An explanation (drawing) of methodology in determining both impermeable and permeable areas used in the detailed calculation sheets;
- (iii) An explanation of how the London Plan Policy 5.13 and individual drainage hierarchy has been followed and provide full explanation of the forms of SuDS to be used on the site including justification for their use, and what flood mitigation, water quality, environmental and social benefits they achieve;
- (iv) Evidence that the site has an agreed point of discharge;
- (v) Existing surface water run-off rates from the site (whole area of contributing runoff);
- (vi) Detailed calculations of the post development discharge rates and an explanation of methodology of the calculation;

- (vii) Detailed estimates of the volume of attenuation storage that would be required on site, which should be based on the 100 year critical storm duration with climate change for the site and the allowable discharge rate;
- (viii) Detailed assessment of the need for long term storage to address the additional volume of runoff generated by the development;
- (ix) Modelling of all the proposed SuDS system for the site (e.g. Microdrainage), showing the behaviour of the site for the main rainfall events (Qbar, 30 year, 100 year, 100 year + climate change) and ensuring:
  - Typical operation of the system for low rainfall and first-flush events, with indication of how treatment of surface water will be achieved
  - Drainage system can contain the 1 in 30 year storm event without flooding occurring on any part of the site
  - Any flooding between the 1 in 30 and 1 in 100 year + climate change storm events will be safely contained on site
  - No flooding from the system to downstream property or access routes for the 100 year + climate change event
- (x) Detailed plan outlining the location for the storage within the proposed development;
- (xi) Fully labelled network diagram showing all dimensions (pipe numbers, gradients, sizes, locations, manhole details etc.) of every element of the proposed drainage system (swales, storage areas, ponds, etc) and how these relate to submitted calculations. Separate, more detailed engineering plans (including levels, detailed drawings, long sections and cross sections etc.) will be needed for each of the SuDS and critical drainage elements, including the details of the methods of flow control.

(b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

**Reason:** To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (2016) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10 Managing and reducing the risk of flooding (2011).

## 9. Piling Operations

(a) No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the Local Planning Authority, until a Piling Method Statement (detailing depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water.

(b) Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**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.

## 10. Materials/Design Quality

(a) No development above ground shall commence on site until a detailed schedule and specification/samples of all external materials and finishes/windows and external doors/roof coverings/other site specific features to be used on the building(s) have been submitted to and approved in writing by the Local Planning Authority.

(b) The development shall be carried out in accordance with the approved details.

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

11. **Refuse and Recycling Facilities**

(a) The storage of refuse and recycling facilities as approved shall be provided in accordance with the Refuse and Recycling Strategy in Section 3.8 of the Design and Access Statement (Prepared by Avanti Architects), dated August 2019 and Ground Floor Plan (Drawing No. 18047-MAY-PL-GA-001);

(b) All proposed Refuse and Recycling Facilities shall be provided in full prior to first occupation of any building and permanently retained and maintained, thereafter.

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

12. **Air Quality**

Prior to commencement of above ground work (excluding demolition), further Air Quality information must be provided to and approved in writing by the Local Planning Authority, which must include the following: -

- (i) Evidence that all plant and equipment will meet NRMM standards in relation to emissions;
- (ii) Confirmation of the number of boilers proposed;
- (iii) Evidence (including calculations) that demonstrate the site's NO<sub>2</sub> and PM<sub>10</sub> emissions from the proposed plant and building have been assessed against the relevant benchmarks.

**Reason:** In order that the local planning authority may be satisfied that the development is not going to result in significant health impacts to existing and future residents from a deterioration in local air quality and to comply with Development Management Local Plan (November 2014) Policy 23 Air quality.

13. **Cycle Parking Provision**

(a) Prior to first occupation, full details (including the design/type) of the fifty-six (56) cycle parking shall be submitted to and approved in writing by the Local Planning Authority as indicated on Ground Floor Plan (Drawing No. 18047-MAY-PL-GA-001) hereby approved unless otherwise agreed in writing.

(b) With consideration to the profile of the Supported Living element, the details of the cycle parking (a) should also consider flexibility to allow for wheelchair or mobility scooter storage and associated charging bays, if deemed necessary in the future.

(c) All cycle parking spaces, as approved, 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).

14. **Hard Landscaping Details**

(a) Prior to commencement of above ground works, drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) must be 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 (2016), 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.

15. **Soft Landscaping**

(a) 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) None of the trees showing as being retained on the permitted plans shall be felled without the prior written consent of the Local Planning Authority.

(c) 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).

16. **Boundary Treatment**

(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).

17. **Bird/Bat/Swift Boxes**

Prior to the commencement of above ground works, details of the location of two (2) swift boxes, two (2) bird boxes (2M Schwegler Bird Box) and four (4) bat boxes (2M Schwegler Bat Box) to be provided as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before occupation of the building and maintained in perpetuity.

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

**18. Living Roof**

(a) The development shall be constructed with a (544m<sup>2</sup>) living roof laid out in accordance with the Roof Plan (Plan no. 3391-LB-000-05-DR-A-0155 (Rev P1)) hereby approved, and maintained thereafter.

(b) A living roof section (to scale), access and watering provision arrangements for the proposed living roof along with details for management/establishment guarantees for a minimum of two growing seasons shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved and maintained in perpetuity.

(c) The living roof must be seeded and plug planted with locally appropriate wildflowers.

(d) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever.

(e) Evidence that the roof has been installed in accordance with (a)-(c) shall be submitted to the Local Planning Authority for its approval in writing prior to the first occupation of the development hereby approved and thereafter maintained in perpetuity.

**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 (2016), 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).

**19. External Lighting**

(a) Prior to first occupation, full details (including beam orientation, illumination, schedule of equipment, directional hoods (or similar)) of the external lighting shall be submitted to and approved in writing by the Local Planning Authority

(b) Any such external lighting as approved shall be installed and retained permanently.

**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. Delivery and Servicing Plan**

(a) The development shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority.

(b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.

(c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

**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. **Accessible, Adaptable and Wheelchair User Dwellings**

(a) The detailed design for six (6) wheelchair dwellings (No. SL.001, SL002, SL003, SL101, SL102, SL103) hereby approved shall meet the required standard of the Approved Document M4(3) of the Building Regulations (2015), all other dwellings shall meet the required standard of the Approved Document M4(2) of the Building Regulations (2015).

(b) Prior to commencement of above ground works, written confirmation from the appointed Building Control Body shall be submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with (a).

(c) The development shall be carried out in accordance with the approved details under part (b).

**Reason:** To ensure that there is an adequate supply of wheelchair accessible housing in the Borough in accordance with Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

22. **Plumbing and Pipes**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater pipes, shall be fixed on the external faces/front elevation of the building(s), unless otherwise agreed in writing.

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

23. **Construction Deliveries and Hours**

(a) No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

(b) No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

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

24. **Affordable Housing**

Of the thirty-two (32) residential units hereby granted permission, 100% shall be provided and maintained in perpetuity as affordable housing to meet the needs of householders whose incomes are not sufficient to permit them to access and afford to rent on the open market. The affordable housing shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it.

**Reason:** In order to meet the housing needs of the borough and comply with Core Strategy Policy 1 of the Lewisham Core Strategy (2011).

25. **Specialist Residential Accommodation**

All twenty-six (26) Temporary Accommodation and all six (6) Supported Living residential units hereby granted permission shall be provided and maintained in perpetuity in accordance with Section 9 of the Design and Access Statement (Prepared by Avanti Architects), dated August 2019 hereby approved.

**Reason:** In order to meet the housing needs of the borough and comply with Core Strategy Policy 1 of the Lewisham Core Strategy (2011).

26. **S278 Highway Works**

(a) Prior to first occupation details of the following highways works (including drawings and specifications) must be submitted to and approved in writing by the Local Planning Authority, including:

- (i) Details of two (2) proposed Wheelchair Parking Bays on Mayow Road;
- (ii) Removal of the redundant vehicle crossovers on Mayow Road (the two (2) existing vehicular access points) to be reinstated as footway;
- (iii) Improvement works (including raising) to the pedestrian crossing point at the Mayow Road/Dacres Road junction to improve accessibility, calm traffic and reduce vehicle speeds; and
- (iv) Realignment of tactile paving and dropped kerbs at the pedestrian crossing point at the Mayow Road/Dacres Road junction.

(b) Prior to occupation the works as required under (a) must be completed and evidence of approval from the Highways Authority to this work must be submitted and approved by the Local Planning Authority.

**Reason:** To secure highways improvement works on the public highway and to accord with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

## I N F O R M A T I V E S

A. **Positive and Proactive Statement**

The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. As the proposal was in accordance with these discussions and was in accordance with the Development Plan, no contact was made with the applicant prior to determination.

B. **Thames Water - Prevent Sewage Flooding**

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk).

C. **Thames Water - Surface Water**

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

**D. Native Planting**

New native planting of berry-rich and nectar-rich and shrubs to benefit invertebrates, birds and bats.

**E. Tree Removal**

Any tree and vegetation removal must take place between September to February to avoid bird-nesting season or be preceded by a nest-check giving the all-clear.

**F. Hedgehog Searches**

Hedgehog searches must be conducted by an ecologist during site clearance and hibernation houses provided as enhancement.

**G. Designing Out Crime**

- Compartmentalisation of the temporary accommodation for security purposes is recommended. Each floor should only be able to be accessed by persons who live on that floor or legitimate visitors to that floor.
- Stair core should be secure and allow egress from the building while preventing unrestricted access to each floor.
- There should be a secure lobby on ground floor before access to the lift is gained.
- The stair core at ground floor should be controlled, which would provide a secure lobby on each floor.
- The supported living element ground floor lobby should be secure.
- Defensible planting (privacy planting) would prevent people from being able to access windows at ground floor. Plants that are prickly or thorny should be used to create a defensive barrier.
- Shrubs and bushes must be maintained so that they do not increase to more than 1m in height and branches should not go lower than 2m in height to assist in keeping clear sight lines.
- Visitor access should be via an audio visual access control panel and CCTV is encouraged to cover each of the main entrance doors, ground floor lobby and cycle store.
- Secure gates are encouraged where necessary.

**H. Thames Water - Waste Comments**

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities,

or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

**I. Thames Water - Water Comments**

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

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.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

**J. Local Colony of Swift Birds**

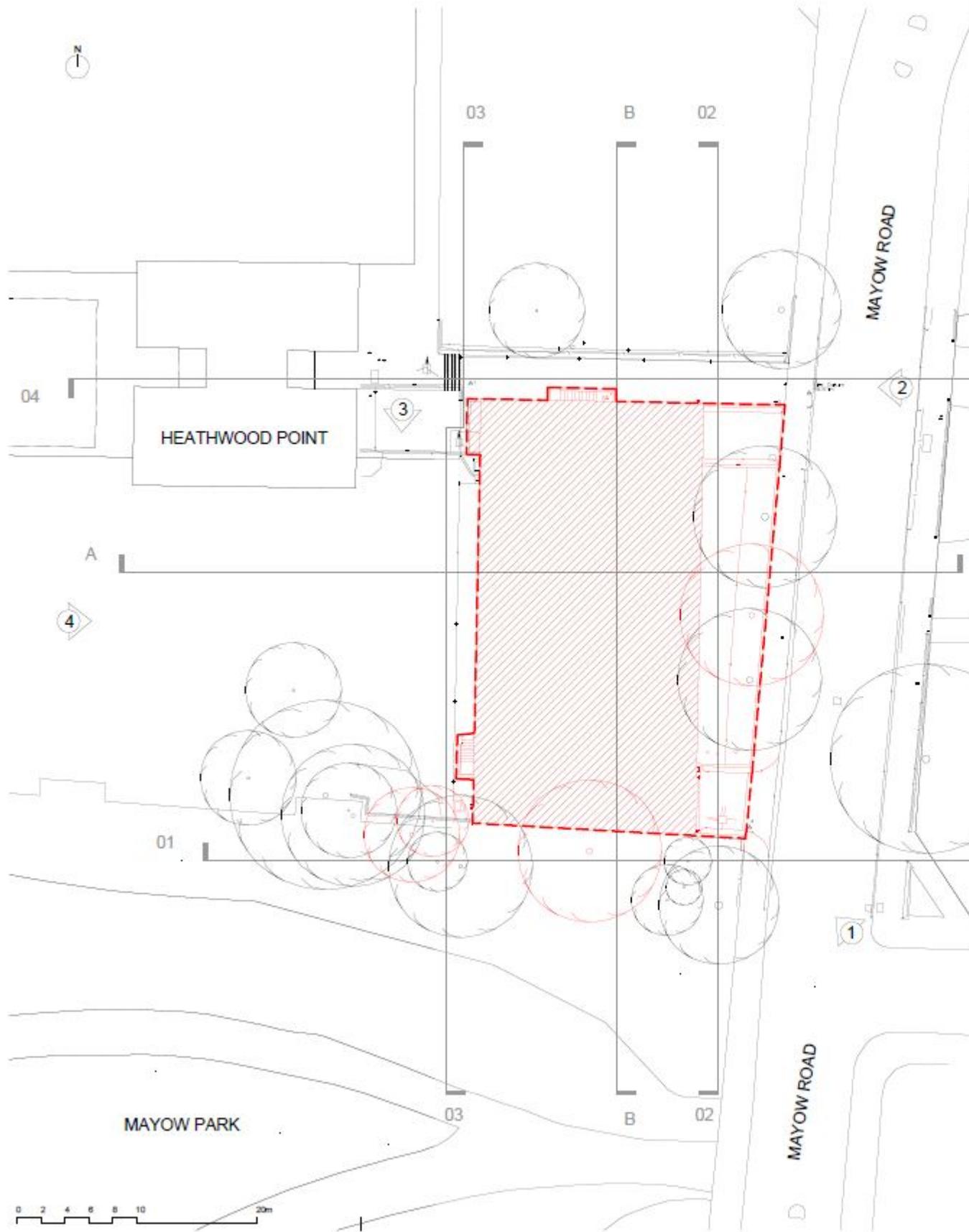
Please also note and inform the applicant that there is a local colony of swifts and swift boxes (including a microphone to play calls) appropriately located would be a very worthwhile enhancement. This is inexpensive and will exponentially increase the chances of uptake.

**K. Surface Water and SuDS**

To encourage greater consistency in both the applications and the Lead Local Flood Authority information requests, since April 2019, Lewisham Council and 32 other Lead Local Flood Authorities in London has introduced the London Sustainable Drainage Proforma to accompany Sustainable Drainage strategies submitted with planning applications. It sets a clear standard for the information that should be provided in a Sustainable Drainage strategy for all development in London. The proforma is intended to ensure that key information is provided, reducing the need to request additional information throughout the assessment process and preventing delays in approval. Please visit <https://www.london.gov.uk/what-we-do/environment/climate-change/surface-water/london-sustainable-drainage-proforma#acc-i-56812>.

The proforma would also direct the applicant to ensure that the proposed development meets the following policy and guidance:

- Lewisham Core Strategy Policy 10
- London Plan Policy 5.13 and draft New London Plan Policy SI13
- The National Planning Policy Framework
- The Lewisham SuDS Design and Evaluation Guide
- The London Plan Sustainable Design and Construction SPG
- DEFRA non-statutory technical standards for sustainable drainage
- Environment Agency climate change guidance
- CIRIA C753 The SuDS Manual
- Lewisham River Corridors Improvement Plan SPD



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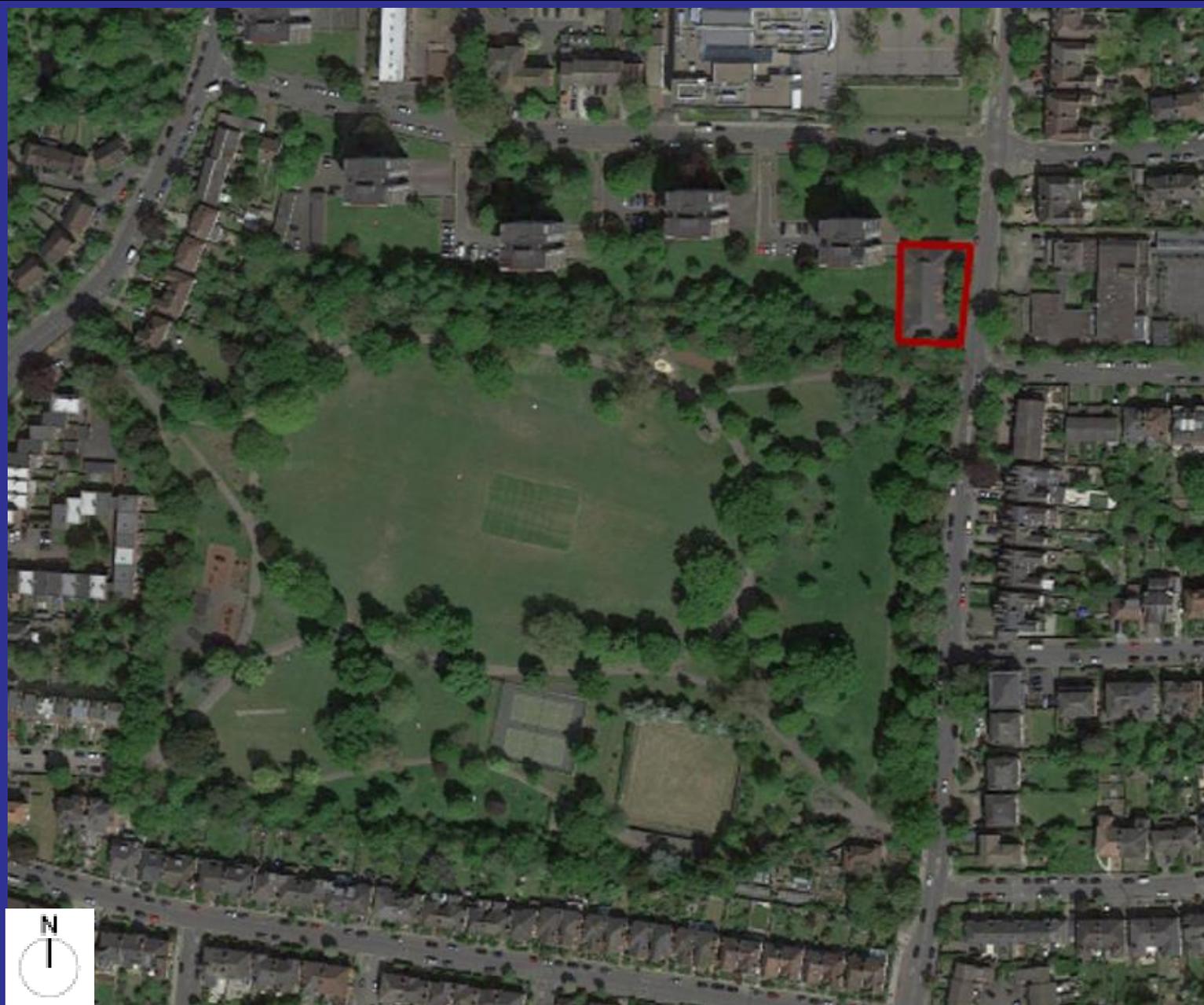
# MAYOW PARK WAREHOUSE, MAYOW ROAD, LONDON, SE23 2XJ

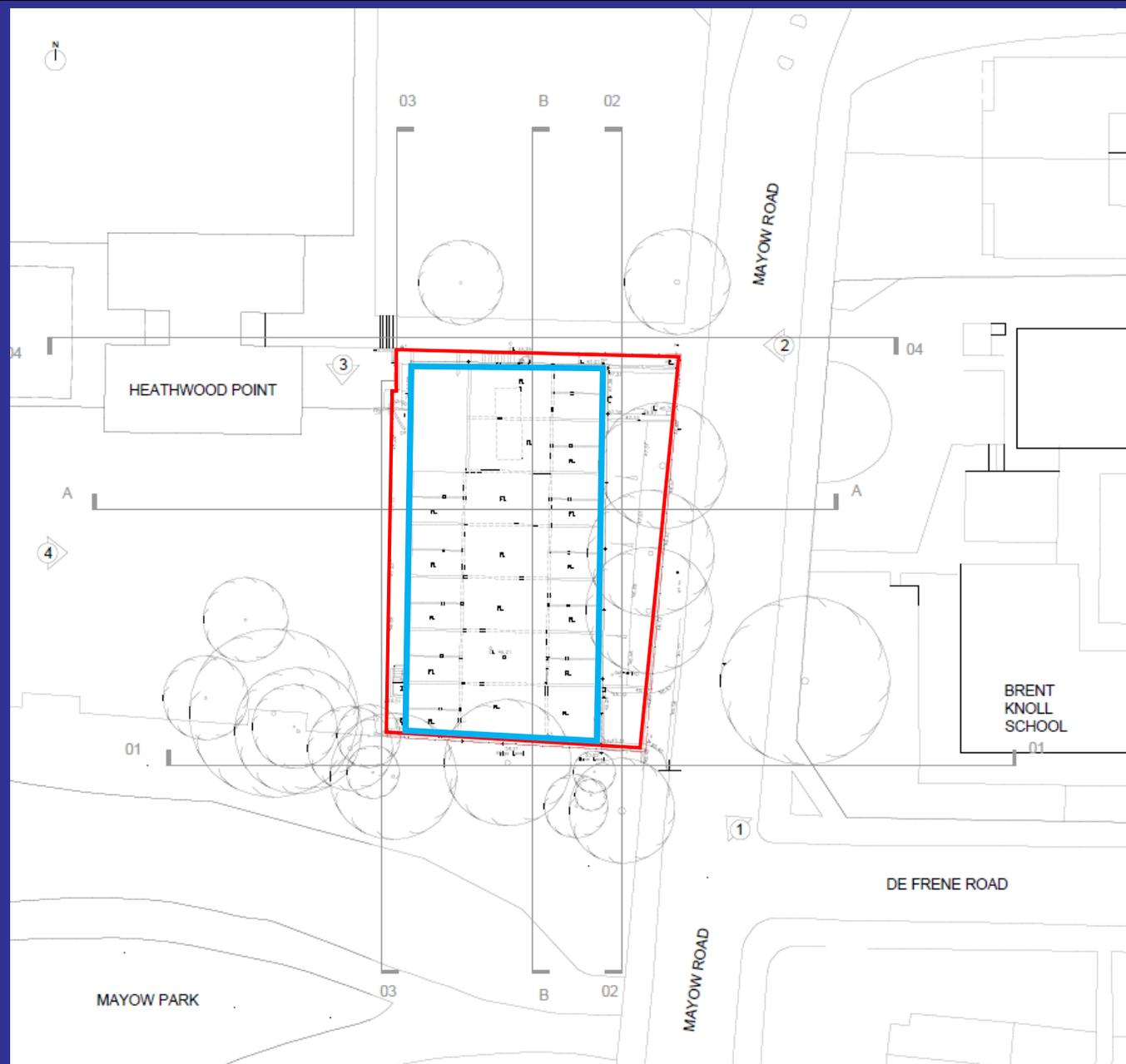
## Application No. DC/19/113521

*The demolition of an existing two (2) storey warehouse to allow for the construction of one (1) part six/part seven storey building containing thirty-two (32) dwellings, comprised of twenty-six (26) Temporary Accommodation dwellings (Use Class C3) and six (6) Supported Living dwellings (Use Class C2) at Mayow Park Warehouse, Mayow Road, SE23 2XH, together with the provision of two (2) accessible parking bays on Mayow Road, associated landscaping, refuse storage and cycle parking*

This presentation forms no part of a planning application  
and is for information only.







### Existing Block Plan





Front of Existing Warehouse



Front - View Looking North



Rear of Existing Warehouse



Rear of Existing Warehouse



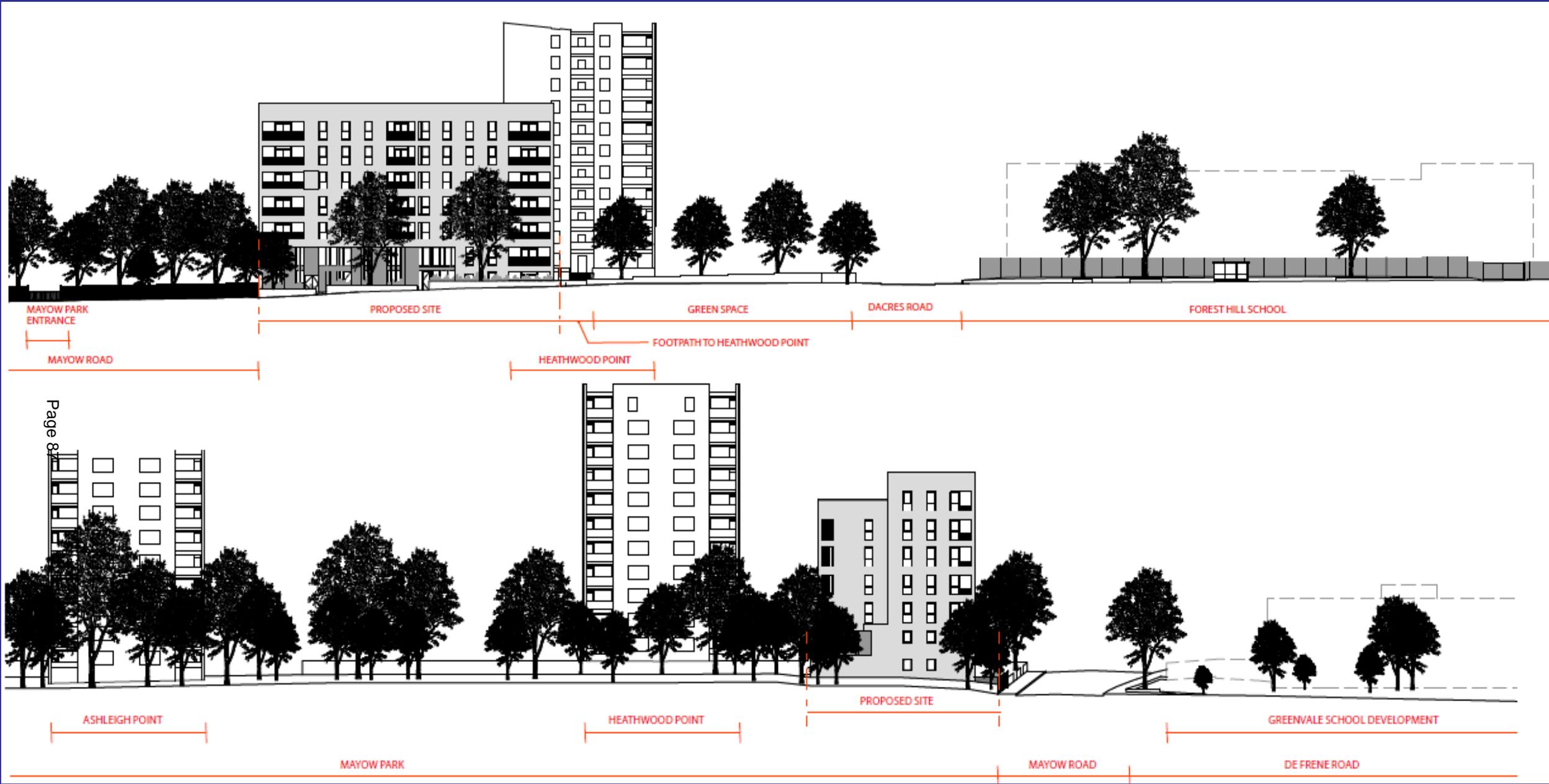
View from Mayow Park (Existing)







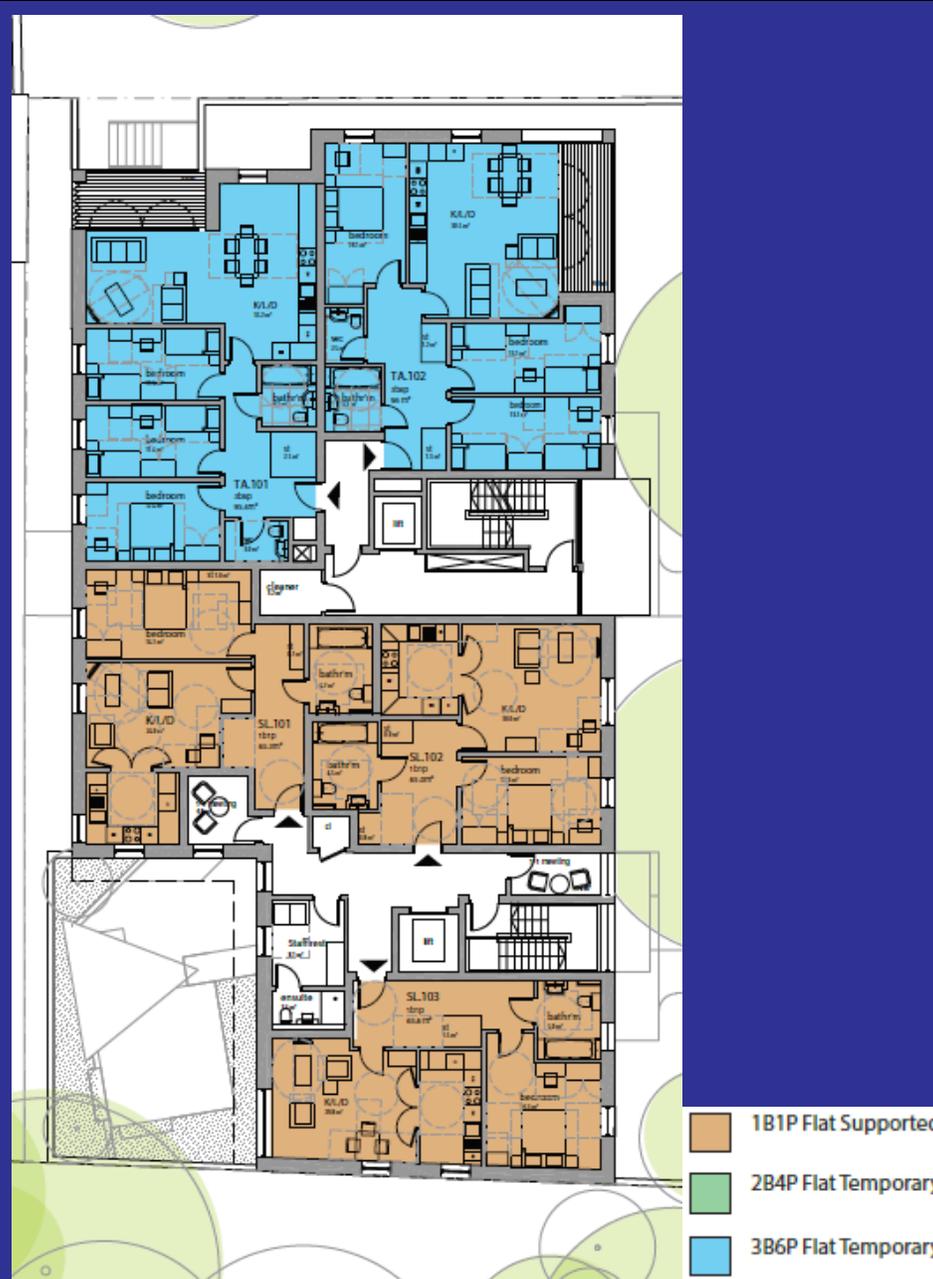




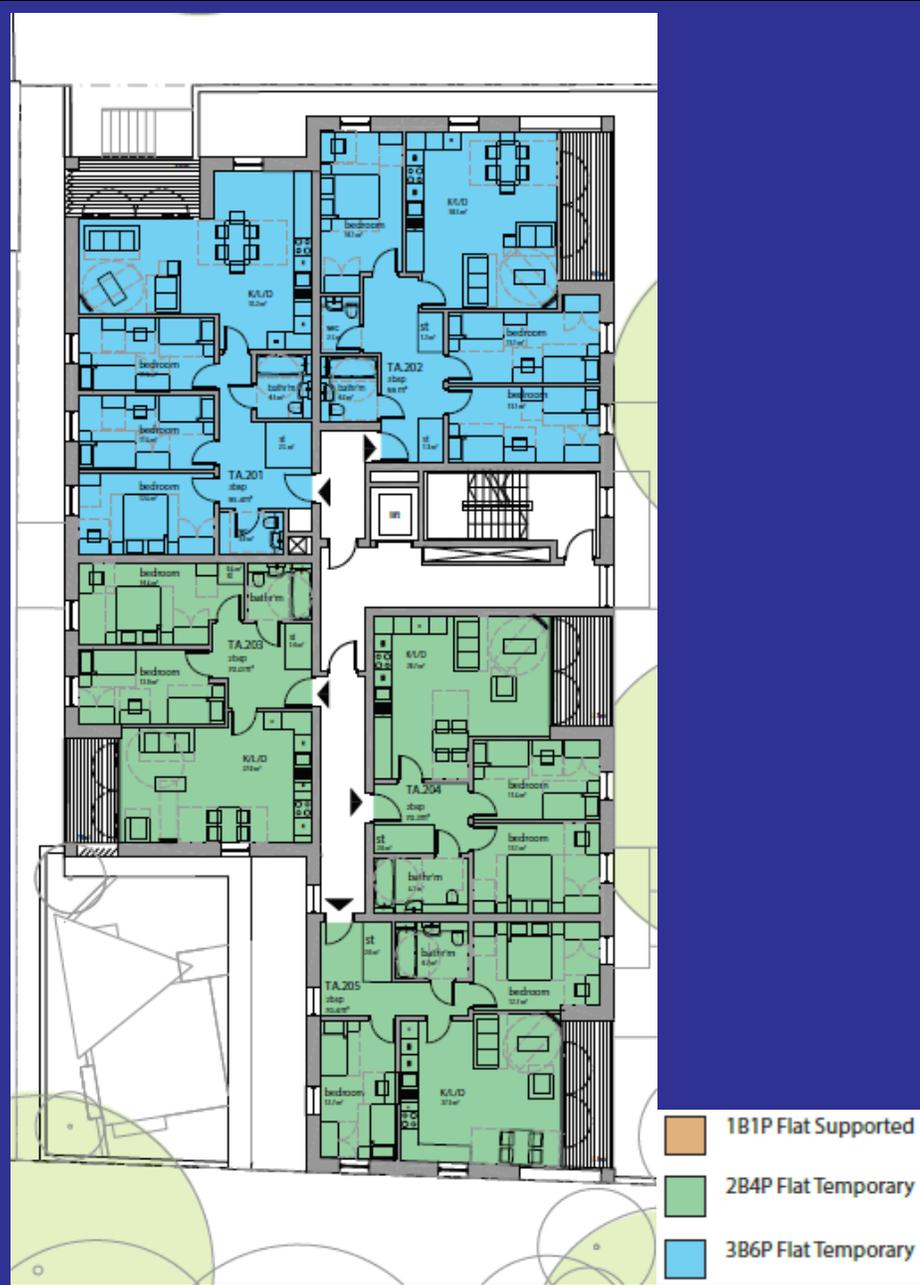
Page 8



### Proposed Ground Floor Plan



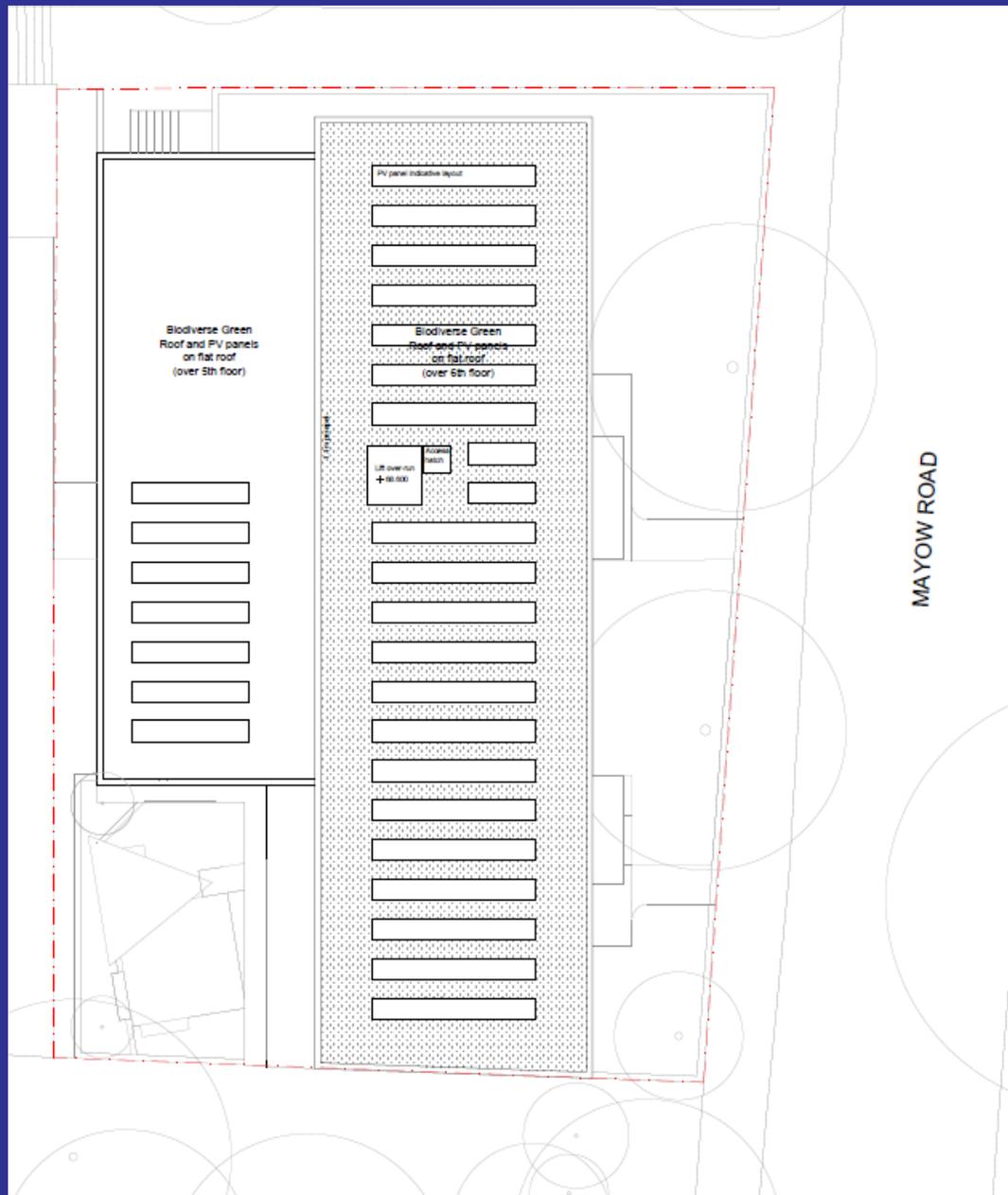
### Proposed First Floor Plan



### Proposed Second to Fifth Floor



### Proposed Sixth Floor Plan

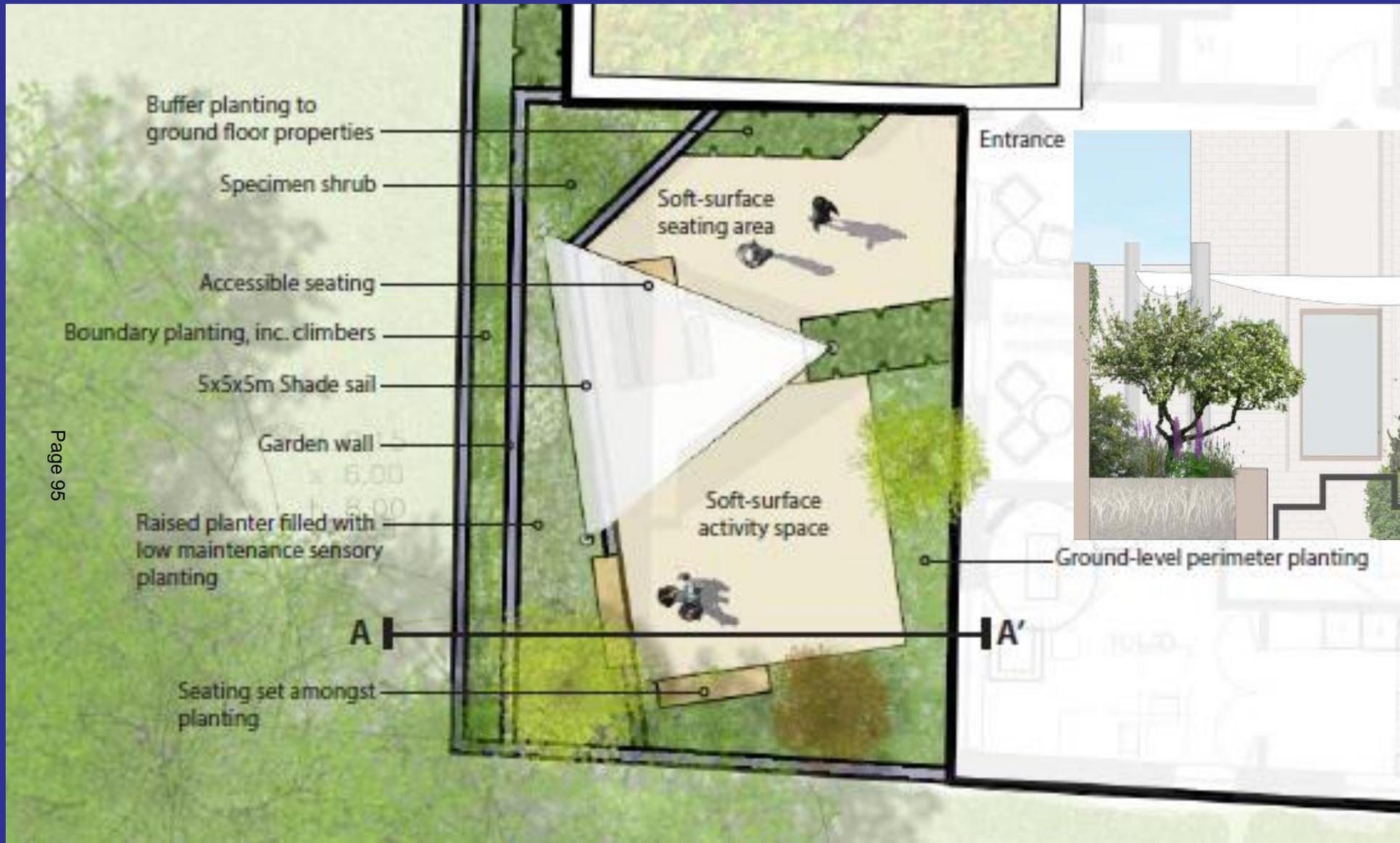




### Proposed On Street Accessible Parking Bays



## Proposed Landscape Masterplan





# Key Planning Considerations

- Principle of Development
- Housing
- Specialist Residential Uses
- Urban Design
- Transport Impact
- Impact on Adjoining Properties
- Sustainable Development
- Natural Environment

RECOMMENDATION: Approve

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Committee	PLANNING COMMITTEE (C)	
Report Title	79 CHINBROOK ROAD, LONDON, SE12 9QL	
Ward	GROVE PARK	
Contributors	GEOFF WHITINGTON	
Class	PART 1	31 October 2019

Reg. Nos. DC/19/112752

Application dated 31 May 2019

Applicant Dunthorne Parker Architects on behalf of  
Chinbrook Properties Ltd

Applicants Plan Nos. 064-A-001 Rev 02; 064-A-010 Rev 03; 064-A-019 Rev 02; 064-A-020 Rev 02; 064-A-021 Rev 02; 064-A-022 Rev 02; 064-A-023 Rev 02; 064-A-030 Rev 01; 064-A-031 Rev 01; 064-A-032 Rev 01; 064-A-033 Rev 01; 064-A-034 Rev 01; 064-A-035 Rev 01; 227; 228; 233; 234;

Planning Statement; Design & Access Statement; Structural Inspection Report; Energy Statement; Transport Statement; Flood Risk/Surface Water Assessment (Version 1.1); Appendix A: Collection of Figures; Appendix E: Proposed Surface Runoff Improvement Measures (SUDS) (Received 19 June 2019);

221A; 222A; 223A; 224A; 225A; 226A; 229A; 230A; 231A; 232A; (Received 16 September 2019)

Proposal Demolition of the existing side and rear additions, and the construction of a new three storey (including lower ground floor) rear extension, two storey side extension (including lower ground floor) in place of an existing garage, remodelling of the roof including an increase in height and the construction of two gable extensions with balconies above the front bays, alterations to the existing windows and doors and installation of new windows in the east elevation to facilitate the provision of eight self-contained flats (2 x 1 bedroom, 3 x 2 bedroom and 3 x 3 bedroom) at 79 Chinbrook Road, SE12, together with remodelling of the front curtilage to provide a single vehicular entry point and four car parking spaces along with the provision of landscaping as well as associated bin and cycle parking storage enclosures.

Background Papers

- (1) Core Strategy (adopted June 2011)
- (2) Development Management Local Plan (adopted November 2014)
- (3) Local Development Framework Documents
- (4) The London Plan (Consolidated with Alterations since 2011) (2016), and Mayors' SPG/SPDs, Best Practice Guidance

Designation

PTAL 4  
Flood Zone 1

**1 SUMMARY**

- 1 Decisions on planning applications must be made in accordance with the development plan unless material considerations indicate otherwise (Section 38 (6) of the Planning and Compulsory Purchase Act 2004).
- 2 The application is before committee because it is a departure from the development plan. A 'departure' application is a planning application that is not in line with, or 'departs from', the development plan in force in the area where the application is made.
- 3 The proposal is a departure from the development plan with respect to Lewisham Development Management Local Plan (2014) Policy DM 3: Conversion of a single family house to two or more dwellings.
- 4 Officers have publicised the application in accordance with the relevant provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2015 by publication of a notice in a newspaper circulating in the locality.

**2 SITE AND CONTEXT**

- 5 The site lies on the northern side of Chinbrook Road and covers approximately 1,225sqm. The site is occupied by a part two/ part four-storey detached dwellinghouse that is in a state of considerable disrepair.
- 6 The building appears to have been vacant for some time and the Council's Electoral Services confirmed that the property has been listed as empty since 2014. The property was purchased by the applicant at auction in May 2016.
- 7 79 Chinbrook Road is a late 19C Victorian villa possibly constructed around 1880-1890 and is an example of classically styled independent suburban Victorian architecture. Nos 79 and 81 Chinbrook Road appear to be the last remaining buildings from this period which would have historically typified the immediate local townscape.
- 8 The site is located in a predominately residential area set within a suburban terrace typology, typified by detached and semi-detached dwellings. Whilst the area has been modified with post-war blocks of flats, particularly on the south side of

Chinbrook Road and to the rear of the site, the northern side of Chinbrook Road has retained a number of semi-detached and detached dwellings such as the application building.

- 9 The site is not located in a conservation area. The detached villa at 79 Chinbrook Road is not a listed or a locally listed building, and is not in the vicinity of any listed buildings. However, as 79 Chinbrook Road is a good example of Victorian architecture and is one of the oldest remaining villas of this style within the locality, it is considered to be an undesignated heritage asset.
- 10 Chinbrook Road is a classified 'B' Road and is located within a Controlled Parking Zone (CPZ). The CPZ also extends to neighbouring streets including Amblecote Road and Le May Avenue. The site has a PTAL rating of 4. There are currently two points for vehicular access, enabling cars to enter and exit the driveway in a semi-circle.
- 11 There is a significant change in land levels with the property to the east (No.81) sitting at a higher level and to the west (No.77) at a lower level. The front garden is generally level, but the rear garden falls away from the building.
- 12 The site falls within Flood Zone 1.

### **3 RELEVANT PLANNING HISTORY**

- 13 On 12 October 2017, permission was granted by Members at Committee C for the 'Demolition of the existing side and rear additions, and the construction of a new three storey (with a basement) rear extension, remodelling of the roof including an increase in height and the construction of two gable extensions with balconies above the front bays, alterations to the existing windows and doors and installation of new windows in the east elevation to facilitate the provision of six self-contained flats at 79 Chinbrook Road, together with remodelling of the front curtilage to provide a single vehicular entry point and four car parking spaces along with the provision of landscaping as well as associated bin and cycle parking storage enclosures.'
- 14 To date, no works relating to the permission have been undertaken, and the property remains vacant. The 3 year permission is due to expire in October 2020.

### **4 CURRENT PLANNING APPLICATION**

- 15 The current application is similar to the 2017 consent, however 8 self-contained flats are now proposed, with the two additional units being located within a lower ground floor area that would occupy the entire footprint of the building. Three metre deep lightwells would be formed to the front of the building to provide natural light to two bedrooms.
- 16 The application also proposes the following works:
- Demolition of the existing side and rear garages;
  - The construction of a new three storey (including lower ground floor) rear extension, sited 3.75m beyond the existing rear building line;

- Construction of a two storey side extension (including lower ground floor), replacing the existing garage on the eastern side;
- The existing roof would be remodelled, with an increase in height of 0.5 metres, together with the construction of a dormer in the rear roof slope;
- The construction of two gable extensions with balconies above the front bays;
- Alterations to the existing windows and doors and installation of new windows in the east elevation.

17 The proposed works would facilitate the provision of eight self-contained flats, comprised of:

- Three, 3 bedroom 5 person;
- One, 2 bed 4 person;
- Two, 2 bed 3 person;
- Two, 1 bed 2 person.

18 This compares with the 2017 approval for six self-contained units, comprised of 2 x three bedroom, six-person duplex family units at ground and lower ground floors with private rear gardens; 2 x two-bedroom, three-person units at first floor level; and 2 x one-bedroom, two person flats within the roofspace.

19 The front curtilage would provide a single vehicular entry point, accommodating four car parking spaces in the forecourt, together with the provision of hard and soft landscaping measures. The parking spaces will be individually allocated to the three, 3-bedroom units.

20 Dry and secure bicycle storage provision of 14 spaces in a lockable multiple bike store unit within the front forecourt would be provided.

21 Bins would be located in an enclosed communal refuse store adjacent to the entrance/exit of the property.

## 5 CONSULTATION

### 5.1 APPLICATION PUBLICITY

22 The Council's consultation was undertaken in accordance with the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

23 Letters were sent to neighbouring residents in the surrounding area and the relevant ward Councillors on 11 July 2019. Additionally, the application was publicised by a site notice and a press advert.

24 Subsequently, no responses were received from individual households.

25 The Environment Agency raised no objections to the proposal.

## **5.2 INTERNAL CONSULTATION**

26 The following internal consultees were notified on 11 July 2019.

27 Highways officer: Raise no objections.

28 Environmental Health: Did not comment.

29 Urban Design: Raise no objections.

30 Conservation: Raise no objections.

## **POLICY CONTEXT**

### **LEGISLATION**

31 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

## **6.2 MATERIAL CONSIDERATIONS**

32 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

33 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

34 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to the test of reasonableness.

35 Draft London Plan (July 2019): The Mayor of London published a draft London Plan on 29 November 2017 and minor modifications were published on 13 August. The Examination in Public commenced on 15 January 2019 and concluded on 22 May 2019. This document now has some limited weight as a material consideration when determining planning applications. The relevant draft policies are discussed within the report (DLPP).

## **6.3 NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance

## **6.4 DEVELOPMENT PLAN**

36 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)

## **6.5 SUPPLEMENTARY PLANNING GUIDANCE**

37 Lewisham SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)

38 London Plan SPG/SPD

- Sustainable Design and Construction (April 2014)
- Housing (March 2016)

## **7 PLANNING CONSIDERATIONS**

39 The main issues are:

- Principle of Development;
- Design;
- Standard of accommodation;
- Residential Amenity;
- Transport and Highways;
- Waste management;
- Flood Risk.

### **7.1 PRINCIPLE OF DEVELOPMENT**

#### **General policy**

40 The National Planning Policy Framework (NPPF) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

41 Lewisham is defined as an Inner London borough in the London Plan. LPP 2.9 sets out the Mayor of London's vision for Inner London. This includes among other things sustaining and enhancing its recent economic and demographic growth; supporting

and sustaining existing and new communities; addressing its unique concentrations of deprivation; ensuring the availability of appropriate workspaces for the area's changing economy; and improving quality of life and health.

## **Policy**

- 42 The National Planning Policy Framework (NPPF) speaks of the need for delivering a wide choice of high quality homes which meet identified local needs (in accordance with the evidence base) and widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 43 The current London Plan outlines through Policy 3.3, 3.5 and 3.8 that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sized and tenures in accordance with Local Development Frameworks. Residential developments should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment.
- 44 Policy H2A(A) 'Small sites and small housing developments' of the draft London Plan states that small sites should play a much greater role in housing delivery to achieve the ten year housing targets set out in Policy H1 Increasing housing supply. Boroughs should pro-actively support well-designed new homes on small sites through both planning and plan-making. There should be a presumption in favour of small housing developments of between 1 and 25 homes, including (but not limited to) residential conversions and residential extensions.
- 45 The policy also states that the presumption in favour of small housing developments means approving small housing developments unless it can be demonstrated that the development would give rise to an unacceptable level of harm that outweighs the benefit of additional housing provision.
- 46 Locally, Core Strategy Policy 1 Housing provision, mix, and affordability sets out that housing developments will be expected to provide an appropriate mix of dwellings having regard to criteria such as the physical character of the building and site and location of schools, shops, open space and other infrastructure requirements (such as transport links).
- 47 The purpose of DM Policy 3 is to manage the future subdivision of single family homes into self-contained flats, with the focus of retaining a wide choice of quality housing and a mixed housing base. The Council, under DM Policy 3, will refuse planning permission for the conversion of a single family house into flats except where there is a lack of external amenity space and where the house is adjacent to noise generating or other environmentally unfriendly uses. Additionally, any single family house considered suitable for conversion according to DM 3 will need to have a net internal floorspace greater than 130sq.m.

## **Discussion**

- 48 It must be acknowledged that whilst the conversion of a dwelling-house represents a departure from DM Policy 3, the principle of converting the host building to provide six flats was established at Planning Committee C in October 2017. The permission remains extant, and so may be implemented.

- 49 In regard to DM 3, the application property is not located next to noise generating or other environmentally unfriendly uses. In 2017, officers were mindful that at 325sqm and with 5 bedrooms, and 4 reception rooms, the application property is significantly larger than a typical single family home that DM Policy 3 refers to and aims to protect.
- 50 Furthermore, the property featured multiple meter boxes, two kitchens with boilers and a separate access to the rear garden from the upper floor, which indicated that it had not been in use as a single family dwelling house. A lack of internal subdivision into individual units indicated that it had been in use as a house of multiple occupation (HMO), in a similar way to No.81 Chinbrook Road.
- 51 The current proposal would deliver 8 self-contained flats, of which three would be 3 bedroom family units.
- 52 The Design and Access Statement submitted in support of the 2017 application asserted that the property was in need of complete refurbishment and comprehensive structural works, including underpinning of all structural walls and potentially part-rebuild of the front elevation (left hand bay) which has been affected by subsidence. It stated that neither the size of the house nor the financial investment required for the retention of the building as a single family dwelling presented a financially viable option.
- 53 To substantiate this claim, a Financial Viability Assessment by Urban Delivery was provided. They concluded that based on the outputs from their viability assessment, the costs of renovating the existing property to provide a single large family dwelling would be unviable and therefore unlikely to be delivered.
- 54 The sensitivity testing also indicated that reductions in costs of 30% would be necessary while sales values would also need to increase by around 30% to generate a financially viable scheme.
- 55 A Structural Engineering Inspection Report (Appendix 1), referred to in the Viability Assessment was submitted. The report confirmed that some structural movement is apparent at a number of locations within the building and it is considered to be due to inadequate foundations or movement of the foundations since construction. The report recommended that the left hand bay window structure, which has been subject to significant structural movement should be taken down and re-built with a sound foundation on competent soils.
- 56 Since the application was determined in October 2017, officers are unaware of any structural works being undertaken to the property.
- 57 The principle of sub-division of the dwelling has already been established by the previous decision of Planning Committee C. Officers maintain that the current proposal to convert the property would ensure its restoration to habitable use following a long period of vacancy, whilst providing much needed housing (including 3 x three-bedroom, five person family units), in line with the outcome of the extant 2017 scheme whereby a balanced view of the proposal was undertaken and the principle of conversion was considered acceptable.

## **DESIGN**

General Policy

- 58 The NPPF at para 124 states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 59 Core Strategy Policy 15 and Local Plan Policies DM 30, and DM 31 set out the detailed considerations and issues that need to be considered and addressed by development applications in order to achieve the high standards of development required.
- 60 Core Strategy Policy 16 and Local Plan Policies DM 37, and DM 38 relate to conserving the value and significance of the borough's heritage assets and their settings, which include non-designated assets.
- 61 DM Policy 37 (Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest) states that the Council will protect the local distinctiveness of the borough by sustaining and enhancing the significance of non-designated heritage assets. Development proposals affecting non-designated heritage assets should be accompanied by a heritage statement proportionate to the significance of the asset and which justifies the changes to the asset.
- 62 LPP 7.6 expects the highest quality materials and design appropriate to context.

### **Discussion**

- 63 The application property is not statutory or locally listed, although it remains as a good example of Victorian architecture and is one of the oldest remaining villas of this style within the immediate context. The application building provides a strong reference point and has a townscape value as an example of original surviving architectural variety in an area which is otherwise dominated by residential development, change and re-development during the 20th century which reflects this earlier architectural period in an area heavily damaged by bombs.
- 64 Notwithstanding the above, officers acknowledge that the significance of the existing building has been somewhat harmed by later alterations such as the application of 'pebble dash' across the bottom half of the front elevation, incorporation of concrete ridge tiles, the two garages to each side, and replacement of its brick boundary. It is also clear that that the property is in need of comprehensive structural works due to subsidence.
- 65 From an urban design perspective, the proposed scheme has taken on board the architectural importance of the villa, and worked it into the scheme by retaining some of the more traditional features of the front façade, particularly the bays. This approach is considered to be the most logical response for the building, as it finds a balance between the need for the retention of the building and providing a viable scheme.
- 66 The development proposed would extend outside the existing envelope in terms of height and its projection into the rear garden. There are no in principle objections to this increase in scale as the resulting building would remain consistent with the existing relationship to neighbouring properties at Nos 77 and 81 Chinbrook Road and its wider context. It is also noted that the proposal would remove the existing garages to the side of the building, which would lead to the restoration of the characteristic gap between the dwellings on the western side.

- 67 The detailed design of the proposed refurbishment elements and extensions is considered to be sympathetic to the existing building. Whilst the addition of the twin gable ends and new roofscape would alter the appearance of the host building, the proposal would re-interpret the existing form in a contemporary manner.
- 68 In terms of materiality, the palette would be consistent with the original, unaltered parts of the existing dwelling. The existing 'pebble dash' across the bottom half of the elevation is detrimental to the appearance of the traditional villa and in the proposed scheme would be removed and replaced with high quality brickwork.
- 69 This will not only reinstate a traditional material, but it would also serve to relate more successfully with No. 81 Chinbrook Road which is considered to be a finer example of this traditional Villa typology and is much more complete in terms of its state of preservation with its large red and blue brick boundary wall intact, and architectural features.
- 70 Red brick is proposed as the primary material across the elevations, which is contrasted with feature elements of render and reconstituted stone. Timber framed windows and slate roof tiles are proposed to match existing. These materials are supported in principle and this permission, should it be granted, will secure the material specifications and samples by a way of condition in order to ensure quality and consistency with the existing, unaltered parts of the building.
- 71 The Council's Alterations and Extensions SPD (2019) generally resists the formation of lightwells to the front of buildings to avoid any harmful impact upon the public realm, however in this case, these would be sited approximately 15 metres back from the edge of the pavement, whilst planting measures are proposed to the surround railings to provide screening. Officers therefore raise no objections toward the proposed siting and appearance of the lightwells and railings to the front of the building, and are satisfied there would be no harmful impact upon the public realm.
- 72 A condition requiring boundary treatment, including walls and fences will be included. Metal gates shown on either side toward the front of the building formed part of the 2017 scheme, however officers will assess the details to confirm their appearance would be acceptable.
- 73 Limited detail has been provided with regard to the landscaping of the front garden and the proposed subdivision of the rear garden for private outdoor amenity spaces, therefore a detailed landscape plan (including land levels), hard landscaping and provision of planting would be requested should planning permission be granted.

### **Design conclusion**

- 74 In light of the above and on balance, officers have reached a view that the proposal would not be detrimental to the significance of the application property, with the external appearance of the proposal being largely the same as the 2017 approval, apart from the construction of a 2-storey extension to the eastern side, and the provision of two front lightwells. The proposal is therefore considered to satisfy the requirements of Core Strategy Policy 16 and Local Development Plan Policies DM 30, DM 31, DM 37 and DM 38.

## HOUSING

- 75 This section covers: (i) the dwelling size mix; and (ii) the standard of accommodation.

### Residential Quality

#### General Policy

- 76 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LPP 3.5), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2016, GLA; Alterations and Extensions SPD 2019, LBL).
- 77 DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision.
- 78 In March 2015 the Government published the 'Technical Housing Standards - Nationally Described Space Standard', to rationalise the varying space standards used by local authorities.
- 79 London Plan Policy 3.5 and Table 3.3 set out minimum space standards which all proposed dwellings are expected to meet or exceed. DM Policy 32 (Housing design, layout and space standards) and Core Strategy Policy 15 also seek to protect and improve the character and amenities of residential areas in the Borough.

#### Discussion

- 80 As shown in Table 1 below, the proposed internal floor areas of each unit would exceed the space standards set by Policy 3.5 of the London Plan, the National Technical Standard and DM Policy 32. In addition, all habitable rooms would accord with minimum guidance, as would floor to ceiling heights.

Unit	Unit Type	GIA	Policy Requirement	Pass/Fail
LG.01	3 bedroom/ 5 person	89sqm	86sqm	Pass

LG.02	3 bedroom/ 5 person	106sqm	86sqm	Pass
G.01	2 bedroom/ 4 person	74.5sqm	70sqm	Pass
G.02	3 bedroom/ 5 person	97sqm	86sqm	Pass
1.01	2 bedroom/ 3 person	76sqm	61sqm	Pass
1.02	2 bedroom/ 3 person	77sqm	61sqm	Pass
2.01	1 bedroom/ 2 person	55sqm	50sqm	Pass
2.02	1 bedroom/ 2 person	55sqm	50sqm	Pass

[Table 1: Unit Sizes]

- 81 All units would be afforded external amenity spaces in the form of balconies, compliant with the London Plan thresholds. It is also noted that the public open space at Chinbrook Meadows is located within a short walking distance. The rear garden would be in sole use as private amenity space for the lower ground floor family units. Side gates would prevent access to the side of the building thereby addressing potential concerns over privacy and security.
- 82 To this end, officers are satisfied that the proposed development would comply with the requirements of DM Policy 32 and Policy 3.5 of the London Plan (2016).

### **Outlook & Privacy**

#### **Policy**

- 83 London Plan Policy 3.5 seeks high quality internal and external design of housing development. Emerging draft London Plan Policy D1B(7) requires development to achieve ‘appropriate outlook, privacy and amenity’. Within the same document, policy D4E seeks to maximise the provision of dual-aspect dwellings (i.e. with two openable windows).
- 84 DM Policy 32(1)(b) expects new developments to provide a ‘satisfactory level’ of privacy, outlook and natural lighting for its future residents.

#### **Discussion**

- 85 The proposed units would be afforded minimum dual aspect – 6 of the 8 units being triple aspect - and provided with suitable outlook distances and views from habitable spaces.
- 86 As a consequence of the submerged nature of the lower ground floor, the front outlook would be predominantly towards stepped lightwells, allowing outlook for the two bedrooms of 2.5m from the projecting bays, which would be acceptable.
- 87 In regard to the lower ground floor bedrooms 1 and 2 in Unit LG.02, these would depend upon a shared lightwell to the eastern side for outlook and light intake. Since the original submission, the depth of the lightwell has been extended to 3m to allow for additional natural light and outlook to the two bedrooms. Subsequently, officers are satisfied with this arrangement.
- 88 The rear living rooms would have adequate outlook toward their private patios and gardens.

- 89 It is acknowledged that both lower ground floor units would be triple aspect and the generous surplus in the size of the individual rooms, the overall floor area and directly accessible and generous private amenity space would sufficiently mitigate this limitation.
- 90 In regard to the ground, first, and second floor units, the proposed standard of accommodation would be acceptable.
- 91 In light of the above, overall officers are satisfied that appropriate outlook, privacy and ventilation would be provided to future occupiers of the units.

## **Daylight and Sunlight**

### **Policy**

- 92 London Plan Policy 3.5 seeks high quality internal and external design of housing development. Emerging draft London Plan Policy D1(8) requires development to achieve 'appropriate outlook, privacy and amenity'. DM Policy 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents. The London Housing SPD and the Lewisham Alterations and Extensions SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living spaces.

### **Discussion**

- 93 The applicant has produced a BRE assessment for the proposed units, which demonstrates that the two lower ground floor bedrooms referred to in para.87 would receive adequate levels of daylight (Average Daylight Factor (ADF), both exceeding the target of 1%.
- 94 Given the dual aspect, north/south orientation, and the abundance of glazing proposed, the dwelling would be provided with good levels of natural daylight and sunlight. All habitable rooms would be provided with at least one opening, and the levels of daylight overall is considered good.

### **Housing conclusion**

- 95 Officers are satisfied that the design and layout of the proposed units would be acceptable, and the proposal would provide a high standard of residential accommodation.
- 96 The proposal would deliver high quality residential units, including family sized dwellings, for which there is an identified need in the area. The proposal is therefore considered acceptable in this regard, and in accordance with the aforementioned policies

## **LIVING CONDITIONS OF NEIGHBOURS**

### *General Policy*

- 97 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LP7.6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA; Residential Standards SPD 2012, LBL).
- 98 DMP32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 99 The main impacts on amenity arise from: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas; and (iv) noise and disturbance.

### **Discussion**

#### *No.81 Chinbrook Road*

- 100 Given the existing relationship at the boundary and the fact that No.81 Chinbrook Road sits higher due to the change in land levels, the proposed rear extension and the small increase in the height of the roof including the alteration to its pitch would have no significant impact on outlook or provision of daylight and sunlight to this property.
- 101 The proposed 2-storey side extension would result in no significant visual harm, attributed to being partly submerged below the established ground level.
- 102 There would be new windows installed within the flank facing No.81, however, these would be of an oriel type offering oblique viewing angles that would not give rise to any overlooking issue.

#### *No.77 Chinbrook Road*

- 103 With regard to the impact of the proposal on No.77 Chinbrook Road, it is noted that part of the rear garden closest to this property currently experiences a degree of enclosure. Officers do not consider that any additional increase in sense of enclosure resulting from the proposed extensions would be readily perceivable from the rear garden and the conservatory, and consequently the proposal is not considered to result in an unneighbourly or overbearing relationship to the extent that would justify a refusal of planning consent.
- 104 Officers are satisfied that outlook from No.77 would not be materially affected by the proposal, particularly given the predominant aspect available is of an open and generous rear garden and this aspect would remain unchanged.
- 105 Given the geographical orientation of the properties and the position of existing windows serving habitable rooms, officers do not consider there would be any significant reduction in daylight or sunlight. A daylight/ sunlight study of neighbouring properties has not been undertaken in this case.
- 106 Officers are mindful that a degree of inter-visibility between properties is common and acceptable within an urban context. In this instance there are existing flank windows facing No.77 but no additional windows are proposed.
- 107 As such, the proposals are considered to satisfactorily respond to the constraints of the site and the possible implications on amenity by way of overlooking and sense

of enclosure have been addressed in the design of the proposals. The position of the extensions would ensure appropriate separation distances to neighbouring properties, while the orientation of balconies and the unit layouts would limit the infringement on privacy.

### **Impacts on Neighbours conclusion**

- 108 For the reasons as stated above, no undue loss of daylight, sunlight, outlook or privacy are considered to be generated upon any neighbour as a result of the proposal, and would be no greater than the 2017 approval. The amenity impacts to adjoining occupiers is therefore considered to be acceptable.

## **TRANSPORT IMPACTS**

### *General Policy*

- 109 Policy 6.1 of the London Plan (2016) sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and development. This is to be achieved by encouraging patterns and nodes of development that reduce the need to travel, especially by car; seeking to improve the capacity and accessibility of public transport, walking and cycling; supporting measures that encourage shifts to more sustainable modes and appropriate demand management; and promoting walking by ensuring an improved urban realm.
- 110 Core Strategy Policy 14 'Sustainable movement and transport' promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans.

### **Discussion**

#### *Car Parking*

- 111 The application site is relatively well connected to the wider public transport network with a PTAL rating of 4. Grove Park Train Station lies an approximate 10 minute walk away, whilst there are a number of bus stops along Chinbrook Road.
- 112 In this instance, there is an existing looped driveway providing an informal parking area for multiple vehicles. It is proposed that vehicular and pedestrian access would be taken via a single driveway access onto Chinbrook Road to replace the two existing accesses which, by reducing the number of accesses is considered to be a positive impact on the local highway network. The Applicant confirmed that all construction would take place before the removal of the two existing crossovers, and the formation of the new central crossover.
- 113 The development would provide 4 car parking spaces on-site, greater than the anticipated demand of up to 3 vehicles (based on census data for the area) but not exceeding the maximum standard set out in the emerging London Plan. Consequently, there would be no impact on parking stress levels in the vicinity of the site. The applicant has advised the spaces would only be allocated to the 3

family units. This will be addressed within a parking management plan that will be secured by condition.

- 114 A Construction Management Plan will be requested by condition.

#### *Cycle Parking*

- 115 14no. secure, fully enclosed cycle parking spaces would be provided within a store that would be located adjacent to the western boundary, in accordance with the London Plan. Details of the cycle parking facilities would be secured by condition to ensure the cycle store would be accessible, and acceptable in appearance.

#### *Refuse Storage*

- 116 The applicant has provided locational and elevation details of refuse and recycling within the forecourt of the property. The proposed location of the bin stores adjacent to the southern boundary is considered acceptable, with existing trees providing some screening.

### **Highways Conclusion**

- 117 In light of the above, the impact of the proposal on highways is acceptable, and no objections are raised. The proposed parking management plan; refuse and recycling storage; cycle facilities and a Construction Management Plan will be secured by condition.

### **FLOOD RISK and CONTAMINATION**

- 118 The site lies outside of Flood Zones 2 and 3 and is therefore at low risk of flooding. The Soil Contamination Report demonstrates that there is no potentially contaminating previous use and there is no aquifer in connection with the site. Environmental Agency confirmed that it is a low risk proposal.

- 119 In regard to rain water run-off, a geo-cellular storage tank measuring 13.5sqm would be located within the front garden below the soft landscaped area, and would discharge into the public sewer at a controlled rate of not more than 5 litres per second. This is considered to be acceptable in principle.

### **LOCAL FINANCE CONSIDERATIONS**

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

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

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

- 122 CIL is therefore a material consideration. £17,072.43 Lewisham CIL and £11,733.99 MCIL is estimated to be payable on this application, subject to any valid applications

for relief or exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

## **EQUALITIES CONSIDERATIONS**

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

legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>

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

### **HUMAN RIGHTS IMPLICATIONS**

- 130 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:

- Article 8: Respect for your private and family life, home and correspondence
- Protocol 1, Article 1: Right to peaceful enjoyment of your property

- 131 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.

- 132 This application has the legitimate aim of providing a new three storey (including lower ground floor) rear extension, two storey side extension to facilitate the provision of eight self-contained flats (2 x 1 bedroom, 3 x 2 bedroom and 3 x 3 bedroom). The rights potentially engaged by this application, including respect for your private and family life, home and correspondence and the freedom to enjoy one's home are not considered to be unlawfully interfered with by this proposal.

- 133 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

### **CONCLUSION**

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

- 135 The proposal to convert the single dwelling-house to provide self-contained flats is a departure from the development plan with respect to Lewisham Development Management Local Plan (2014) Policy DM 3, however officers are satisfied that a conversion would be appropriate in this case, particularly as an extant permission for a similar scheme proposing the conversion of the host property to provide 6 residential units was granted permission in 2017. The principle of conversion therefore has already been agreed by the Council.

136 In comparison with the 2017 approval, the current scheme would be similar in respect of the 3-storey rear extension and roof profile alterations, however two additional units would be provided within an enlarged lower ground floor area, with the formation of two front lightwells, and a 2-storey extension to the eastern side. The proposed external alterations are considered to be acceptable, and would not harm the character of the host building.

137 Officers consider the proposed development is acceptable in principle, of no significant harm to the character of the application site or surrounding area, or upon residential amenity, whilst rehabilitating the vacant building that has become structurally compromised in recent years. The proposed standard of accommodation would accord with Housing SPG standards.

138 The proposed conversion and associated works are therefore recommended for approval, subject to appropriate conditions.

### **RECOMMENDATION**

139 That the Committee resolve to **GRANT** planning permission subject to the following conditions and informatives:

### **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:

064-A-001 Rev 02; 064-A-010 Rev 03; 064-A-019 Rev 02; 064-A-020 Rev 02; 064-A-021 Rev 02; 064-A-022 Rev 02; 064-A-023 Rev 02; 064-A-030 Rev 01; 064-A-031 Rev 01; 064-A-032 Rev 01; 064-A-033 Rev 01; 064-A-034 Rev 01; 064-A-035 Rev 01; 227; 228; 229; 233; 234; (Received 19 June 2019);

221A; 222A; 223A; 224A; 225A; 226A; 230A; 231A; 232A; (Received 16 September 2019.)

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

3. No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
  - (a) Dust mitigation measures
  - (b) The location and operation of plant and wheel washing facilities

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

The scheme shall thereafter be commenced in full accordance with the approved details.

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

4. (a) No development above ground level shall commence until details of proposals for the storage of refuse and recycling facilities for each residential unit 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) Prior to first occupation, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.
- (b) No development above ground 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 residential units hereby granted 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) No development above first floor shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

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

7. (a) 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 planting measures to the front railings) 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).

8. (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 building 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).

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

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

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

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

11. The whole of the amenity space (including balconies and loggias) as shown on the drawings hereby approved shall be provided prior to first occupation, and retained permanently for the benefit of the occupiers of the residential units hereby permitted.

**Reason:** In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards DM Policy 3 Conversion of a single family house to two or more dwellings of the Development Management Local Plan (November 2014).

12. The whole of the car parking accommodation shown on drawing no.232A hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter

**Reason:** To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the building does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Table 6.2 of the London Plan (2016).

13. No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

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

14. (a) No development beyond piling shall commence on site until the Parking Management Plan indicating how the proposed car parking spaces will be allocated to the future residents has been submitted to and approved in writing by the local planning authority.
- (b) The Parking Management Plan shall be implemented prior to occupation of the building and retained in perpetuity.

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

15. (a) No development above ground level shall commence until details of proposals for the storage of refuse and recycling facilities for each residential unit 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).

16. The development hereby approved shall not be occupied until the existing accesses have been closed, the highway reinstated and the new access has been constructed in accordance with the permitted plans, as shown on Plan no.232A.

**Reason:** To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

17. No development beyond piling shall commence on site until a detailed schedule and an on-site sample board of all external materials and finishes/ windows and external doors/ roof coverings to be used on the building has been reviewed 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 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, DM Policy 31 Alterations and extensions to existing buildings including residential extensions and

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

## 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. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- C. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- D. In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.
- E. The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- F. The applicant must contact the London Borough of Lewisham's Highways Officer on 020 8314 7171 or [highways@lewisham.gov.uk](mailto:highways@lewisham.gov.uk) to make an application for the construction of a vehicle crossover and reinstatement of the two kerbs.

Committee	PLANNING COMMITTEE (C)	
Report Title	81 CHINBROOK ROAD, LONDON, SE12 9QL	
Ward	GROVE PARK	
Contributors	GEOFF WHITINGTON	
Class	PART 1	31 October 2019

Reg. Nos. DC/19/112751

Application dated 12 June 2019

Applicant Dunthorne Parker Architects on behalf of Chinbrook Properties Ltd

Applicants Plan Nos. 072-A-001; 072-A-019; 072-A-020; 072-A-021; 072-A-022; 072-A-023; 072-A-030; 072-A-031; 072-A-032; 072-A-034; 072-A-035; 223; 224; 225; 226; 227; 228; 230; 233; 250

Planning Statement; Design & Access Statement; Heritage Statement; Daylight and Sunlight Study; Energy Statement [Prepared by BaseEnergy: 23 May 2019]; Flood Risk/ Surface Water Assessment (Version 1.1)[Prepared by Flood Risk Consultants: 17 May 2019]; Arboricultural Impact Assessment [Prepared by Arboricultural Consultancy Ltd: 15 July 2019]; Appendix A: Collection of Figures; Appendix C: Environment Agency's Data and Information; Appendix F: Proposed Surface Water Improvement Measures (SUDS); Vehicle Swept Path Analysis (Received 19 June 2019);

221B; 222B; 229A; 231B; 232B (Received 2 October 2019)

Proposal Demolition of the existing rear projection, and the construction of a three-storey (including lower ground floor), rear extension, two storey side extension (including lower ground floor), a rear roofslope extension including a dormer, installation of new windows in the east elevation, and rooflights to the front and side roof slopes to facilitate the conversion of the existing property to seven self-contained flats (5 x 2 bedroom and 2 x 3 bedroom) at 81 Chinbrook Road, SE12, together with remodelling of the front garden to provide two car parking spaces, landscaping, associated bin and secure cycle parking storage enclosures.

Background Papers

- (1) Core Strategy (adopted June 2011)
- (2) Development Management Local Plan (adopted November 2014)
- (3) Local Development Framework Documents
- (4) The London Plan (Consolidated with Alterations since 2011) (2016), and Mayors' SPG/SPDs, Best Practice Guidance

Designation

PTAL 4  
Flood Zone 1

**1 SUMMARY**

- 1 Decisions on planning applications must be made in accordance with the development plan unless material considerations indicate otherwise (Section 38 (6) of the Planning and Compulsory Purchase Act 2004).
- 2 The application is before committee because it is a departure from the development plan. A 'departure' application is a planning application that is not in line with, or 'departs from', the development plan in force in the area where the application is made.
- 3 The proposal is a departure from the development plan with respect to Lewisham Development Management Local Plan (2014) Policy DM 3: Conversion of a single family house to two or more dwellings.
- 4 Officers have publicised the application in accordance with the relevant provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2015 by publication of a notice in a newspaper circulating in the locality.

**2 SITE AND CONTEXT**

- 5 The application site lies on the northern side of Chinbrook Road, and is occupied by a late 19C Victorian villa, constructed between 1880-1890. It is an example of classically styled independent suburban Victorian architecture, and together with no.79 appears to be the last remaining buildings from this period.
- 6 Many of its original external features are preserved, including its decorative ridge tiles, finials, decorative chimneys, timber gable corncicing, scalloped slate, its stone lintels and stringcourse, and a small timber porch with matching ridge tiles and timber corncicing. To the front of the house is a well preserved, highly decorative boundary wall with three different bricks types laid in patterns and on edge with small openings to show the garden behind, and ridged coping bricks. The front garden is a typical sweeping curved garden and driveway.
- 7 The site is located in a predominantly residential area set within a suburban terrace typology, typified by detached and semi-detached dwellings. Whilst the area has been modified with post-war blocks of flats, particularly on the south side of Chinbrook Road and to the rear of the site, the northern side of Chinbrook Road

has retained a number of semi-detached and detached dwellings such as the application building.

- 8 The site is not located in a conservation area, whilst the detached villa is not a listed or a locally listed building, and is not in the vicinity of any listed buildings. However, as no81 is a good example of Victorian architecture and is one of the oldest remaining villas of this style within the locality, it is considered to be an undesignated heritage asset.
- 9 Chinbrook Road is a classified 'B' Road, and is located within a Controlled Parking Zone (CPZ). The CPZ also extends to neighbouring streets, including Amblecote Road and Le May Avenue. The site has a PTAL rating of 4. There are two points for vehicular access, enabling cars to enter and exit the driveway in a semi-circle.
- 10 There is a significant change in land levels with the property to the east (No.83) sitting at a higher level and to the west (No.79) at a lower level. The front driveway is generally level, but the rear garden falls away from the building.
- 11 The site falls within Flood Zone 1.

### **3 RELEVANT PLANNING HISTORY**

- 12 On 24 October 2018, permission was granted for the 'Demolition of the existing rear projection, and the construction of a three-storey (including basement) rear extension, a rear roofslope extension including a dormer, installation of new windows in the east elevation, and rooflights to the front and side roof slopes to facilitate the conversion of the existing property to five self-contained flats (3 x 2 bedroom and 2 x 3 bedroom) at 81 Chinbrook Road, together with remodelling of the front garden to provide two car parking spaces, landscaping, associated bin and cycle parking storage enclosures. To date, no works relating to the permission have been undertaken, and the property remains vacant. The 3 year permission is due to expire in October 2021.

### **4 CURRENT PLANNING APPLICATION**

- 13 The current application is similar to the 2018 consent, however 7 self-contained flats are now proposed, with the two additional units being located within a lower ground floor area that would occupy the entire footprint of the building. Three metre deep lightwells would be formed to the front of the building.
- 14 The application also proposes the following works:
- Demolition of the existing rear projection and the construction of a three-storey (including lower ground floor) rear extension;
  - Two storey side extension (including lower ground floor);
  - Increased roof height of 0.5 metres and re-profiled roof including a rear dormer;
  - Installation of new windows in the east elevation;

- Rooflights to the front and side roof slopes;
  - Associated landscaping;
  - Bin and secure cycle parking storage enclosures;
  - Two off-street parking spaces for the 3 bedroom units only.
- 15 The 3-storey extension; height increase of the re-profiled roof; and rear roofslope extension and dormer formed part of the approved 2018 scheme.
- 16 The proposed works would facilitate the provision of seven self-contained flats:
- Two, 3 bedroom 5 person
  - Four, 2 bedroom 3 person
  - One, 2 bedroom 4 person
- 17 This compares with the 2018 approval for five self-contained units, comprising 3 x two bedroom and 2 x three bedroom flats.
- 18 The front curtilage would maintain the existing entry and exit vehicular points, accommodating two car parking spaces, together with the provision of hard and soft landscaping measures.
- 19 Dry and secure bicycle storage provision of 14 spaces in a lockable multiple bike store unit located within the front forecourt adjacent to the southern boundary.
- 20 Bins would be located in an enclosed communal refuse store adjacent to the entrance/exit of the property on the western side.

## 5 CONSULTATION

### 5.1 APPLICATION PUBLICITY

- 21 The Council's consultation was undertaken in accordance with the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 22 Letters were sent to neighbouring residents in the surrounding area and the relevant ward Councillors on 18 July 2019. Additionally, the application was publicised by a site notice and a press advert.
- 23 Subsequently, no responses were received from individual households.
- 24 The Environment Agency raised no objections to the proposal.

### 5.2 INTERNAL CONSULTATION

- 25 The following internal consultees were notified on 18 July 2019.
- 26 Highways officer: Raised no objections.

27 Environmental Health: Did not comment.

28 Urban Design: Raise no objections.

29 Conservation: Raise no objections

## 6 POLICY CONTEXT

### 6.1 LEGISLATION

30 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38)(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

### 6.2 MATERIAL CONSIDERATIONS

31 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

32 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

33 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to the test of reasonableness.

34 Draft London Plan: The Mayor of London published a draft London Plan on 29 November 2017 and minor modifications were published on 13 August. The Examination in Public commenced on 15 January 2019 and concluded on 22 May 2019. This document now has some limited weight as a material consideration when determining planning applications. The relevant draft policies are discussed within the report (DLPP).

### 6.3 NATIONAL POLICY & GUIDANCE

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance

### 6.4 DEVELOPMENT PLAN

35 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Core Strategy (June 2011) (CSP)

- Development Management Local Plan (November 2014) (DMP)

## **6.5 SUPPLEMENTARY PLANNING GUIDANCE**

36 Lewisham SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)

37 London Plan SPG/SPD

- Sustainable Design and Construction (April 2014)
- Housing (March 2016)

## **7 PLANNING CONSIDERATIONS**

38 The main issues are:

- Principle of Development;
- Design;
- Standard of Accommodation;
- Neighbour Amenity;
- Transport and Highways;
- Waste management;
- Flood Risk.

### **7.1 PRINCIPLE OF DEVELOPMENT**

#### **General policy**

39 The National Planning Policy Framework (NPPF) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

40 Lewisham is defined as an Inner London borough in the London Plan. LPP 2.9 sets out the Mayor of London's vision for Inner London. This includes among other things sustaining and enhancing its recent economic and demographic growth; supporting and sustaining existing and new communities; addressing its unique concentrations of deprivation; ensuring the availability of appropriate workspaces for the area's changing economy; and improving quality of life and health.

#### **Policy**

41 The National Planning Policy Framework (NPPF) speaks of the need for delivering a wide choice of high quality homes, which meet identified local needs (in accordance with the evidence base) and widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

- 42 The current London Plan outlines through Policy 3.3, 3.5 and 3.8 that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sized and tenures in accordance with Local Development Frameworks. Residential developments should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment.
- 43 Policy H2A(A) 'Small sites and small housing developments' of the draft London Plan states that small sites should play a much greater role in housing delivery to achieve the ten year housing targets set out in Policy H1 Increasing housing supply. Boroughs should pro-actively support well-designed new homes on small sites through both planning and plan-making. There should be a presumption in favour of small housing developments of between 1 and 25 homes, including (but not limited to) residential conversions and residential extensions.
- 44 The policy also states that the presumption in favour of small housing developments means approving small housing developments unless it can be demonstrated that the development would give rise to an unacceptable level of harm that outweighs the benefit of additional housing provision.
- 45 Locally, Core Strategy Policy 1 Housing provision, mix, and affordability sets out that housing developments will be expected to provide an appropriate mix of dwellings having regard to criteria such as the physical character of the building and site and location of schools, shops, open space and other infrastructure requirements (such as transport links).
- 46 The purpose of DM Policy 3 is to manage the future subdivision of single family homes into self-contained flats, with the focus of retaining a wide choice of quality housing and a mixed housing base. The Council, under DM Policy 3, will refuse planning permission for the conversion of a single family house into flats except where there is a lack of external amenity space and where the house is adjacent to noise generating or other environmentally unfriendly uses. Additionally, any single family house considered suitable for conversion according to DM 3 will need to have a net internal floorspace greater than 130sq.m.

### **Discussion**

- 47 It must be acknowledged that the conversion of the host building to provide five self-contained flats was granted in October 2018. The permission remains extant, and so could still be implemented.
- 48 A detailed assessment of DM Policy 3 has been undertaken by officers to determine the principle of conversion. The Policy states the following with regard to the conversion of a single family house into flats:
1. *The Council will refuse planning permission for the conversion of a single family house into flats except where environmental conditions mean that the single family house is not suitable for family accommodation due to any factor listed below:*
    - a. *adjacent to noise generating or other environmentally unfriendly uses*
    - b. *lack of external amenity space suitable for family use.*

2. *Any single family house considered suitable for conversion according to point 1 of this policy will need to have a net internal floorspace greater than 130 sq. m.*
  3. *All conversions must meet the general design requirements and housing standards in DM Policy 25 (Landscaping and trees), DM Policy 29 (Car parking), DM Policy 30 (Urban design and local character), DM Policy 31 (Alterations and extensions to existing buildings including residential extensions) and DM Policy 32 (Housing design, layout and space standards).*
- 49 *Criterion 1* – The subject site is located within a residential area and is not adjacent to noise or environmentally unfriendly uses which would constrain ongoing use of the host building as a single dwelling. Furthermore, the subject site has a rear garden, which is of a good size. The proposal is therefore considered to fail to comply with part 1(a) of the policy.
- 50 *Criteria 2* – The building has a net internal floorspace of approximately 251m<sup>2</sup>, and so significantly exceeds the minimum floorspace required to meet criteria 2 of the policy.
- 51 *Criteria 3* – It is determined that the scheme would be in compliance with design requirements and housing standards.
- 52 Whilst the proposal does not meet criteria 1 of the policy, it is acknowledged that the application property is significantly larger than the typical family home DM Policy 3 refers to and aims to protect.
- 53 It is also a material consideration that the proposed loss of an existing single dwelling-house will be mitigated by a net gain of family housing, with the provision of two good sized 3 bedroom dwellings. The same conclusions were reached in determining the 2018 approval for this property.
- 54 Also of material weight in granting permission is the approval in 2017 of the neighbouring property at No.79, also for the conversion of a single family dwellinghouse into self-contained flats under application reference DC/17/100156. That application proposed two new family units, in addition to 1 and 2 bedroom units.
- 55 A viability study was undertaken for the approved conversion of no.79 where it was concluded that the costs of renovating the existing property to provide a single large family dwelling would be unviable and therefore unlikely to be delivered.
- 56 A similar viability study has not been undertaken for no.81 for either the current proposal, or the 2018 approved scheme, presumably due to the poorer structural condition of no.79. Officers consider that due to the properties neighbouring one another, and being of similar floor areas, aspects of the viability findings are relevant to no.81 including developer profit on GDV; Holding Costs, including Council Tax and insurance premiums; Agent fees and marketing costs; and sale prices for each unit.
- 57 A benefit of the proposal is that the conversion would generate a CIL financial contribution to the Council for necessary infrastructure costs. (see para.125).

58 In light of the above considerations undertaken for the recent approved schemes at nos 79 and 81 Chinbrook Road, officers remain satisfied that the proposed conversion in this case for no. 81 is acceptable.

## **DESIGN**

### General Policy

59 The NPPF at para 124 states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

60 Core Strategy Policy 15 and Local Plan Policies DM 30, and DM 31 set out the detailed considerations and issues that need to be considered and addressed by development applications in order to achieve the high standards of development required.

61 Core Strategy Policy 16 and Local Plan Policies DM 37, and DM 38 relate to conserving the value and significance of the borough's heritage assets and their settings, which include non-designated assets.

62 DM Policy 37 (Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest) states that the Council will protect the local distinctiveness of the borough by sustaining and enhancing the significance of non-designated heritage assets. Development proposals affecting non-designated heritage assets should be accompanied by a heritage statement proportionate to the significance of the asset and which justifies the changes to the asset.

63 DM Policy 38 (Demolition or substantial harm to designated and non-designated heritage assets) is not directly applicable here as there would be no loss of the existing property and no substantial harm caused.

64 LPP 7.6 expects the highest quality materials and design appropriate to context.

## **Discussion**

65 The application property is not statutory or locally listed, although it remains as a good example of Victorian architecture and is one of the oldest remaining villas of this style within the immediate context. The application building provides a strong reference point and has a townscape value as an example of original surviving architectural variety in an area which is otherwise dominated by residential development, change and re-development during the 20th century which reflects this earlier architectural period in an area heavily damaged by bombs.

66 From an urban design perspective, the proposed scheme has taken on board the architectural importance of the villa, and worked it into the scheme by retaining some of the more traditional features of the front façade, particularly the bays. This approach is considered to be the most logical response for the building, as it finds a balance between the need for the retention of the building and providing a viable scheme. The property had been vacant for some time before it was purchased by the applicant.

- 67 The development proposed would extend outside the existing envelope in terms of height and its projection into the side and rear garden.
- 68 An existing single-storey garage on the western side would be replaced by a 2-storey extension, of which the lower floor would lie below street level.
- 69 There are no in principle objections to this increase in scale as the resulting building would remain consistent with the existing relationship to neighbouring properties at Nos 79 and 83 Chinbrook Road and its wider context.
- 70 The detailed design of the proposed refurbishment elements and extensions is considered to be sympathetic to the existing building. Whilst the new roofscape would alter the appearance of the host building, the proposal would re-interpret the existing form in a contemporary manner.
- 71 In terms of materiality, the palette would be consistent with the original parts of the existing dwelling, which is important as the application property is considered to be a fine example of this traditional Villa typology and is more complete in terms of its state of preservation, including its large red and blue brick boundary wall, historic setting, and architectural features when compared to no.79, which suffers a more compromised structural condition.
- 72 Red brick is proposed as the primary material across the elevations. Timber framed windows and slate roof tiles are proposed to match existing. These materials are supported in principle and would be secured by condition.
- 73 The Council's Alterations and Extensions SPD (2019) generally resists the formation of lightwells to the front of buildings to avoid any harmful impact upon the public realm, however in this case, these would be sited approximately 15 metres back from the edge of the pavement, whilst planting measures are proposed to the surround railings to provide screening. Officers therefore raise no objections toward the proposed siting and appearance of the lightwells and railings to the front of the building, and are satisfied there would be no harmful impact upon the public realm.
- 74 A condition requiring boundary treatment, including walls and fences will be included. Metal gates shown on either side toward the front of the building formed part of the 2018 scheme, however officers will assess the details to confirm the appearance would be acceptable.
- 75 A detailed landscape plan (including land levels), hard landscaping and provision of planting would be requested should planning permission be granted.

### **Design conclusion**

- 76 In light of the above and on balance, officers have reached a view that the proposal would not be detrimental to the significance of the application property and would satisfy the requirements of Core Strategy Policy 16 and Local Development Plan Policies DM 30, DM 31, DM 37 and DM 38.

### **HOUSING**

- 77 This section covers: (i) the dwelling size mix; and (ii) the standard of accommodation.

## Residential Quality

### General Policy

- 78 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LPP 3.5), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2016, GLA; Alterations and Extensions SPD 2019, LBL).
- 79 DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision.
- 80 In March 2015 the Government published the 'Technical Housing Standards-Nationally Described Space Standard', to rationalise the varying space standards used by local authorities.
- 81 London Plan Policy 3.5 and Table 3.3 set out minimum space standards which all proposed dwellings are expected to meet or exceed. DM Policy 32 (Housing design, layout and space standards) and Core Strategy Policy 15 also seek to protect and improve the character and amenities of residential areas in the Borough.

### Discussion

- 82 As shown in Table 1 below, the proposed internal floor areas of each unit would exceed the space standards set by Policy 3.5 of the London Plan, the National Technical Standard and DM Policy 32. In addition, all habitable rooms would accord with minimum guidance, as would floor to ceiling heights.

Unit	Unit Type	GIA	Policy Requirement	Pass/Fail
LG.01	3 bedroom/ 5 person	97sqm	86sqm	Pass
LG.02	2 bedroom/ 3 person	71sqm	61sqm	Pass
G.01	3 bedroom/ 5 person	86.5sqm	86sqm	Pass
G.02	2 bedroom/ 3 person	61sqm	61sqm	Pass
1.01	2 bedroom/ 3 person	65sqm	61sqm	Pass
1.02	2 bedroom/ 3 person	64sqm	61sqm	Pass
2.01	2 bedroom/ 4 person	78sqm	70sqm	Pass

[Table 1: Unit Sizes]

- 83 All units would be afforded external amenity spaces in the form of balconies, or winter garden, compliant with the London Plan thresholds. It is also noted that Chinbrook Meadow is located within a short walking distance, offering an easy access to public open space.

- 84 The rear garden would be in sole use as private amenity space for the two lower ground floor units, with gates preventing access to the sides of the building, thereby addressing potential concerns over privacy and security.
- 85 The 3 bed unit at ground floor (G.01) would be afforded a balcony at the rear (6.1sqm) and a private terrace to the side accessed from Bedroom 1. Cumulatively, the amenity spaces afforded to the unit would be acceptable.
- 86 Overall, officers are satisfied that the proposed development would comply with the requirements of DM Policy 32 and Policy 3.5 of the London Plan (2016).

## **Outlook & Privacy**

### **Policy**

- 87 London Plan Policy 3.5 seeks high quality internal and external design of housing development. Emerging draft London Plan Policy D1(8) requires development to achieve ‘appropriate outlook, privacy and amenity’. Within the same document, policy D4 seeks to maximise the provision of dual-aspect dwellings (i.e. with two openable windows).
- 88 DM Policy 32(1)(b) expects new developments to provide a ‘satisfactory level’ of privacy, outlook and natural lighting for its future residents.

### **Discussion**

- 89 The proposed units would be dual aspect, and provided with suitable outlook distances and views from habitable spaces.
- 90 As a consequence of the submerged nature of the lower ground floor, the front outlook would be predominantly towards stepped lightwells, allowing for outlook of 2.5m from the projecting bays. This is an improvement upon the original proposal for 1.5m deep lightwells, and would allow for sufficient outlook to the two bedrooms.
- 91 In regard to the lower ground floor bedroom 3 in Unit LG.01, this would depend upon a small lightwell to the western side for outlook and light intake. Since the original submission, the lightwell has been extended to 3m to allow for additional natural light and outlook. Subsequently, officers are satisfied with this arrangement.
- 92 The rear living rooms would have adequate outlook toward their private patios and gardens.
- 93 Both lower ground floor units would be triple aspect and the generous surplus in the size of the individual rooms, the overall floor area and directly accessible and generous private amenity space are acknowledged.
- 94 In regard to the ground, first, and second floor units, the proposed standard of accommodation would be acceptable.
- 95 In light of the above, overall officers are satisfied that appropriate outlook, privacy and ventilation would be provided to future occupiers of the units.

## **Daylight and Sunlight**

### **Policy**

- 96 London Plan Policy 3.5 seeks high quality internal and external design of housing development. Emerging draft London Plan Policy D1(8) requires development to achieve ‘appropriate outlook, privacy and amenity’. DM Policy 32(1)(b) expects new developments to provide a ‘satisfactory level’ of privacy, outlook and natural lighting for its future residents. The London Housing SPD and the Lewisham Alterations and Extensions SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living spaces.

### **Discussion**

- 97 The applicant has produced a BRE assessment for the proposed units, which demonstrates that the two lower ground floor bedrooms on the east and west sides (including LG.01 referred to in para.81) would receive adequate levels of daylight (Average Daylight Factor (ADF), both complying with the 1% target.
- 98 Given the dual aspect, north/south orientation, and the abundance of glazing proposed, the units would be provided with good levels of natural daylight and sunlight. All habitable rooms would be provided with at least one opening, and the levels of daylight overall is considered good.

### **Housing conclusion**

- 99 Officers are satisfied that the design and layout of the proposed units would be acceptable, and the proposal would provide a high standard of residential accommodation in accordance with the above policies delivering two high quality family dwellings for which there is an identified need in the area. The proposal is therefore considered acceptable in this regard.

## **LIVING CONDITIONS OF NEIGHBOURS**

### *General Policy*

- 100 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a ‘high standard’ of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LP7.6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA; Residential Standards SPD 2012, LBL).
- 101 DMP32(1)(b) expects new developments to provide a ‘satisfactory level’ of privacy, outlook and natural lighting for its neighbours.
- 102 The main impacts on amenity arise from: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas; and (iv) noise and disturbance.

### **Discussion**

#### *No.83 Chinbrook Road*

- 103 There is an existing separation distance of 2.65m between the side elevations of Nos.81 and 83, and 1.75m between the side elevation of No.81 and the shared boundary.
- 104 The nature of proposed development means there would be potential for some amenity impact to no.83, however considering the extent of high level vegetation screening along the shared boundary, the rise in ground level and the fact the gardens are approximately 40m long, officers are satisfied any impact would not be significant. First floor screening to rear balconies would be installed, measuring 1.8m in height.
- 105 It is also noted that the properties' rear elevations are north facing, so any reduction of natural light would be limited to late afternoon/ evening hours only. Notwithstanding this, no sunlight/daylight study of neighbouring properties has been provided as part of this application.
- 106 On balance, given the existing relationship at the boundary, the existing boundary vegetation and the fact that no.83 sits upon a higher ground levels, there would be no unacceptable amenity impact upon the neighbouring occupiers.
- 107 A first floor window would be installed to the flank wall facing no.83, however this would be fixed shut with the bottom pane obscure glazed.

*No.79 Chinbrook Road*

- 108 Given the extensions that have been approved at no.79 under application DC/17/100156, and the separation distance of 5.5m between the side elevations of the properties, the impact on No.79 would be acceptable regarding outlook, daylight and sense of enclosure.
- 109 In regard to impact arising from the rear balconies, initial concern regarding potential overlooking from the first floor balconies has been alleviated by proposed screening that would avoid loss of privacy, as shown on the elevation plan 231B. The screens would be at least 1.8m above the balcony floor level, which would restrict views to adjoining properties. Furthermore the high level of vegetation along the majority of both boundaries would also serve to ensure no unreasonable loss of privacy to the neighbouring gardens. Notwithstanding this, officers are mindful that a degree of inter-visibility between properties is common and is acceptable within an urban context.

**Impacts on Neighbours conclusion**

- 110 For the reasons as stated above, no undue loss of daylight, sunlight, outlook or privacy are considered to be generated upon any neighbour as a result of the proposal, and would be no greater than the 2018 approval. The amenity impacts to adjoining occupiers is therefore considered to be acceptable.

**TRANSPORT IMPACTS**

*General Policy*

- 111 Policy 6.1 of the London Plan (2016) sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and

development. This is to be achieved by encouraging patterns and nodes of development that reduce the need to travel, especially by car; seeking to improve the capacity and accessibility of public transport, walking and cycling; supporting measures that encourage shifts to more sustainable modes and appropriate demand management; and promoting walking by ensuring an improved urban realm.

112 Core Strategy Policy 14 'Sustainable movement and transport' promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans.

113 Policy T6.1 of the Draft London Plan states that new residential development should not exceed the maximum parking standards set out in Table 10.3, where it advises that sites within Outer London: PTAL 4 should not exceed 0.5 spaces per unit.

## **Discussion**

### *Car Parking*

114 The application site is well connected to the wider public transport network with a PTAL rating of 4. Grove Park Train Station lies an approximate 10 minute walk away, whilst there are a number of bus stops along Chinbrook Road.

115 In this instance, there is an existing looped driveway providing an informal parking area for multiple vehicles. It is proposed that the existing entry and exits points are maintained, and two off-street car parking spaces would be provided, within the maximum standards set out in the emerging London Plan, and serving to encourage sustainable travel in the Borough. The applicants have advised that the two spaces would be allocated to the occupiers of the 3 bedroom family units only.

116 The Council's Highways officer has raised no objections to the parking provision, and is satisfied there would be no adverse harm upon existing parking stress levels within the vicinity of the site. The officer has however requested the submission of further information of the management of the car parking spaces, therefore a condition will be included requiring such details within a parking management plan.

117 A Construction Management Plan will be requested by condition.

### *Cycle Parking*

118 14no. secure, fully enclosed cycle parking spaces would be provided within a store that located adjacent to the southern boundary, in accordance with the London Plan. Details of the cycle parking facilities would be secured by condition to ensure the cycle store would be accessible, and acceptable in appearance.

### *Refuse Storage*

119 The applicant has provided locational and elevation details of refuse and recycling within the forecourt of the property. The proposed location of the bin stores adjacent to the western boundary is considered acceptable.

## **Highways Conclusion**

- 120 In light of the above, the impact of the proposal on highways is acceptable, and no objections are raised. The proposed cycle, refuse and recycling storage facilities will be secured by condition.

### **FLOOD RISK and CONTAMINATION**

- 121 The site lies outside of Flood Zones 2 and 3 and is therefore at low risk of flooding. The Environmental Agency confirmed that it is a low risk proposal.
- 122 In regard to rain water run-off, Appendix E indicates that a geo-cellular storage tank measuring 13.5sqm would be located within the front garden below the soft landscaped area, and would discharge into the public sewer at a controlled rate of not more than 5 litres per second. This is considered to be acceptable in principle.

### **LOCAL FINANCE CONSIDERATIONS**

- 123 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
  - sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 124 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 125 CIL is therefore a material consideration. £14,075.68 Lewisham CIL and £9,674.30 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

### **EQUALITIES CONSIDERATIONS**

- 126 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 127 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - advance equality of opportunity between people who share a protected characteristic and those who do not;

- foster good relations between people who share a protected characteristic and persons who do not share it.
- 128 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 129 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
- 130 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
  - Meeting the equality duty in policy and decision-making
  - Engagement and the equality duty
  - Equality objectives and the equality duty
  - Equality information and the equality duty
- 131 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>
- 132 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

## **HUMAN RIGHTS IMPLICATIONS**

- 133 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. “Convention” here means the European Convention on Human Rights, certain parts

of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:

- Article 8: Respect for your private and family life, home and correspondence
- Protocol 1, Article 1: Right to peaceful enjoyment of your property

134 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.

135 This application has the legitimate aim of providing a new three storey (including lower ground floor) rear extension, two storey side extension to facilitate the provision of seven self-contained flats (5 x 2 bedroom and 2 x 3 bedroom). The rights potentially engaged by this application, including respect for your private and family life, home and correspondence and the freedom to enjoy one's home are not considered to be unlawfully interfered with by this proposal.

136 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

## **CONCLUSION**

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

138 The proposal to convert the single dwelling-house to provide self-contained flats is a departure from the development plan with respect to Lewisham Development Management Local Plan (2014) Policy DM 3, however officers are satisfied that a conversion would be appropriate in this case, particularly as an extant permission for a similar scheme proposing the conversion of the host property to provide 5 residential units was granted permission in 2018. The principle of conversion therefore has already been agreed by the Council.

139 Officers consider the proposed development is acceptable in principle, of no significant harm to the character of the application site or surrounding area, or upon residential amenity. The proposed standard of accommodation would accord with Housing SPG standards.

140 The scale of development would be similar to the approved scheme, incorporating a 3-storey rear extension and alteration to the roof profile. The proposed formation of front lightwells, lower ground floor bays and 2-storey side extension did not form part of the 2018 planning approval, however these are considered to be appropriate additions that would not harm the character of the host building.

141 An extant application for a similar scheme proposing the conversion of the host property to provide 5 residential units was granted permission in 2018, therefore the principle of conversion has already been agreed by the Council.

- 142 The proposed conversion and associated works are therefore recommended for approval, subject to appropriate conditions.

**RECOMMENDATION**

- 143 That the Committee resolve to **GRANT** planning permission subject to the following conditions and informatives:

**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:

072-A-001; 072-A-019; 072-A-020; 072-A-021; 072-A-022; 072-A-023; 072-A-030; 072-A-031; 072-A-032; 072-A-034; 072-A-035; 223; 224; 225; 226; 227; 228; 230; 233; 250 (Received 19 June 2019)

221B; 222B; 229A; 231B; 232B (Received 2 October 2019)

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

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

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

The scheme shall thereafter be commenced in full accordance with the approved details.

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

4. (a) No development above ground level shall commence until details of proposals for the storage of refuse and recycling facilities for each residential unit 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) Prior to first occupation, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.
- (b) No development above ground 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 residential units hereby granted 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) No development above first floor shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for

Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

7. (a) 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 planting measures to the front railings) 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).

8. (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 building 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).

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

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

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

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

11. The whole of the amenity space (including balconies and loggias) as shown on the drawings hereby approved shall be provided prior to first occupation, and retained permanently for the benefit of the occupiers of the residential units hereby permitted.

**Reason:** In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards DM Policy 3 Conversion of a single family house to two or more dwellings of the Development Management Local Plan (November 2014).

12. The whole of the car parking accommodation shown on drawing no.232B hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter

**Reason:** To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the building does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Table 6.2 of the London Plan (2016).

13. No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

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

14.
  - (a) No development beyond piling shall commence on site until the Parking Management Plan indicating how the proposed car parking spaces will be allocated to the future residents has been submitted to and approved in writing by the local planning authority.
  - (b) The Parking Management Plan shall be implemented prior to occupation of the building and retained in perpetuity.

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

15. (a) No development above ground level shall commence until details of proposals for the storage of refuse and recycling facilities for each residential unit 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).

16. No development beyond piling shall commence on site until a detailed schedule and an on-site sample board of all external materials and finishes/ windows and external doors/ roof coverings to be used on the building has been reviewed 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 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, DM Policy 31 Alterations and extensions to existing buildings including residential extensions and DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest.

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

- C. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- D. In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.
- E. The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- F. The applicant must contact the London Borough of Lewisham's Highways Officer on 020 8314 7171 or [highways@lewisham.gov.uk](mailto:highways@lewisham.gov.uk) to make an application for the construction of a vehicle crossover and reinstatement of the two kerbs.



Structural Engineering Inspection Report

on

79 Chinbrook Road, London SE12 9QL

for

Concrete Investments Ltd

Project No. 9360

13 April 2016

Gurney Consulting Engineers  
Hallmark House  
10-12 St Johns Road  
Woking  
Surrey  
GU21 7SE



## INDEX

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2. EXISTING BUILDING
3. OBSERVATIONS
4. DISCUSSION
5. CONCLUSIONS

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- PHOTOGRAPHS



## 1.0 INTRODUCTION

- 1.1 Gurney Consulting Engineers has been appointed to undertake a structural inspection of the property in advance of its proposed purchase by the Client.
- 1.2 The inspection was concerned with the building structure only. No investigations were made into services such as plumbing, electrical supply or drainage, except as noted, nor of any non-structural elements such as doors or window frames. No inspection was made of external drives, paths, garden walls or outbuildings.
- 1.3 We have not inspected woodwork or other parts of the structure which were covered, inaccessible or unexposed and are therefore unable to report that any such part is free from defect.
- 1.4 Our inspection was undertaken on 6 April 2016. At the time of our inspection access was not available to the basement area, roof space or the outbuildings.
- 1.5 We do not accept any responsibility to any third party or persons other than the person commissioning this report.

## 2.0 EXISTING BUILDING

- 2.1 Number 79 Chinbrook Road comprises a large residential property comprising timber roof and floor construction supported on loadbearing masonry walls. See photographs 1-3.
- 2.2 The property is built over four storeys, with two main floors at ground and first floor level, a part basement to the rear of the property and two rooms built into the roof space, also at the rear of the property.
- 2.3 The property is built on a sloping site, with the ground level to the property to the east (no. 81) at a higher level and to the west (No. 77) at a lower level. The front driveway is generally level, but the rear garden falls away from the building.
- 2.4 The front parking access comprises loose laid gravel and there is a concrete path to the side access leading to the rear garden area.



- 2.5 The vegetation around the property comprises a variety of established trees and shrubs on the property boundaries. There are mature trees within the public footpath to Chinbrook Road, some 20m from the building. The foot path construction to the base of the trees has been raised up by the action of the tree roots.
- 2.6 External access to the basement is via concrete steps within a stairwell formed by retaining walls to the rear of the property. See photograph 4. Internally, the basement is accessed via timber stairs. At the time of our visit, sections of stair tread were missing and there was a sign warning of unsafe flooring. Based on this and the lack of lighting, we did not inspect the basement during our visit.
- 2.7 There are single storey garage buildings to both sides of the property.
- 2.8 The front elevation has two full height bay windows and is finished with pebbledash.
- 2.9 The rear and side elevation are typically exposed brickwork.
- 2.10 The external wall construction comprises solid brickwork finished internally with plaster.
- 2.11 Reference to the geological maps for the area shows the site to be founded on London Clay.
- 2.12 Estate Agents' floor plans are included within the Appendix and are referred to within the following sections of the report.
- 3.0 OBSERVATIONS**
- 3.1 The ceiling and wall finishes have deteriorated and the property has not been well maintained in recent years.
- 3.2 There is cracking apparent to wall and ceiling finishes throughout the property.
- 3.3 The bay window construction to the left hand side of the front elevation has been subject to significant movement. Large cracks have developed within the masonry walls



- for the full height. At first floor level, lateral movement of up to 50mm was noted to the masonry structure. See photographs 5-13.
- 3.4 Cosmetic repairs have been undertaken to the cracks in the past and the timber window framing adapted to suit the movement of the masonry walls.
- 3.5 The internal loadbearing walls perpendicular to the front elevation at first floor level have significant diagonal and vertical cracking and the door frames within the walls are not square. Whilst the cracking and distress are most significant at first floor, similar cracking was noted at ground floor, where there is horizontal cracking also. See photographs 14-20.
- 3.6 There is cracking to the ceiling finishes to the underside of the roof at first floor. See photograph 21.
- 3.7 There is tearing to the wall paper within Bedroom 4, where the wall between it and the Master Bedroom meets the ceiling. The floor level appears to fall towards the external wall. See photographs 22-23.
- 3.8 There is tearing to the wall paper where the wall between Bedrooms 2 and 3 meets the external wall.
- 3.9 Vertical cracking was also noted to the right hand bay window construction beneath the windows at first floor level.
- 3.10 The floor levels to the ground floor reception rooms appears to fall toward the external wall and garage.
- 3.11 Diagonal cracking was noted to the wall between the Dining Room and front reception room where it meets the internal and external walls. See photographs 24-25.
- 3.12 Externally, movement is apparent to the concrete footpaths to the side and rear of the property. See photograph 26.
- 3.13 Cracking was noted to the external exposed sections of concrete surround to the garage to the left hand side of the property. See photograph 27.



3.14 The rainwater goods are in a poor state of repair and are overflowing and affecting the elevations and soffits.

3.15 The external access stair and enclosure serving the first floor from the rear garden is in a poor state of repair.

#### 4.0 DISCUSSION

4.1 From our inspection it is apparent that the property has not been well maintained in recent years and relatively minor cracking and other non-structural defects are present throughout the property that require attention.

4.2 The cracking and defects noted within parts of the the masonry structure suggest that the foundations are inadequate or that movement of the foundations has occurred.

4.3 The movement at the left hand bay window structure is significant and the repairs to the cracking and decorations and adaptation of the window frames suggest that this has been ongoing for some time, possibly since original construction.

4.4 The cracking and defects noted to the internal walls are also significant and have been ongoing for some time.

4.5 No cracking or defects suggesting foundation movement or inadequacy were noted to the rear and left hand elevation. No access was available to the right hand elevation and so this has not been inspected. However, cracking to the internal walls and apparent unevenness of floor levels, particularly toward the right hand elevation suggest that these walls may also have been subject to foundation movement.

4.6 The building is founded in London Clay which is prone to volume change under the influence of trees and can also be affected by water escaping from defective drains or water services.

4.7 The site is uneven and falls away to the rear garden, with the adjacent properties at different levels also.



- 4.8 Whilst the property is surrounded by established trees and shrubs, these are not considered to be significant with regards to the defects noted. However, we do not know if any trees have been removed have been removed in the relatively recent past.
- 4.9 Due to the sloping site and the basement area, it is likely that the foundation levels vary across the site.
- 4.10 In order to identify the cause of foundation movement, investigation should be undertaken to confirm the foundation construction and the founding soils. This would require trial pits to be dug to expose foundations and geotechnical inspection and testing of the founding soils.
- 4.11 As a minimum, we would anticipate that remedial works required would include,
- Demolition and rebuilding of the left hand bay window from a new, sound foundation built from a competent bearing stratum.
  - Underpinning to the internal spine walls on either side of the entrance hall to ensure these are supported by a competent bearing stratum.
  - Provision of safe access into the basement area so that an inspection can be undertaken and any defects noted as these may have a bearing on other areas.
  - Stitch repairs and local rebuilding of cracked and defective masonry and making good.
  - Investigation of existing drainage and water services and undertaking remedial works as required.
- 4.13 We understand that consideration is being given to the demolition of the property and constructing a new building on the site. If this were to be the chosen course of action, the investigation works to the existing structure would not be required. A geotechnical investigation would be required to confirm foundation proposals for the new construction.
- 5.0 CONCLUSION
- 5.1 The property is currently not well maintained and there are defects to decorations and finishes of a non-structural nature throughout.



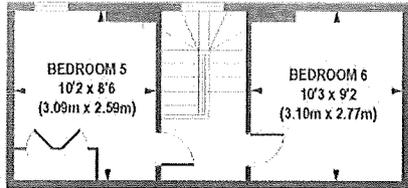
- 5.2 Structural movement is apparent at a number of locations and is considered to be due to inadequate foundations or movement of the foundations since construction.
- 5.3 The left hand bay window structure has been subject to significant movement that may have been occurring since original construction. This should be taken down and rebuilt from a sound foundation on competent soils.
- 5.4 The internal walls, particularly those perpendicular to the front elevation on either side of the entrance hall, have been subject to foundation movement and further investigation would be required to establish the cause of this and confirm remedial works. As a minimum, we would anticipate that underpinning would be required to the walls along with repairs to the cracked masonry.
- 5.5 Inspection of the basement area and right hand elevation should be undertaken once access is available so that any further investigations and remedial works can be determined.
- 5.6 Whilst the rear and left hand elevation do not show signs of distress externally, investigation should be undertaken to confirm foundations and bearing stratum.
- 5.7 The existing drainage and water services should be investigated and any defects rectified.
- 5.8 If it is proposed to demolish the existing building and construct new, sufficient geotechnical investigation should be undertaken to confirm the foundation design parameters for the new construction.

.....  
Robin Brown BEng (Hons), CEng, MStructE  
Associate Partner

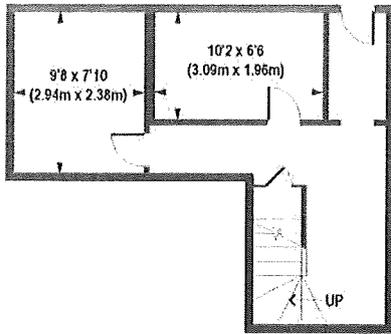
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I C Durkin BSc, CEng, MICE, FConsE  
Senior Partner



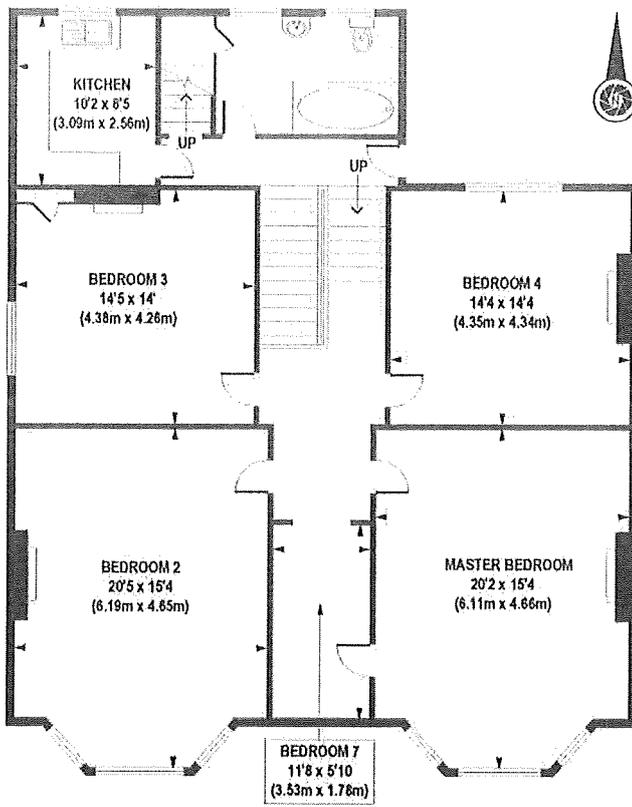
APPENDIX



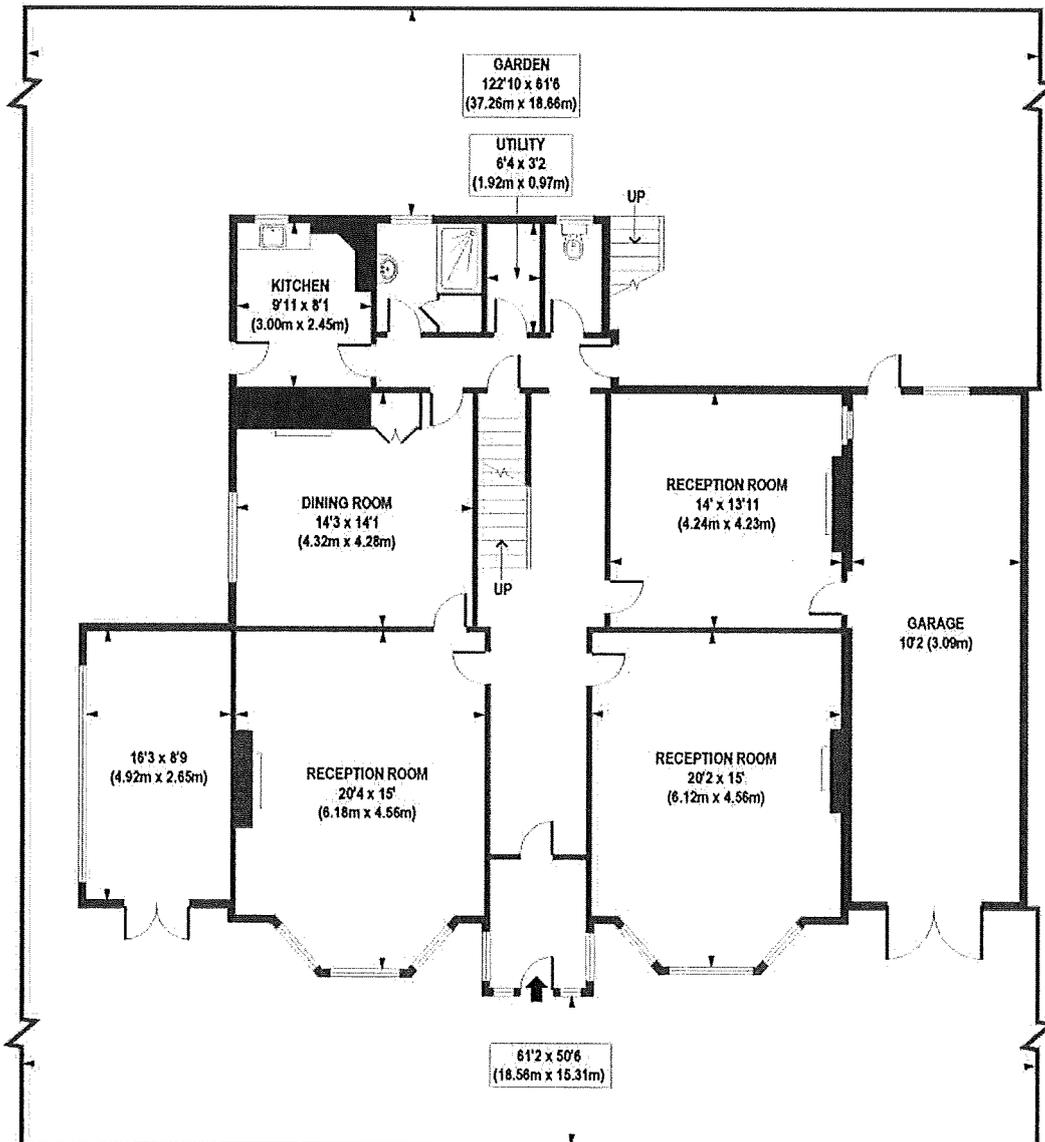
SECOND FLOOR  
GROSS INTERNAL  
FLOOR AREA 237 SQ FT



BASEMENT  
GROSS INTERNAL  
FLOOR AREA 288 SQ FT



FIRST FLOOR  
GROSS INTERNAL  
FLOOR AREA 1462 SQ FT



GROUND FLOOR  
GROSS INTERNAL  
FLOOR AREA 1445 SQ FT



**Photo 1:**



**Photo 2:**



**Photo 3:**



**Photo 4:**



Photo 5:



Photo 6:



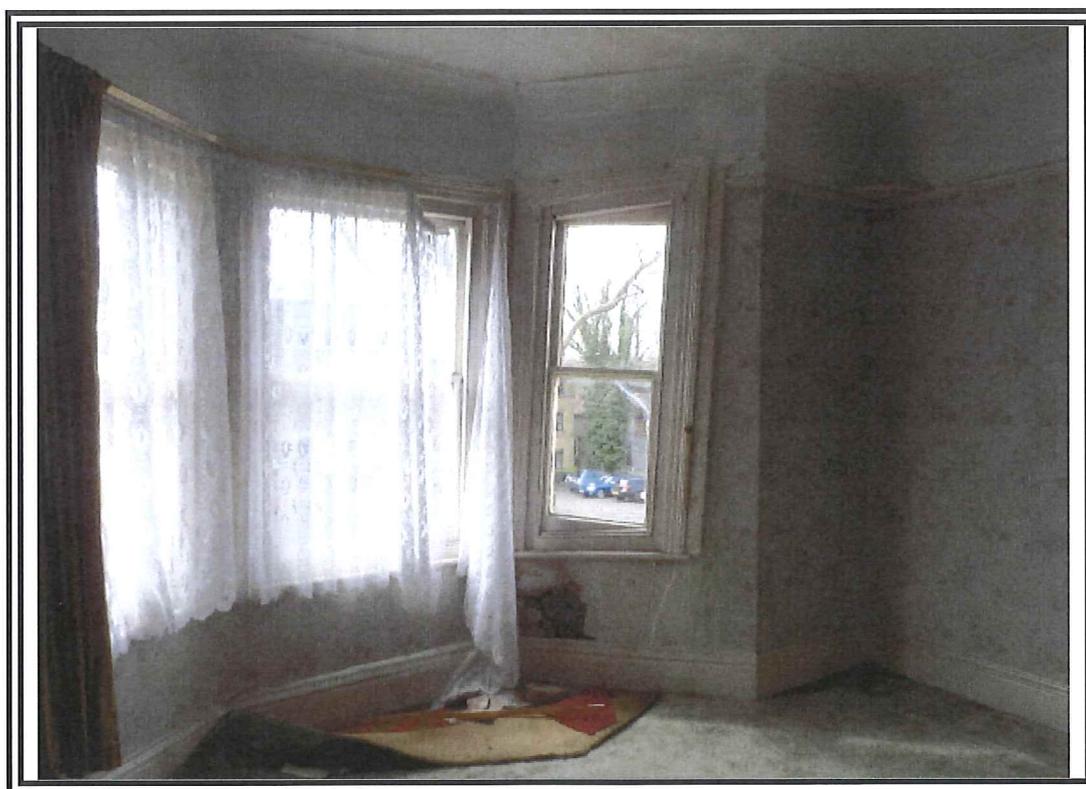
**Photo 7:**



**Photo 8:**



**Photo 9:**



**Photo10:**



**Photo 11:**



**Photo 12:**



**Photo 13:**



**Photo 14:**



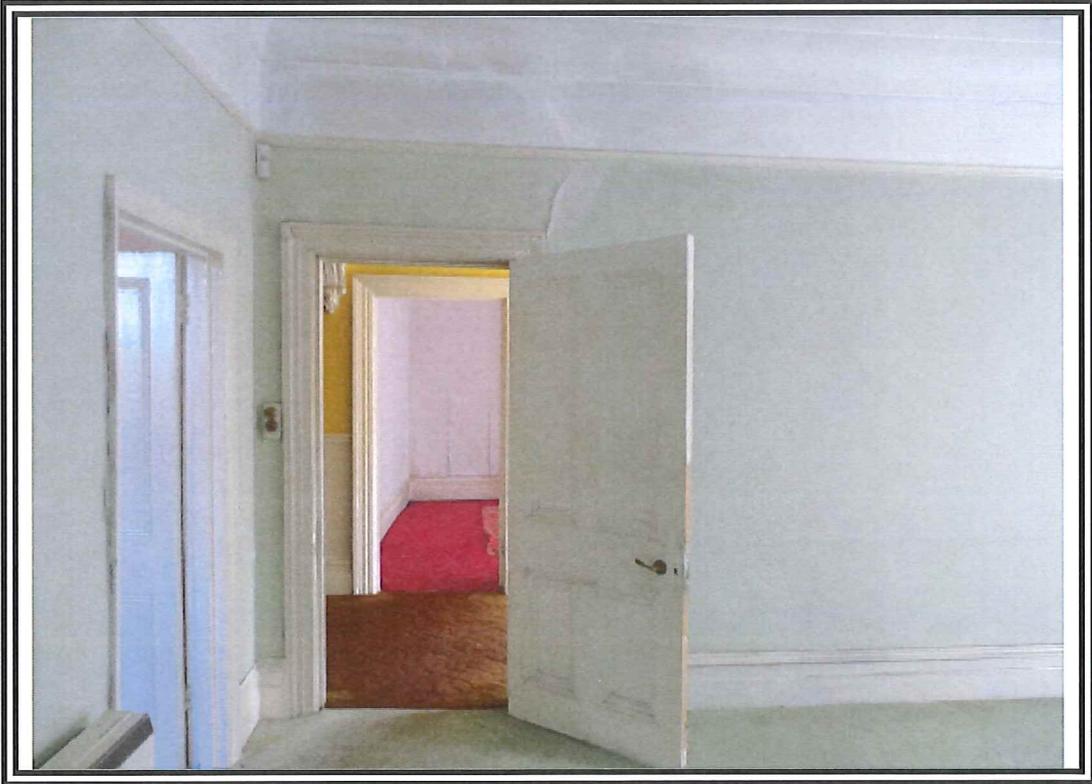
**Photo 15:**



**Photo 16:**



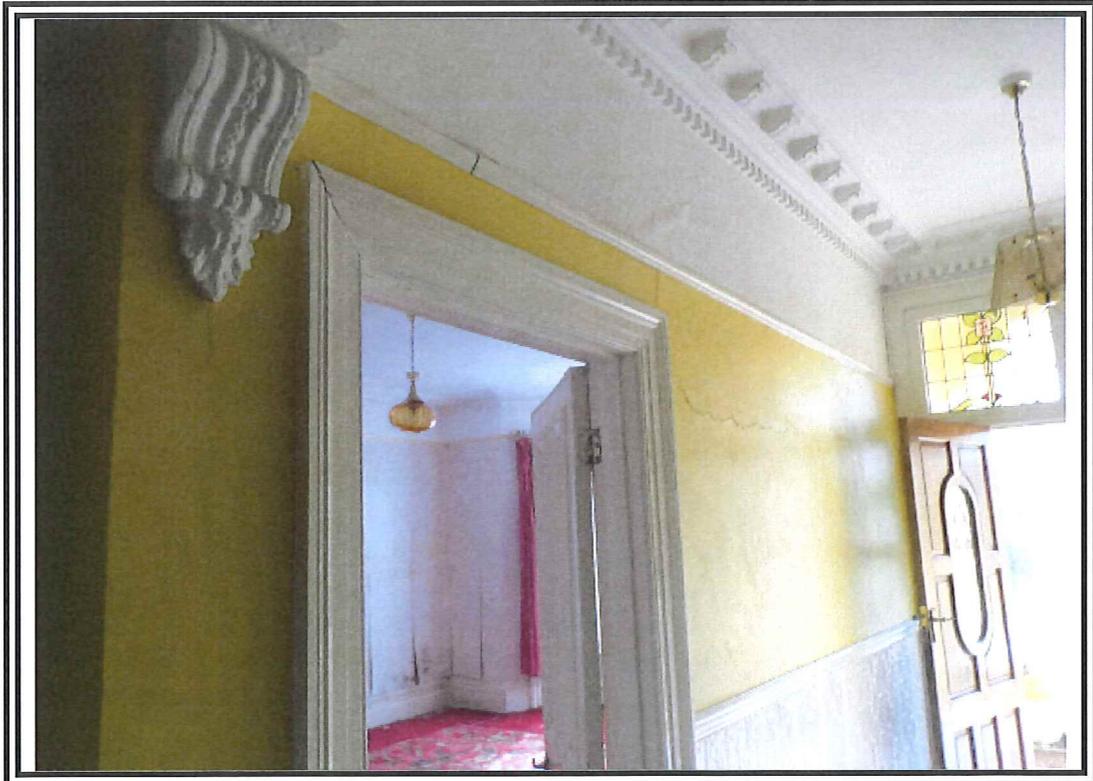
**Photo 17:**



**Photo 18:**



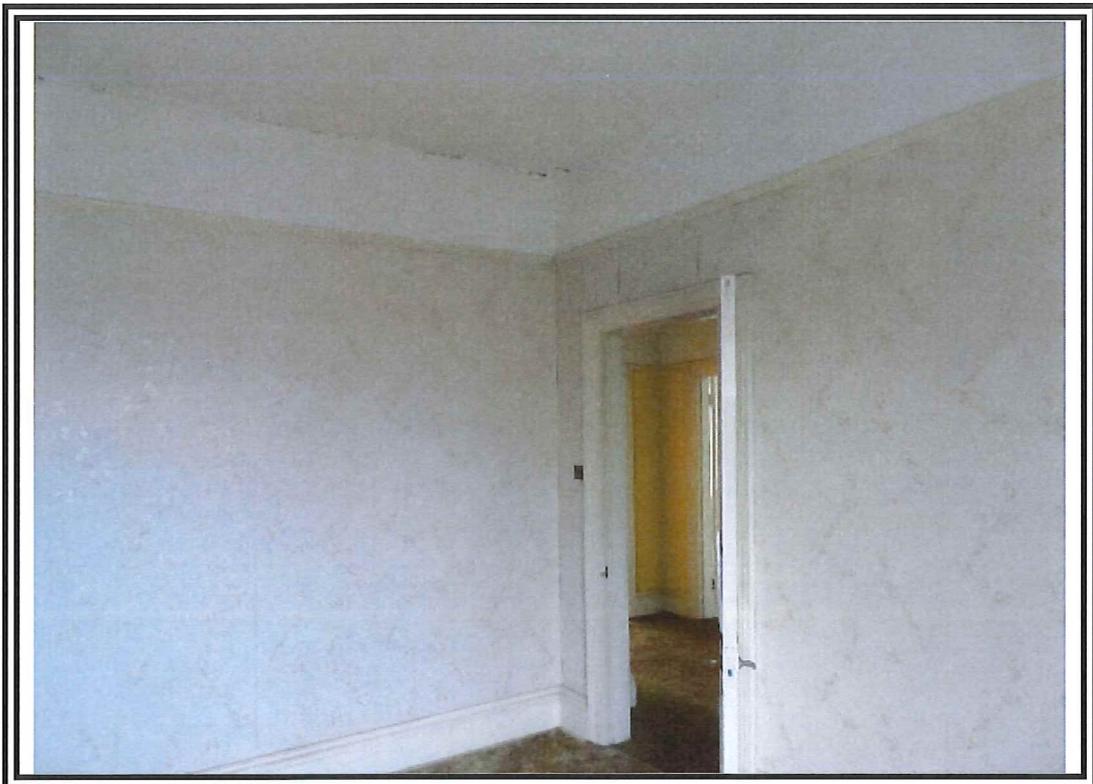
**Photo 19:**



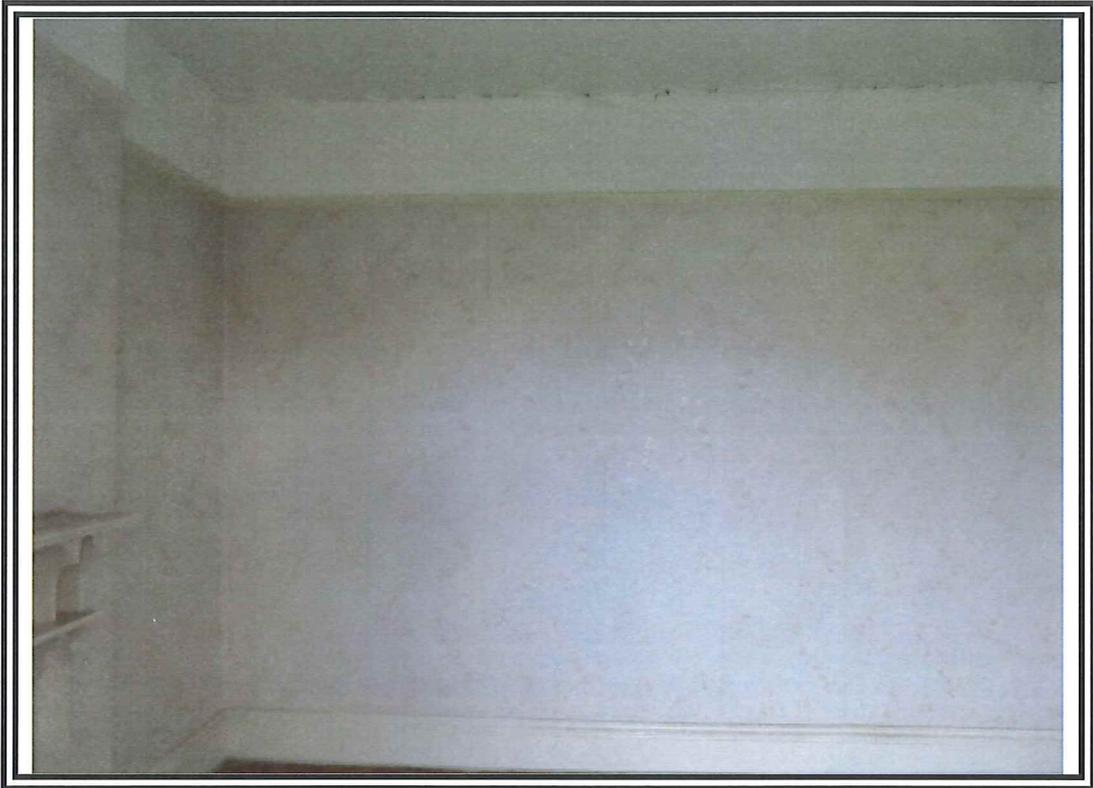
**Photo 20:**



**Photo 21:**



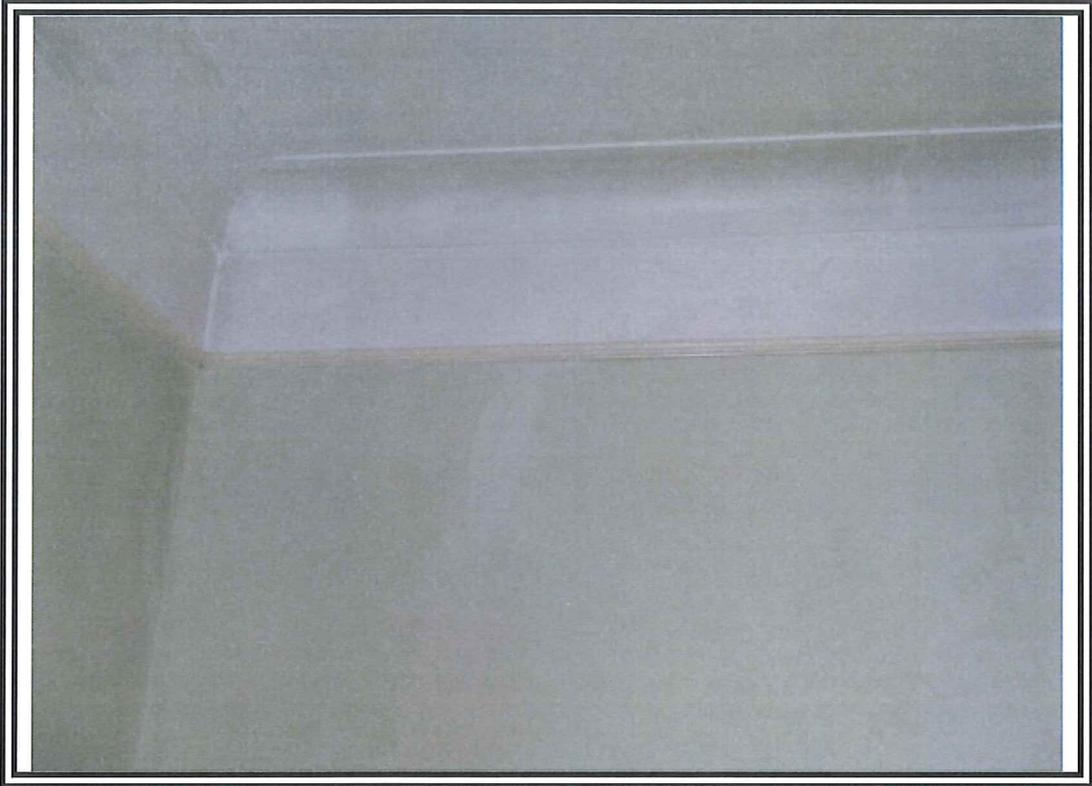
**Photo 22:**



**Photo 23:**



**Photo 24:**



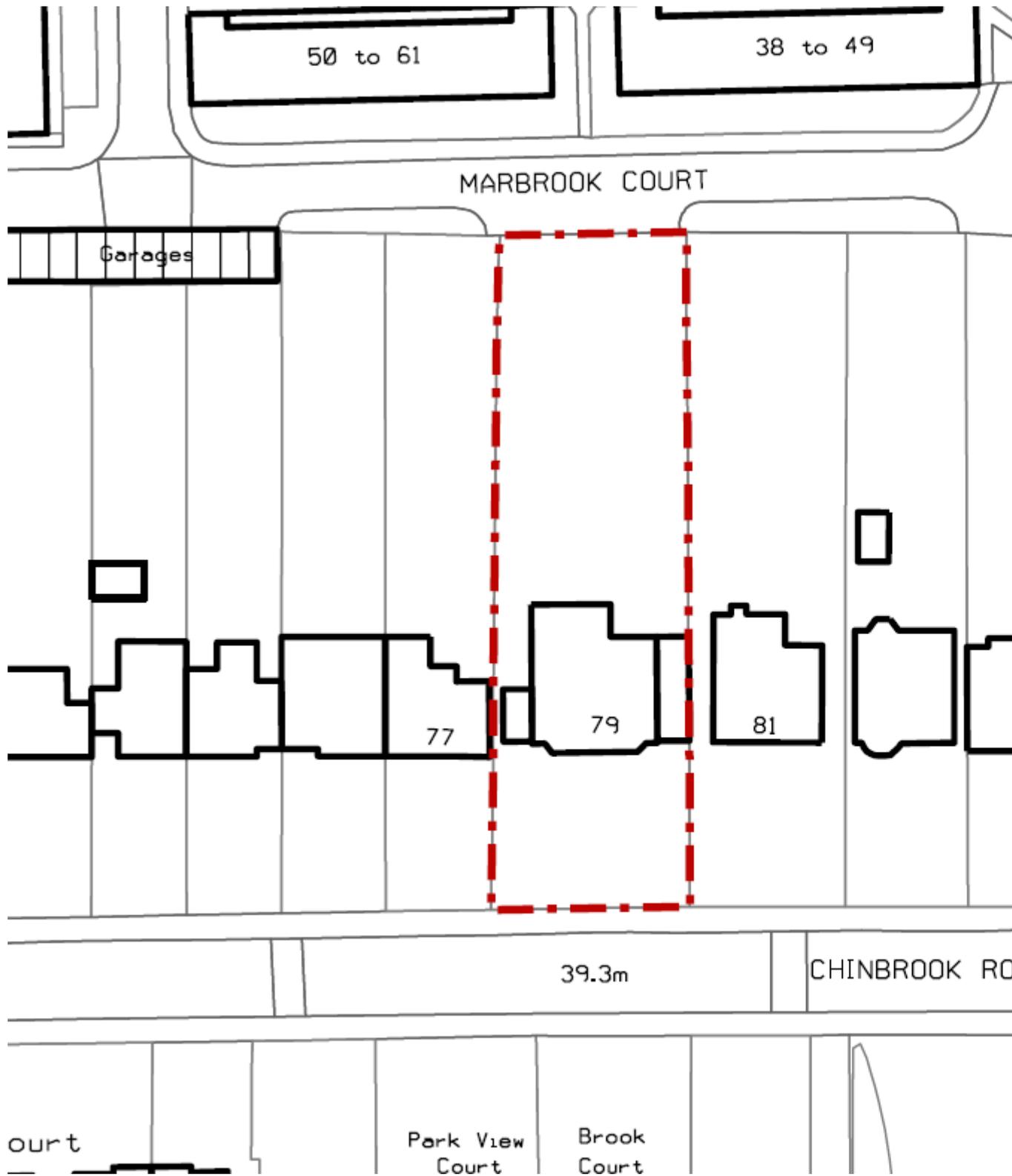
**Photo 25:**



**Photo 26:**



**Photo 27:**



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# 79 & 81 Chinbrook Road, SE12

Page 175

## Application Nos.

# 19/112752 & 19/112751

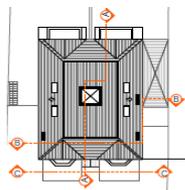
This presentation forms no part of a planning application  
and is for information only.



79 Chinbrook Road

81 Chinbrook Road





Page 178

# No.79: Proposed front and rear elevations





Page 179

# No.81: Proposed front and rear elevations





Page 180

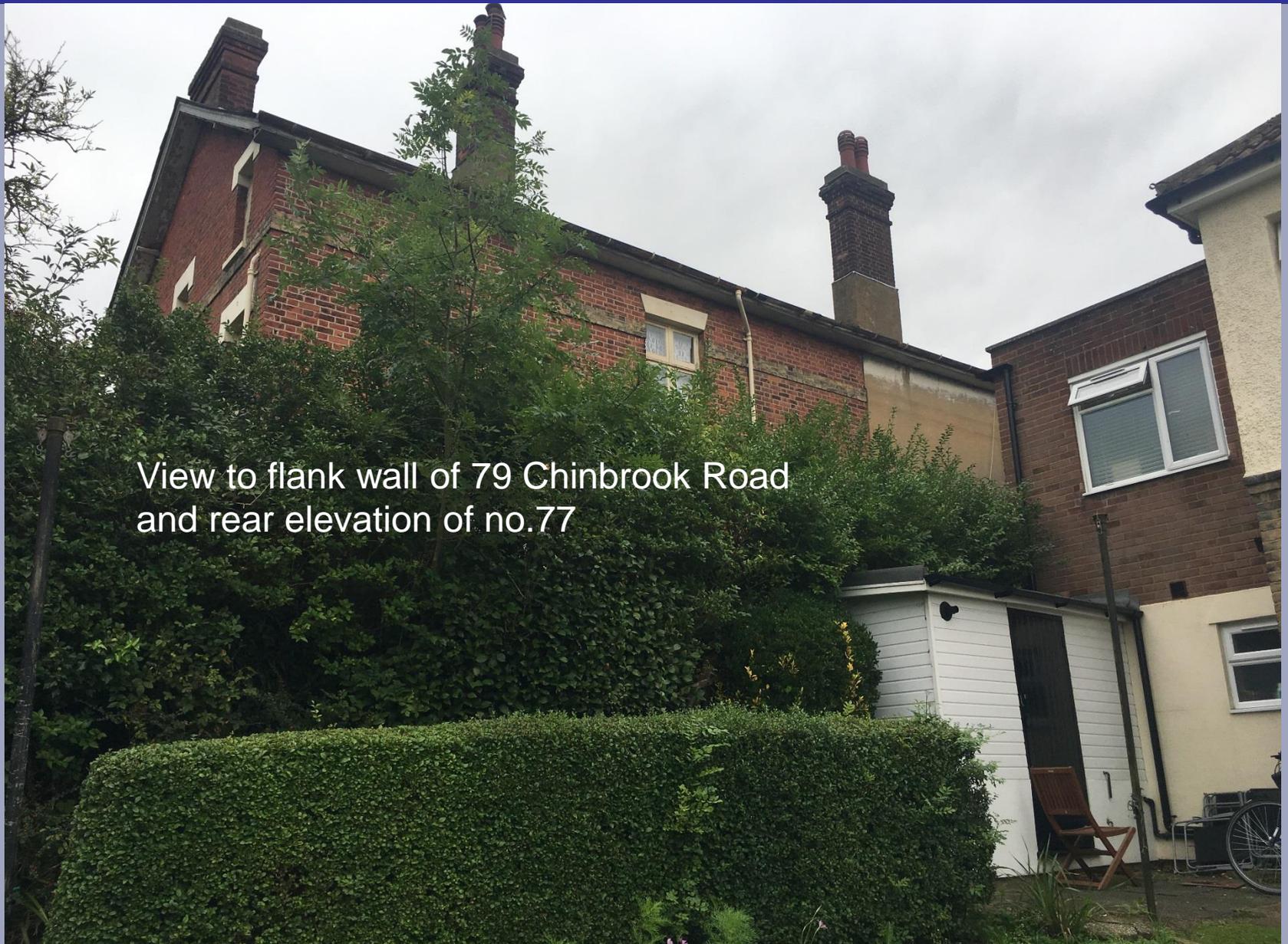


79 Chinbrook Road



No.79: Existing garage  
to be demolished on  
western side





View to flank wall of 79 Chinbrook Road  
and rear elevation of no.77



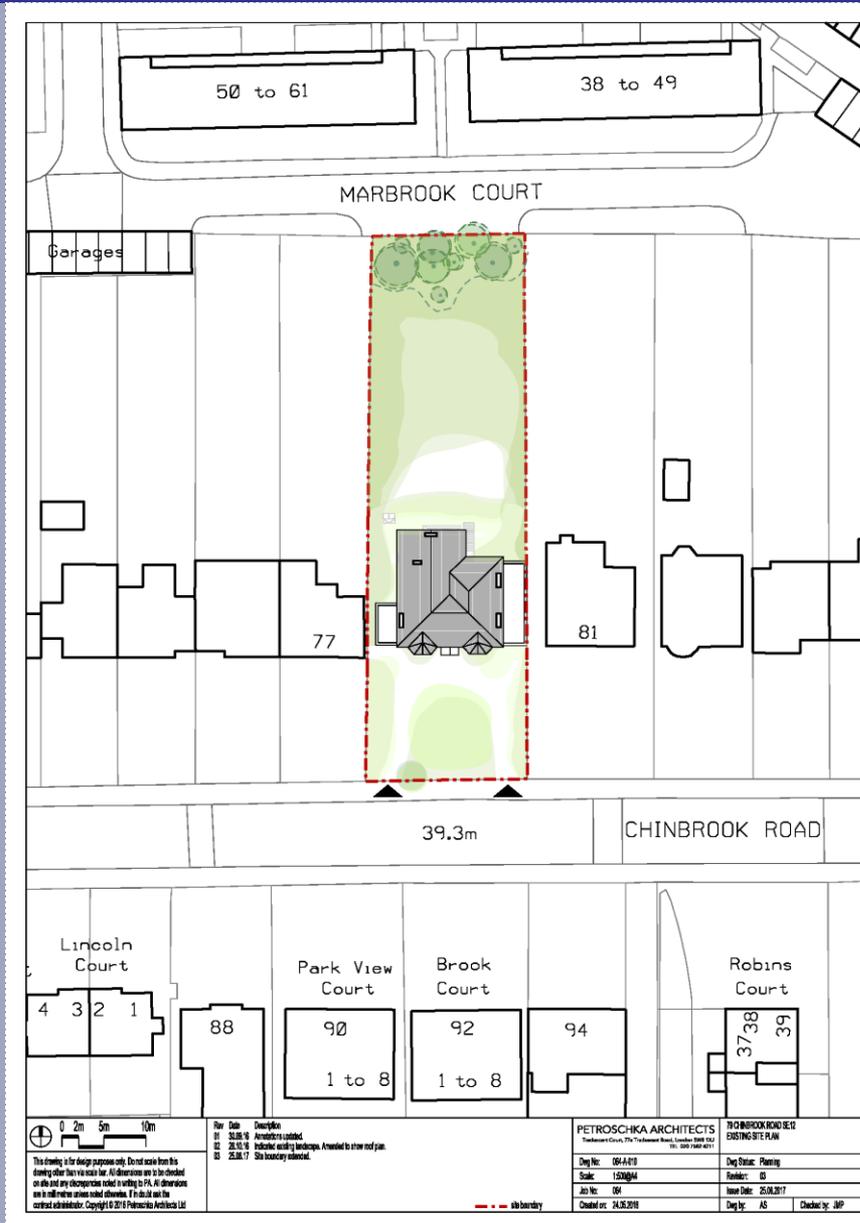
Rear elevation of no.79



View of Marbrook Court to rear

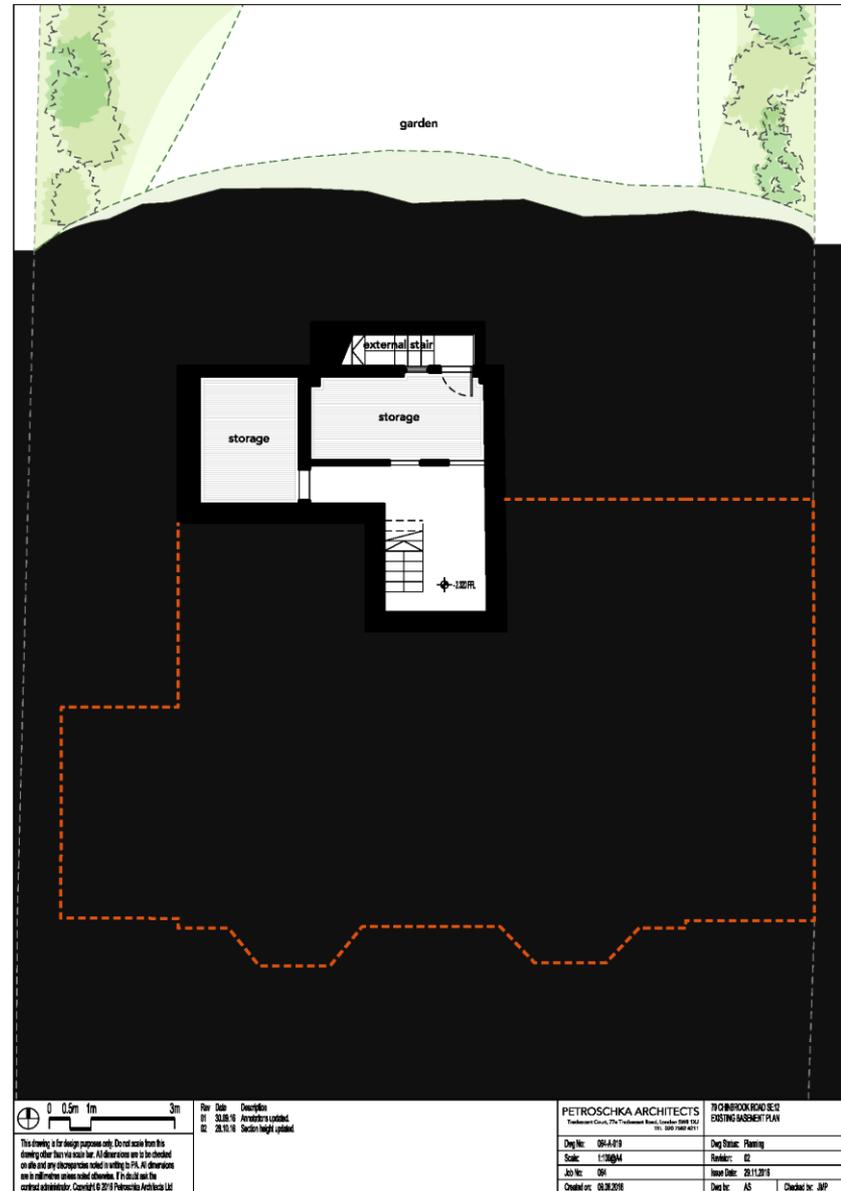
# Existing Site Layout

Page 187



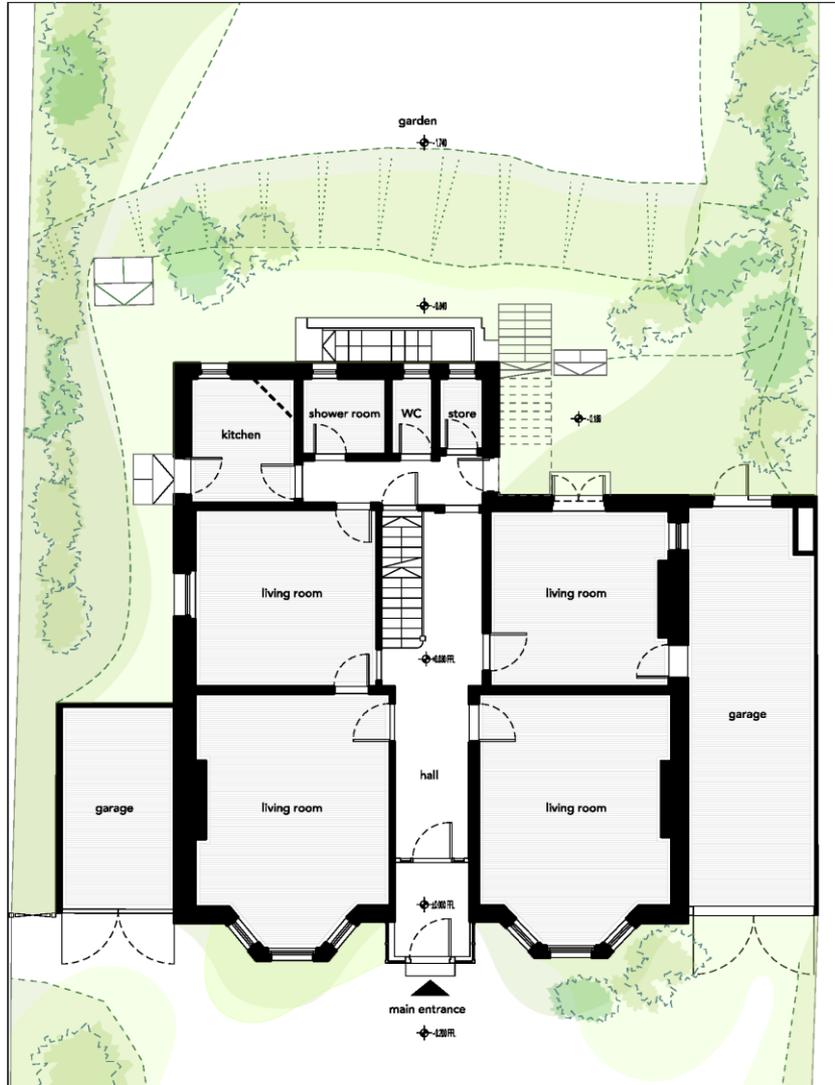
# Existing Lower Ground Floor

Page 188



# Existing Ground Floor

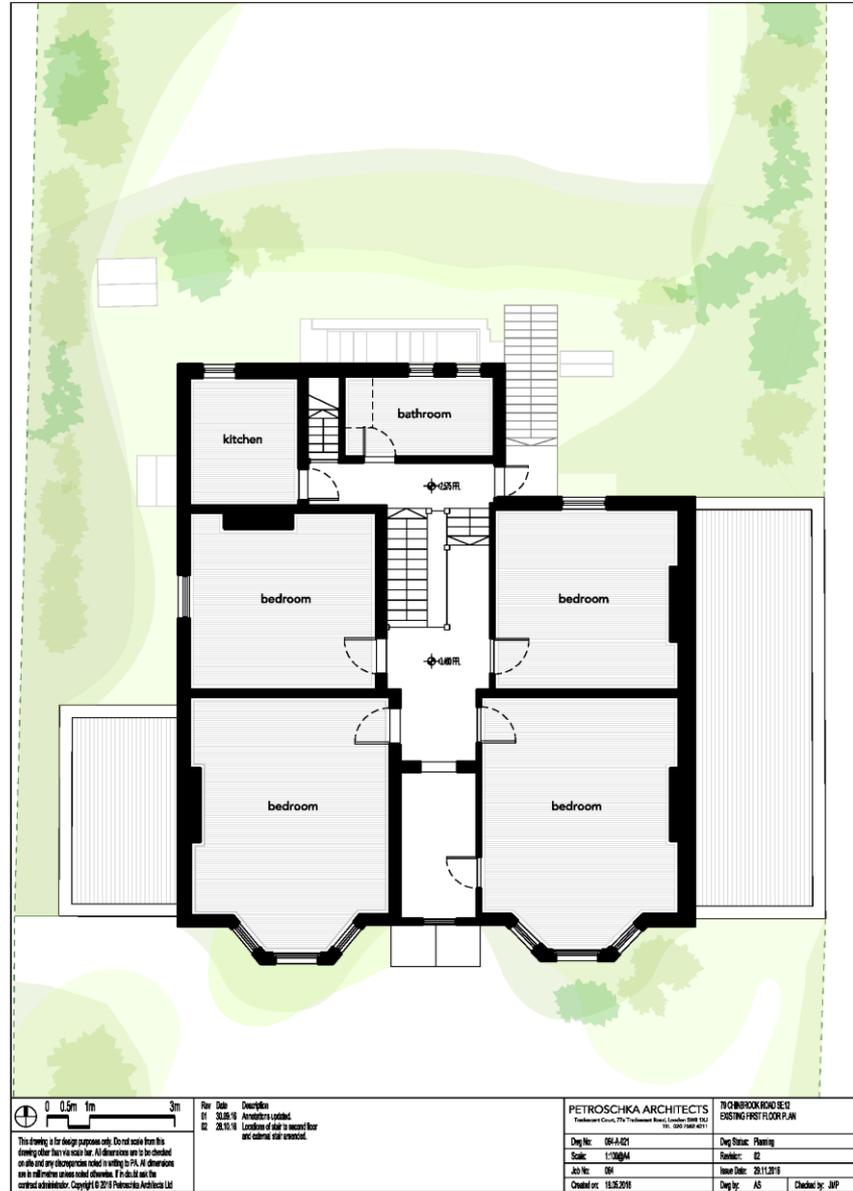
Page 189



	0 0.5m 1m 3m	Rev	Date	Description	<b>PETROSCHKA ARCHITECTS</b> TOWNSEND COURT, 170 TOWNSEND ROAD, LONDON, E20 2JZ TEL: 0203 74674411	<b>TOWNSEND ROAD SEC2</b> EXISTING GROUND FLOOR PLAN
	<p><small>This drawing is for design purposes only. Do not scale from this drawing unless specifically stated. All dimensions are to be checked on site and any discrepancies noted in writing to P.A. All dimensions are in millimetres unless stated otherwise. If in doubt ask the contract administrator. Copyright © 2018 Petroschka Architects Ltd.</small></p>	01	30.08.16	Annotations updated.		

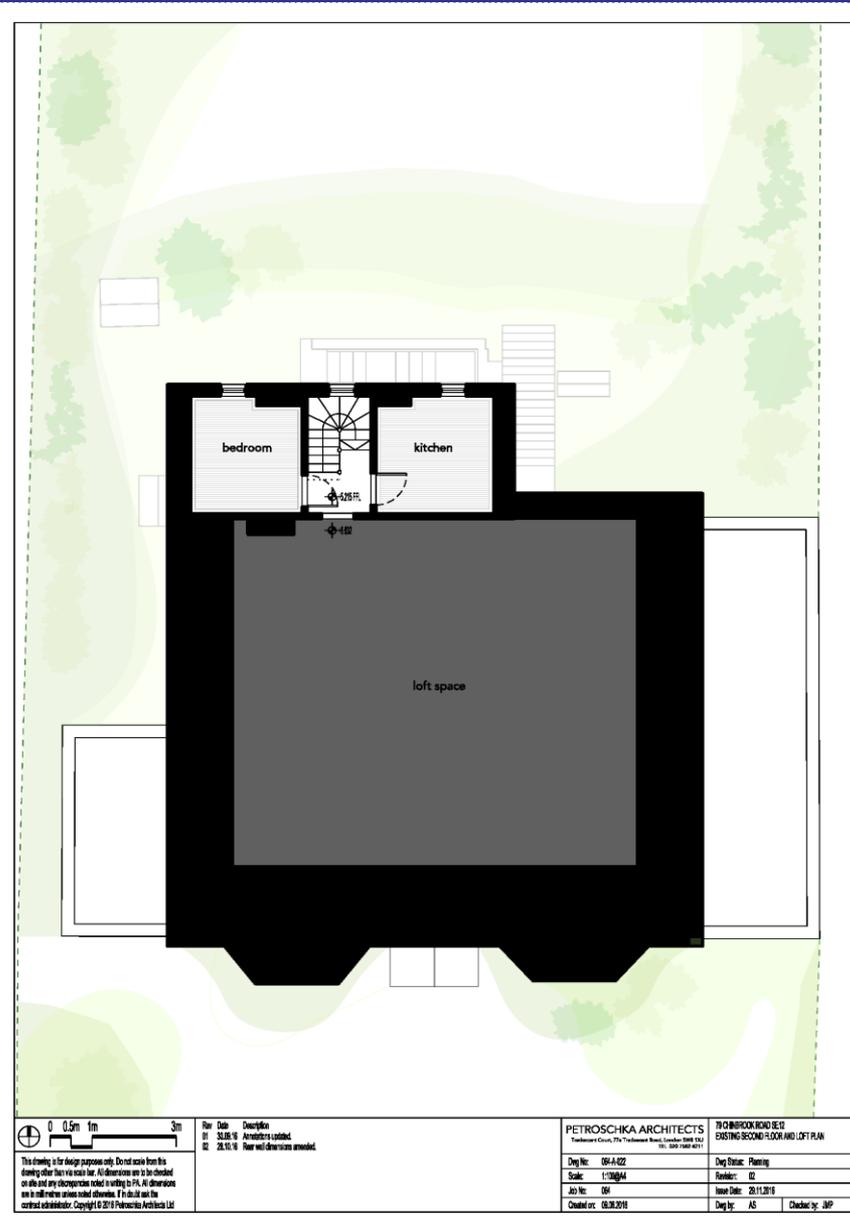
# Existing First Floor

Page 190



# Existing Second Floor

Page 191





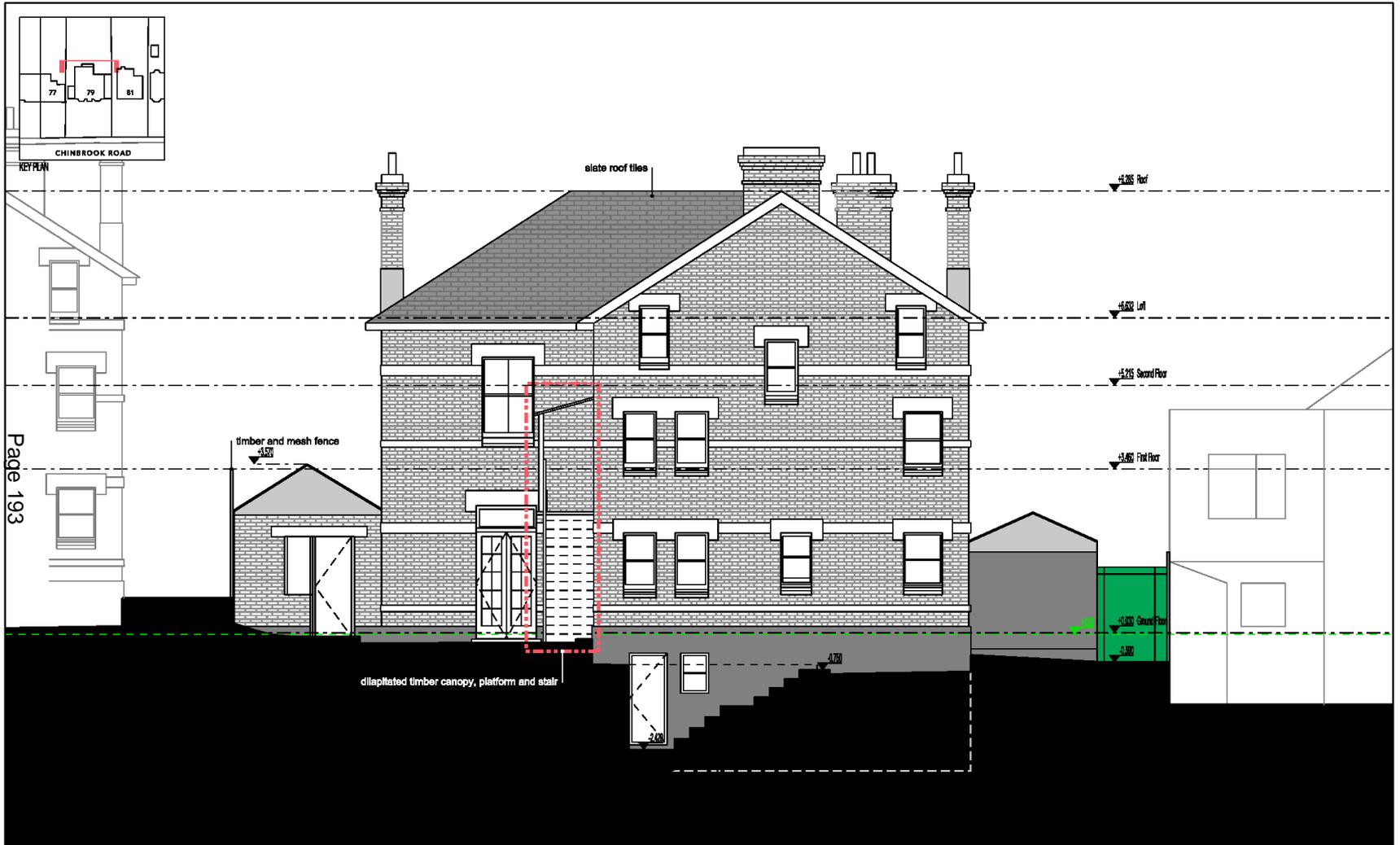
Page 192

0 0.5m 1m 3m

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Rev	Date	Description
01	28.10.16	Updated annotations. Title sheet changed to landscape format.

<b>PETROSCHKA ARCHITECTS</b> Tudorcraft Court, 77a Tudorcraft Road, London SW8 1XJ TEL: 020 7362 4211		<b>79 CHINBROOK ROAD SE12 EASTING SOUTH ELEVATION</b>	
Dwg No:	064-A-000	Dwg Status:	Planning
Scale:	1:100@A4	Revised:	01
Job No:	064	Issue Date:	28.11.2016
Created on:	30.03.2016	Dwg by:	AS
		Checked by:	JWP



Page 193

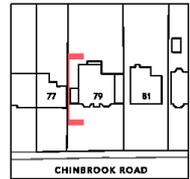


Rev	Date	Description
01	28.10.16	Updated annotations. T1's sheet changed to landscape format

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<b>PETROSCHKA ARCHITECTS</b> Trademark Court, 77a Trademark Road, London SW8 1JQ TEL: 020 7382 4211		<b>79 CHINBROOK ROAD SE12</b> EXISTING NORTH ELEVATION	
Dwg No:	06A-A-081	Dwg Status:	Planning
Scale:	1:100@A4	Revision:	01
Job No:	06A	Issue Date:	28.11.2016
Created on:	30.09.2016	Dwg by:	AS
		Checked by:	JMP

# Existing Western Side



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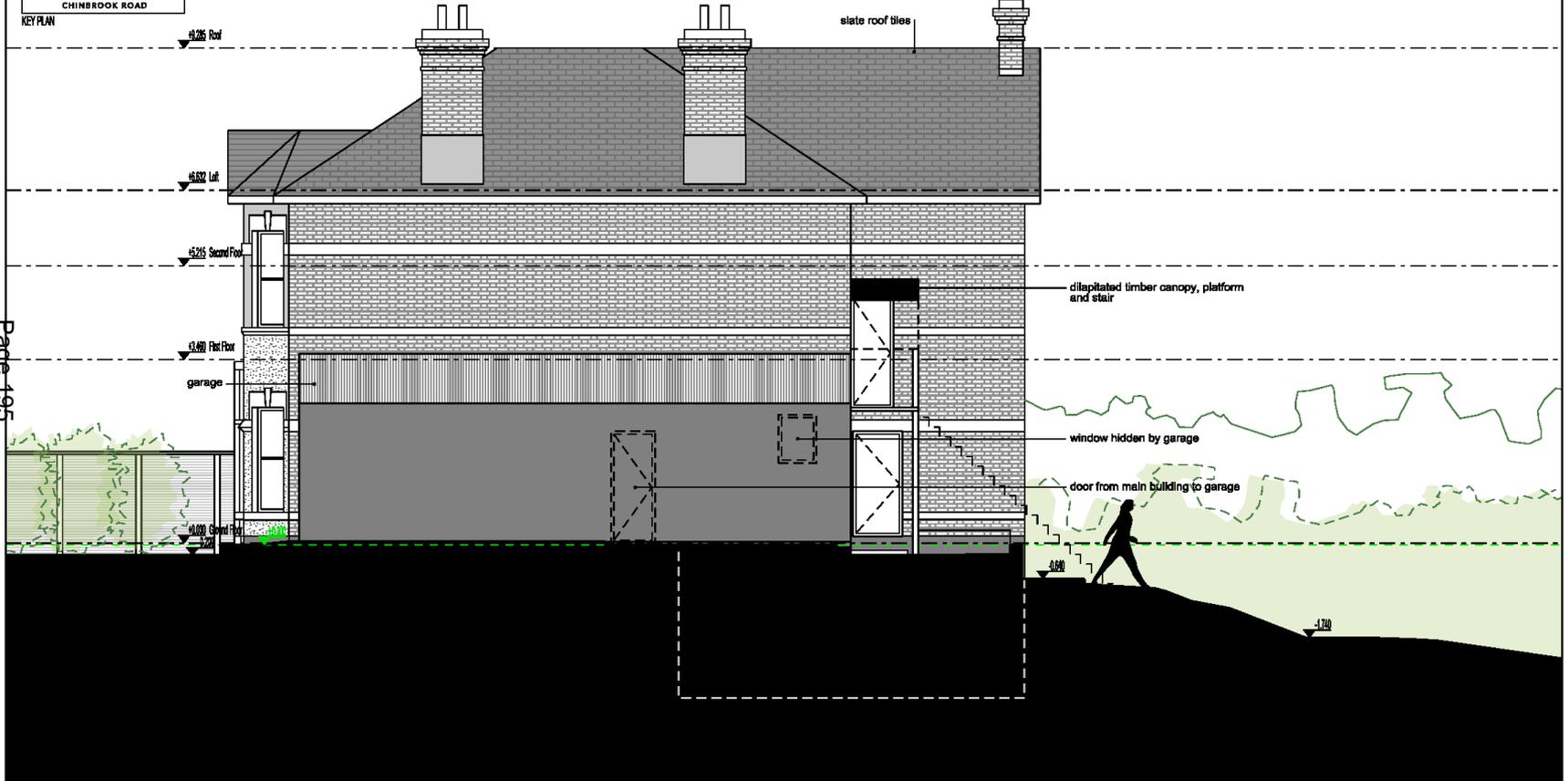
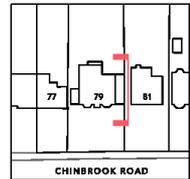


Rev	Date	Description
01	28.10.16	Updated annotations. Title sheet changed to landscape format.

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<b>PETROSCHKA ARCHITECTS</b> Trademark Court, 77a Trademark Road, London SW8 1XJ TEL: 0207 7482 4211		<b>79 CHINBROOK ROAD SE12 EXISTING WEST ELEVATION</b>	
Dwg No: 064-A-032	Scale: 1:100@A4	Dwg Status: Planning	Revision: 01
Job No: 064	Created on: 30.09.2016	Issue Date: 29.11.2016	Dwg by: AS
		Checked by: JMP	

# Existing Eastern Side



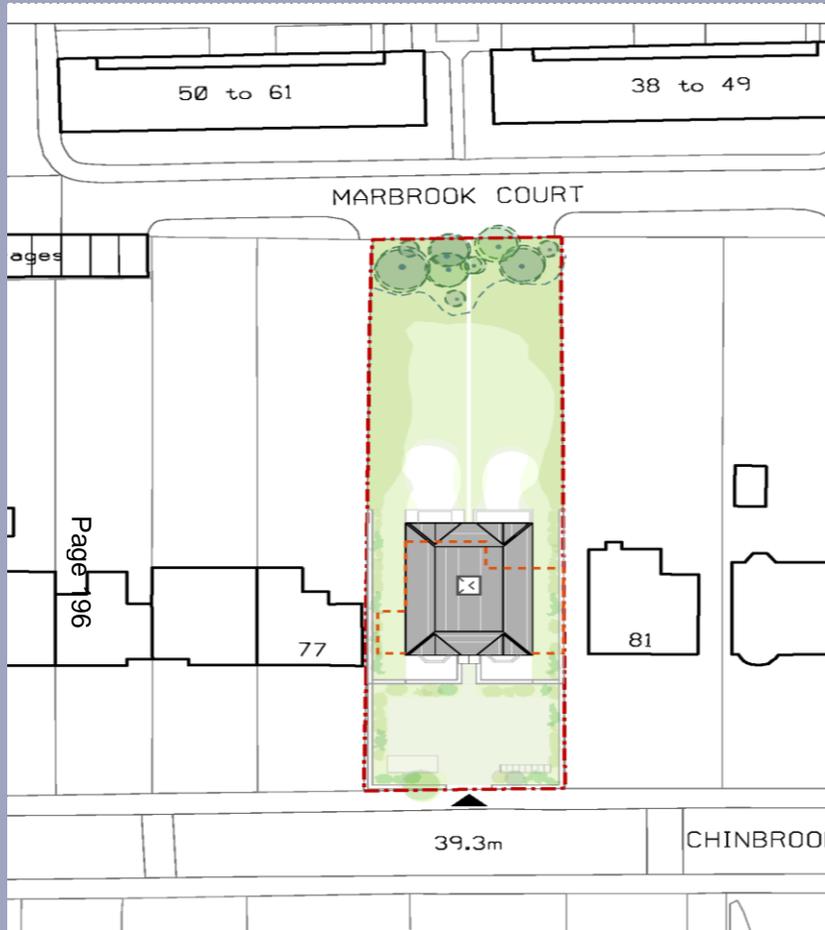
Page 195

0 0.5m 1m 3m

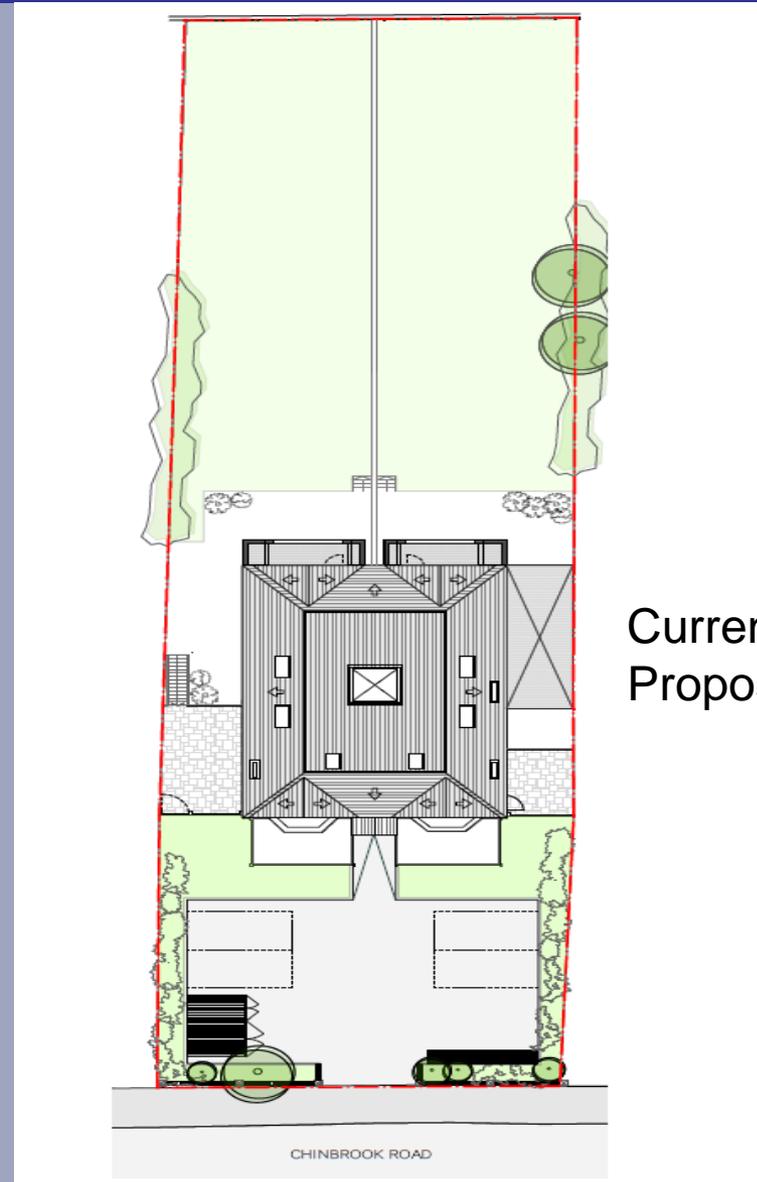
This drawing is for design purposes only. Do not scale from this drawing other than via scale bar. All dimensions are to be checked on site and any discrepancies noted in writing to PA. All dimensions are in millimetres unless noted otherwise. If in doubt ask the contract administrator. Copyright © 2016 Petroschka Architects Ltd

Rev	Date	Description
01	28.10.16	Updated annotations. Title sheet changed to landscape format.

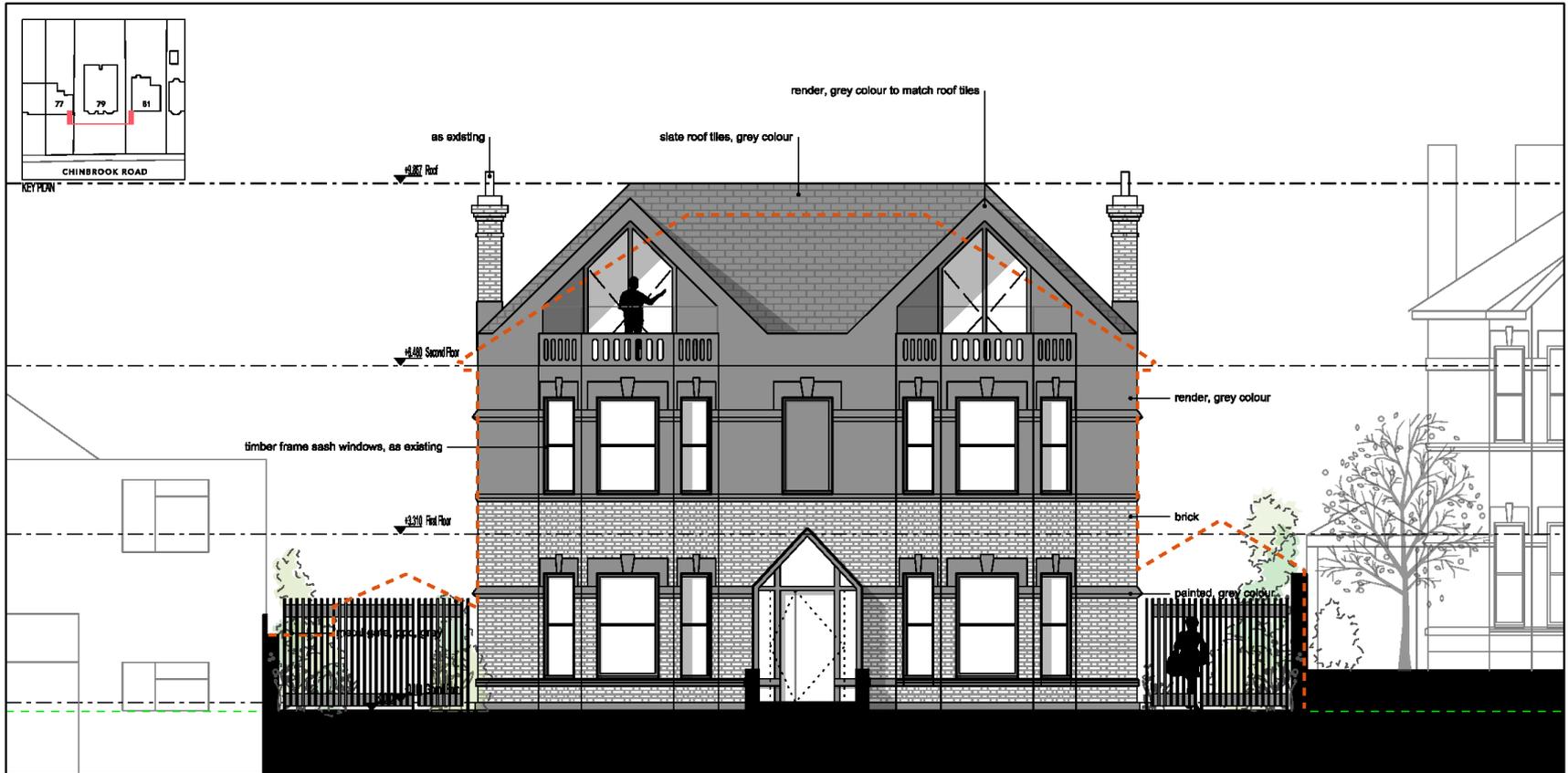
<b>PETROSCHKA ARCHITECTS</b> Tudorcart Court, 77a Tudorcart Road, London SW8 1XJ TEL: 020 7362 4211		<b>79 CHINBROOK ROAD SE12 EASTING EAST ELEVATION</b>	
Dwg No:	064-A-003	Dwg Status:	Planning
Scale:	1:100@A4	Revised:	01
Job No:	064	Issue Date:	28.11.2016
Created on:	30.09.2016	Dwg by:	AS
		Checked by:	JMP



2017 Approved Scheme



Current 2019 Proposal



## 2017 Approval: Front Elevation



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Rev	Date	Description
01	28.10.16	Revised landscape. Updated annotations. Title sheet changed to landscape format.
02	28.11.16	Minor window and graphics amendments.
03	02.08.17b	Revised roof windows and layout amended.
04	25.08.17b	Site boundary extended. Gates to gardens added.

**PETROSCHKA ARCHITECTS**  
Tudorcourt Court, 77a Tudorcourt Road, London SW8 1LJ  
TEL: 020 7582 4211

79 CHINBROOK ROAD SE12  
PROPOSED SOUTH ELEVATION

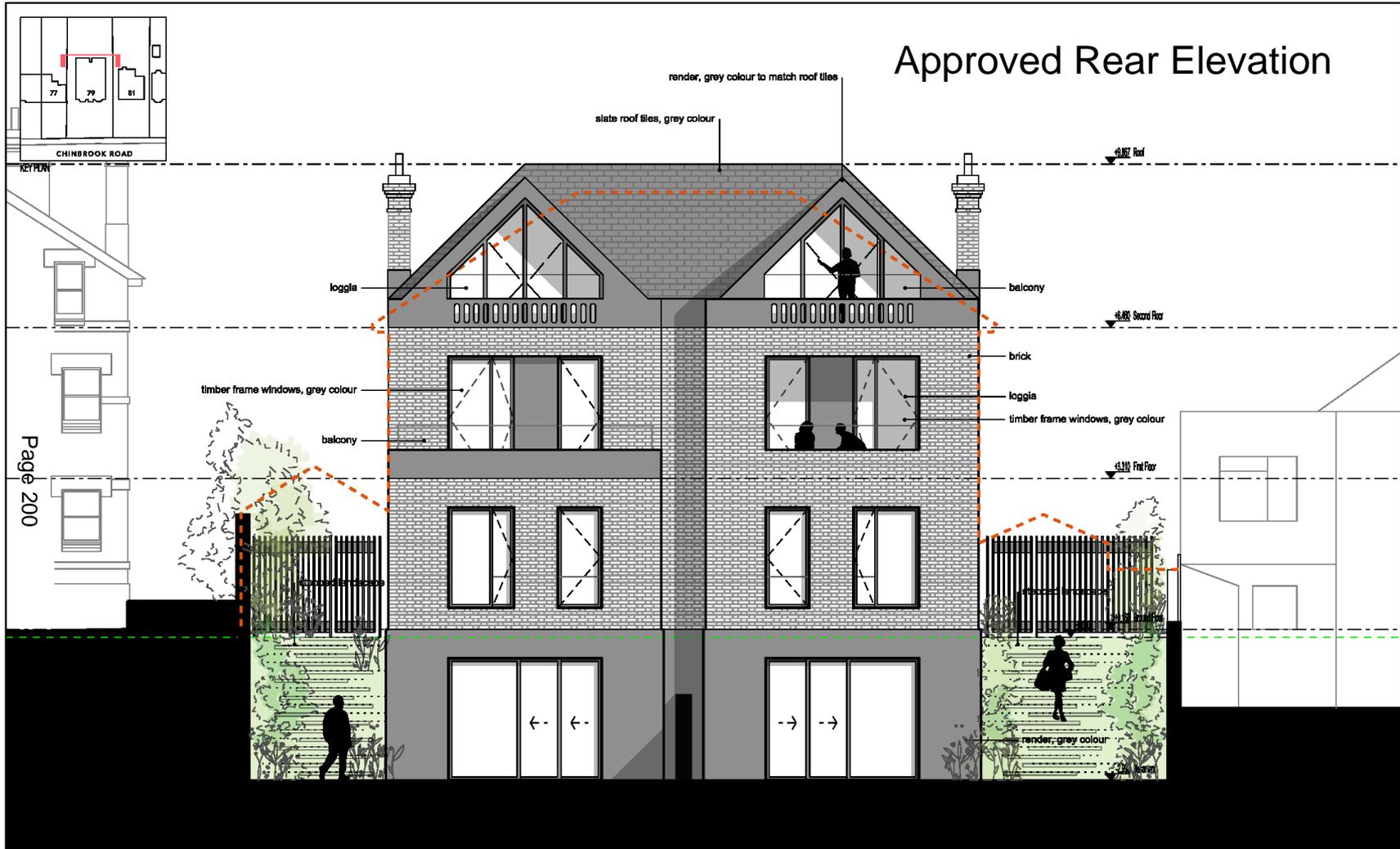
Dwg No:	094-A-200	Dwg Status:	Planning
Scale:	1:100@A4	Revised:	04
Job No:	094	Issue Date:	25.08.2017
Created on:	30.09.2016	Dwg by:	AS/MP
		Checked by:	JMP

--- existing house outline





Proposed Front Elevation including lower ground floor: no.79



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# Approved Rear Elevation

0 0.5m 1m 3m

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Rev	Date	Description
01	25.10.16	Revised to landscape. Updated annotations. Title sheet changed to landscape format.
02	25.11.16	Minor graphics amendments.
03	02.08.17	Floor, roof windows and layout amended.
04	25.08.17	Site boundary extended. Gates to gardens added.

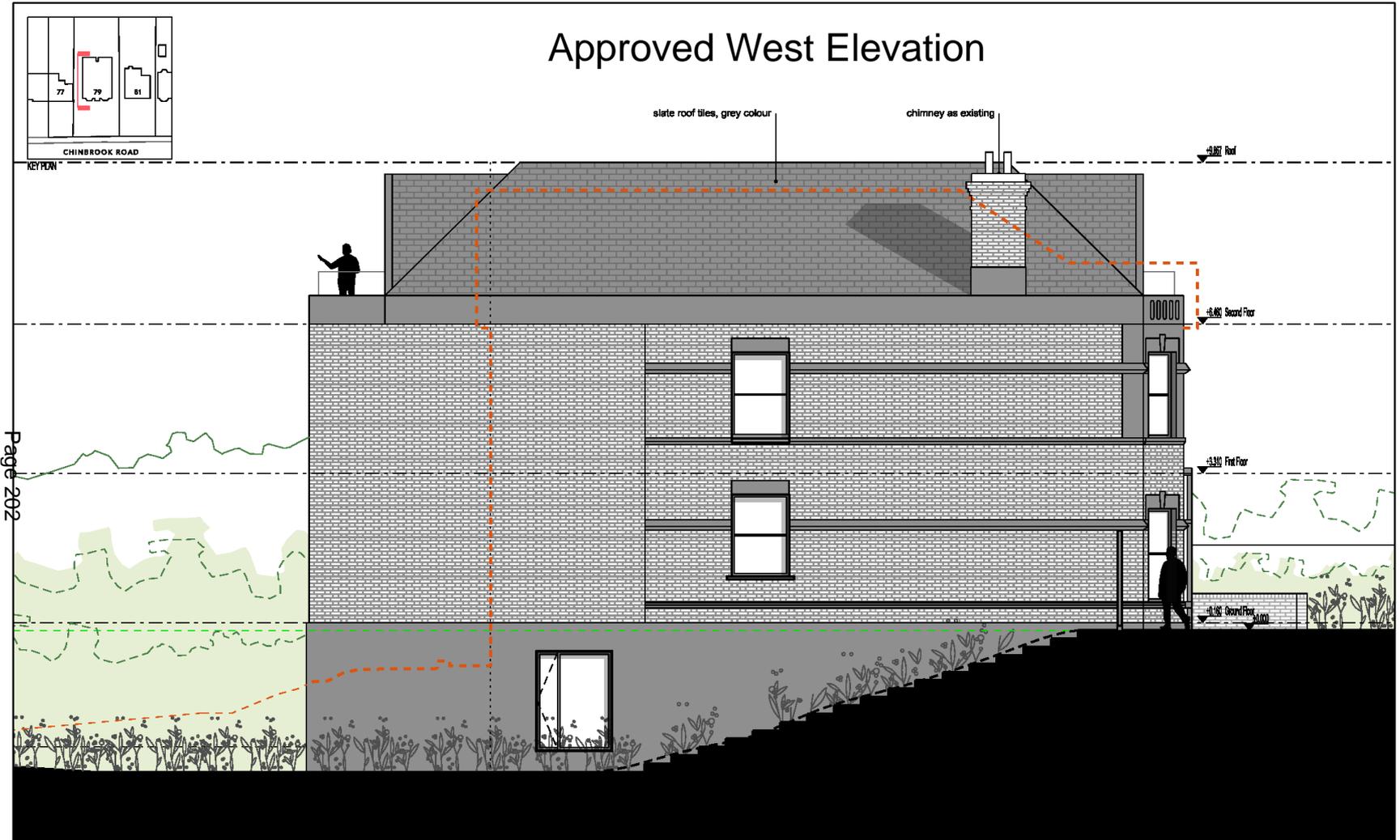
<b>PETROSKHA ARCHITECTS</b> Tudorcourt Court, 77a Tudorcourt Road, London SW8 1XJ TEL: 020 7382 4211		<b>79 CHINBROOK ROAD SE12 PROPOSED NORTH ELEVATION</b>	
Dwg No:	06A-A-201	Dwg Status:	Planning
Scale:	1:100@A4	Revision:	04
Job No:	06A	Issue Date:	25.08.2017
Created on:	30.03.2016	Dwg by:	AS
		Checked by:	JMP

--- existing house outline

# Current Proposed Rear Elevation



# Approved West Elevation



Page 202

0 0.5m 1m 3m

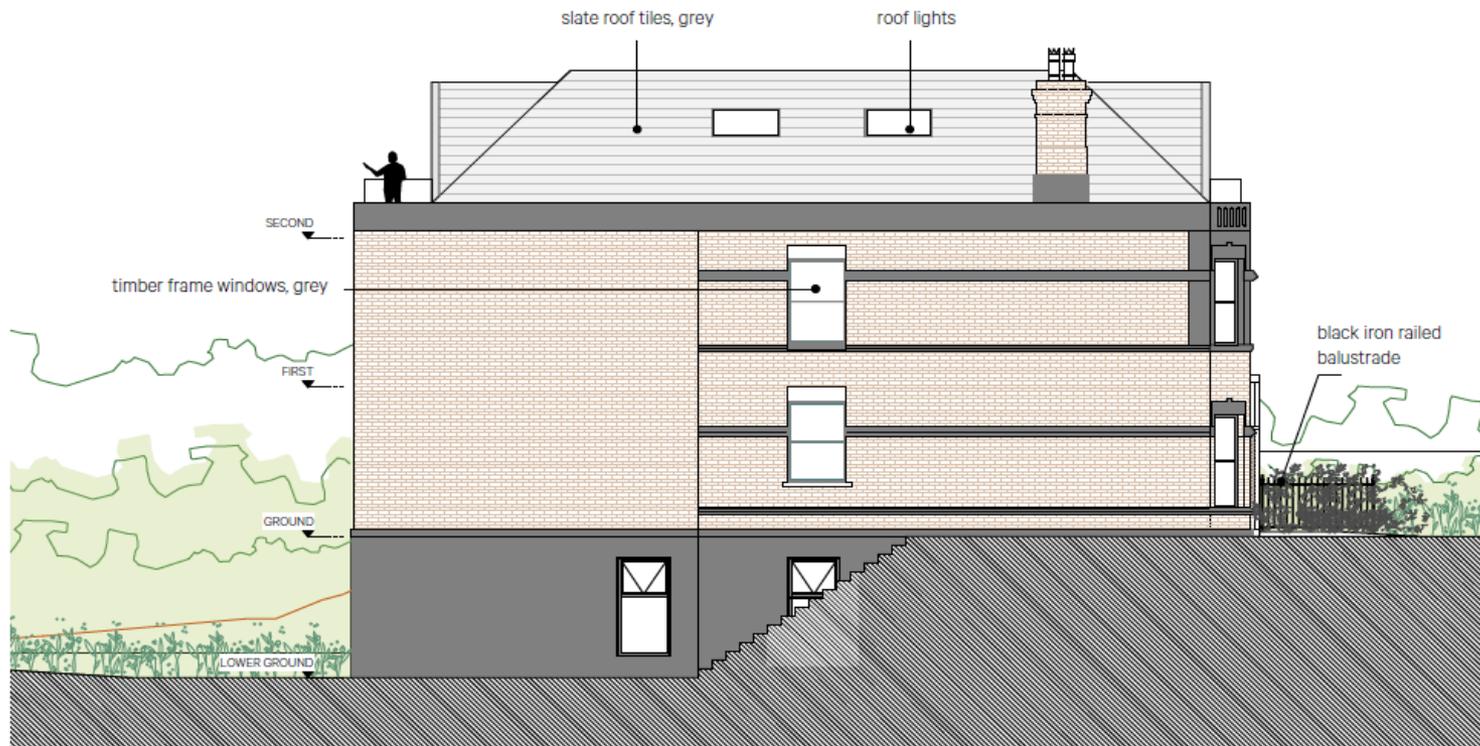
This drawing is for design purposes only. Do not scale from this drawing other than via scale bar. All dimensions are to be checked on site and any discrepancies noted in writing to PA. All dimensions are in millimetres unless noted otherwise. If in doubt ask the contract administrator. Copyright © 2017 Petroschka Architects Ltd

Rev	Date	Description
01	28.10.16	Revised landscape. Updated annotations. Title sheet changed to landscape format.
02	28.11.16	Minor graphics amendments.
03	02.08.17	Plot, roof windows and layout amended.
04	25.08.17	Site boundary extended. Gate to gardens added.

<b>PETROSHKA ARCHITECTS</b> Tradescant Court, 77a Tradescant Road, London SW8 3UJ TEL: 020 7362 4211	79 CHINBROOK ROAD SE12 PROPOSED WEST ELEVATION	
	Dwg No: 064-A-202 Scale: 1:100@A4 Job No: 064 Created on: 30.03.2016	Dwg Status: Planning Reviser: 04 Issue Date: 25.08.2017 Dwg by: AS/MP Checked by: JWP

--- existing house outline

# Proposed West Elevation



# Approved East Elevation



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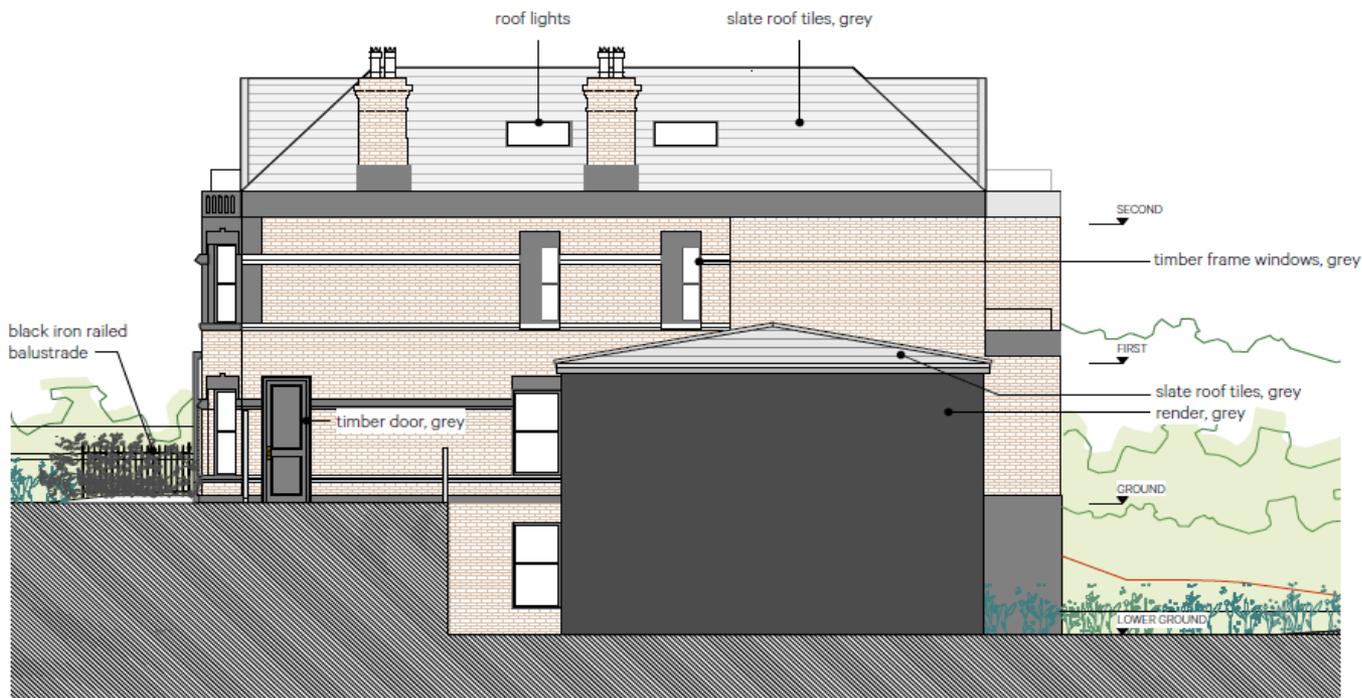
0 0.5m 1m 3m

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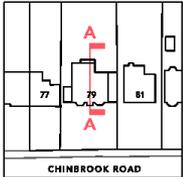
Rev	Date	Description
01	28.10.16	Revised landscape. Updated annotations. Title sheet changed to landscape format.
02	28.11.16	Minor graphics amendments.
03	02.08.17	Plant, roof windows and layout amended.
04	25.08.17	Site boundary extended. Gate to garden added.

<b>PETROSKHA ARCHITECTS</b> Tudorcraft Court, 77a Tudorcraft Road, London SW8 1XJ TEL: 020 7362 4211		<b>79 CHINBROOK ROAD SE12</b> PROPOSED EAST ELEVATION	
Dwg No: 064-A-203	Scale: 1:100@A4	Dwg Status: Planning	Revised: 04
Job No: 064	Created on: 30.03.2016	Issue Date: 25.08.2017	Dwg by: AS/MP Checked by: JWP

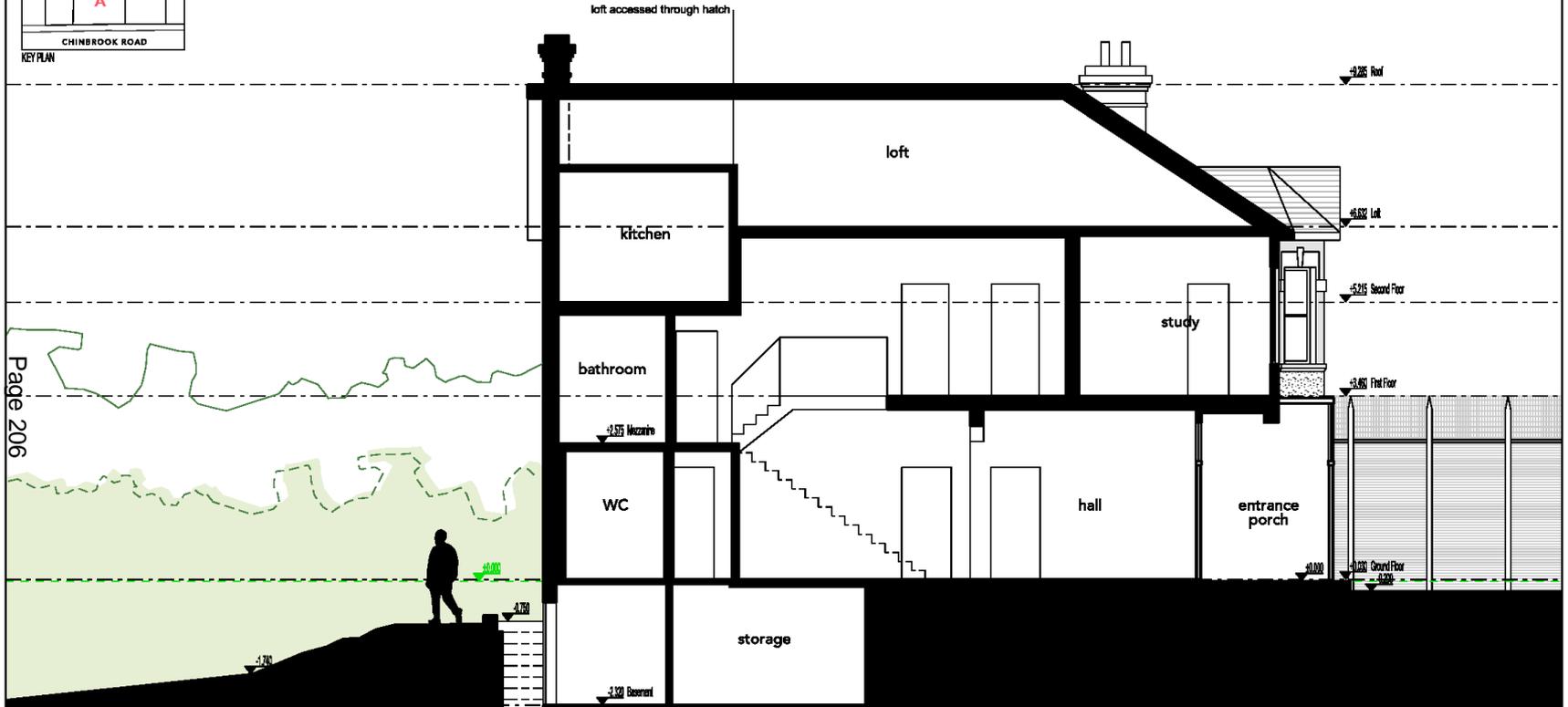
--- existing house outline



Proposed East Elevation



# Existing Western Section



Page 206

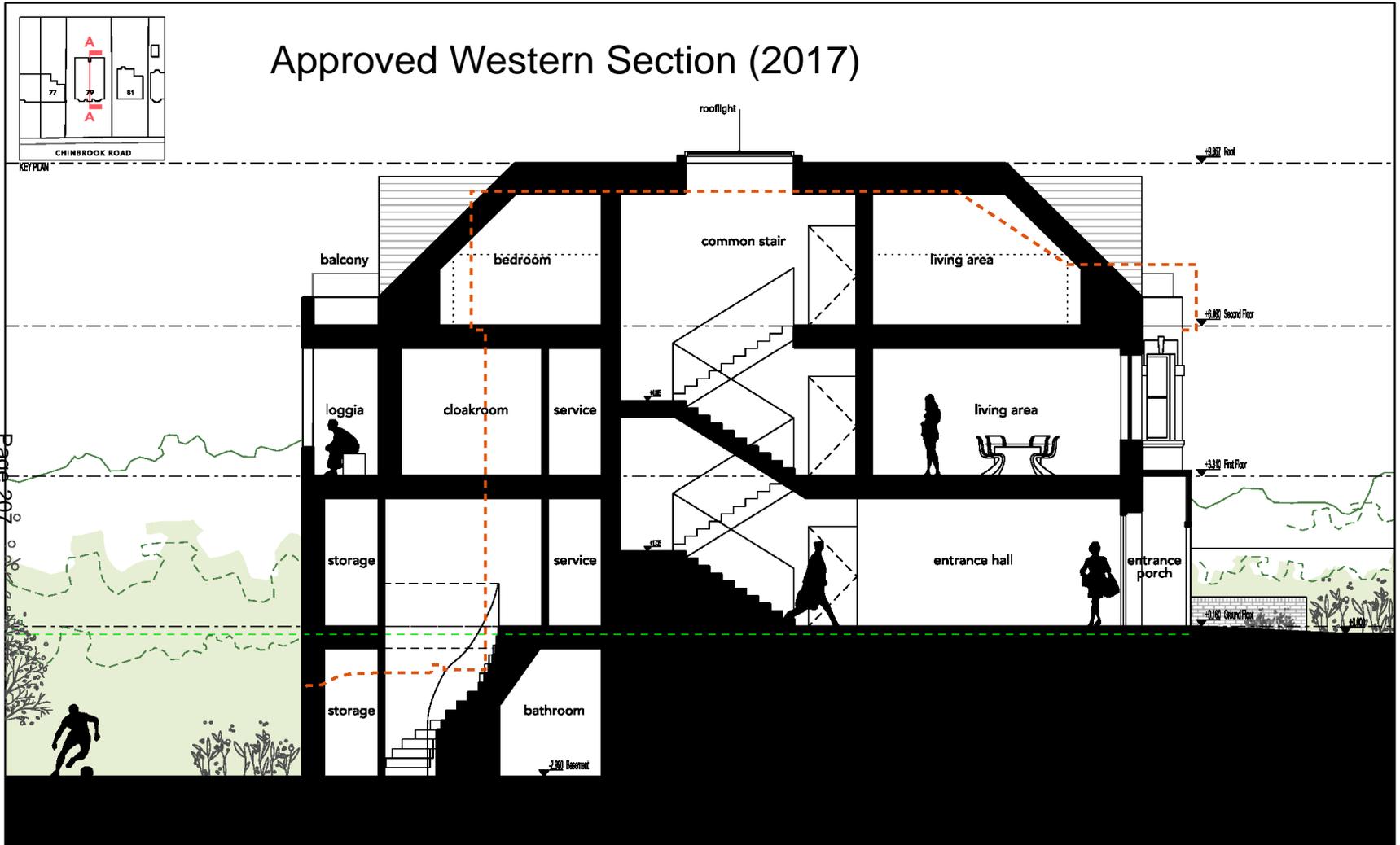


Rev	Date	Description
01	28.10.16	Updated annotations. Title sheet changed to landscape format

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<b>PETROSCHKA ARCHITECTS</b> Trademark Court, 77a Trademark Road, London SW8 1JQ TEL: 020 7382 4211		79 CHINBROOK ROAD SE12 EXISTING SECTION A-A THROUGH ENTRANCE + STAIR	
Dwg No:	064-A-084	Dwg Status:	Planning
Scale:	1:100@M	Revised:	01
Job No:	064	Issue Date:	28.11.2016
Created on:	30.09.2016	Dwg by:	AS
		Checked by:	JMP

# Approved Western Section (2017)



Page 207

0 0.5m 1m 3m

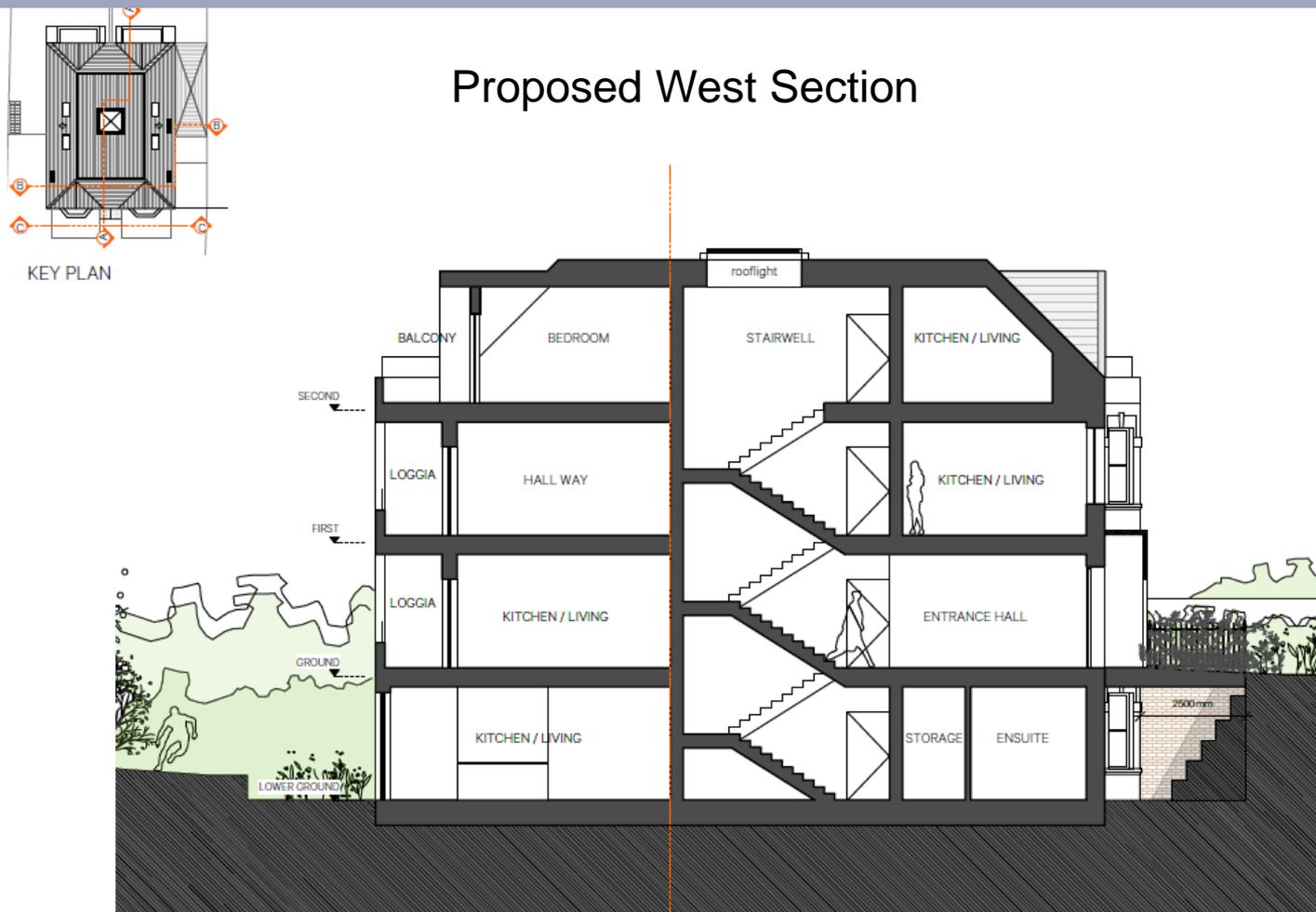
This drawing is for design purposes only. Do not scale from this drawing other than via scale bar. All dimensions are to be checked on site and any discrepancies noted in writing to PA. All dimensions are in millimetres unless noted otherwise. If in doubt ask the contract administrator. Copyright © 2017 Petroschka Architects Ltd

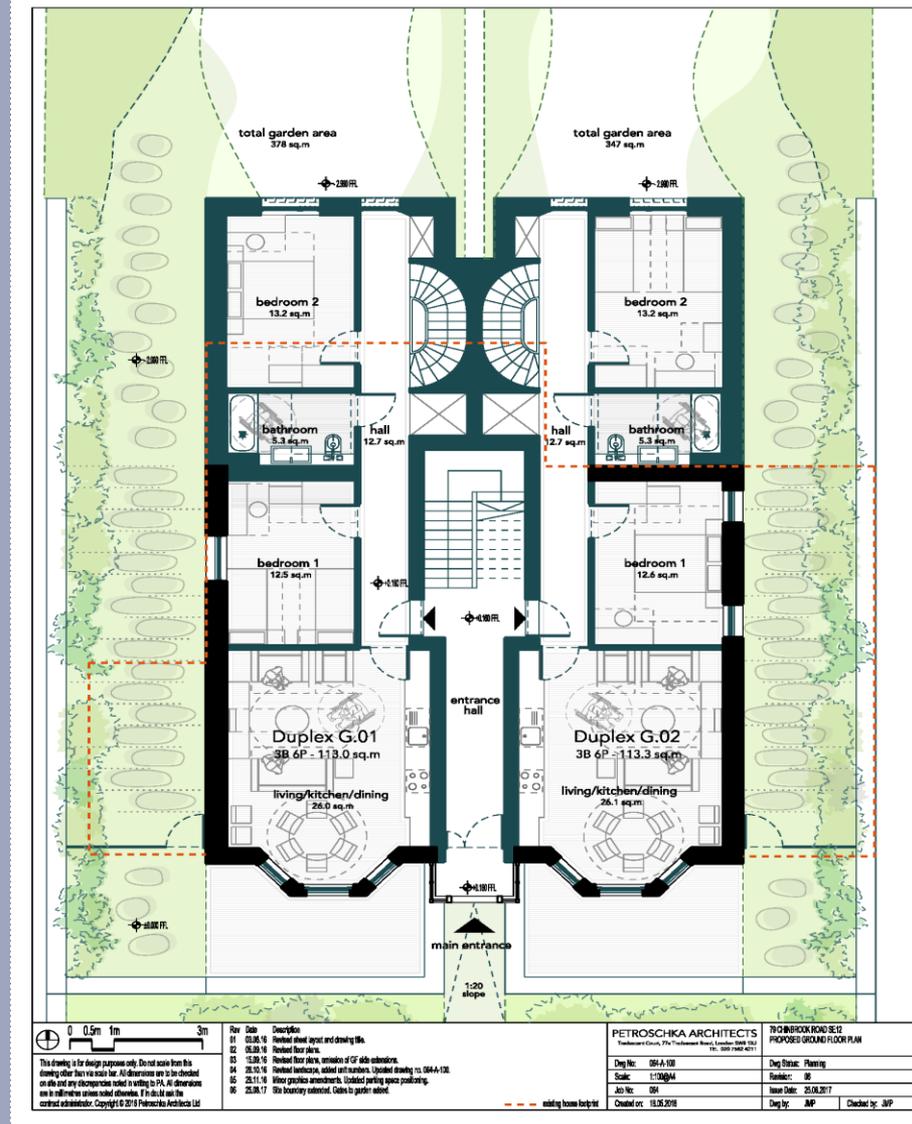
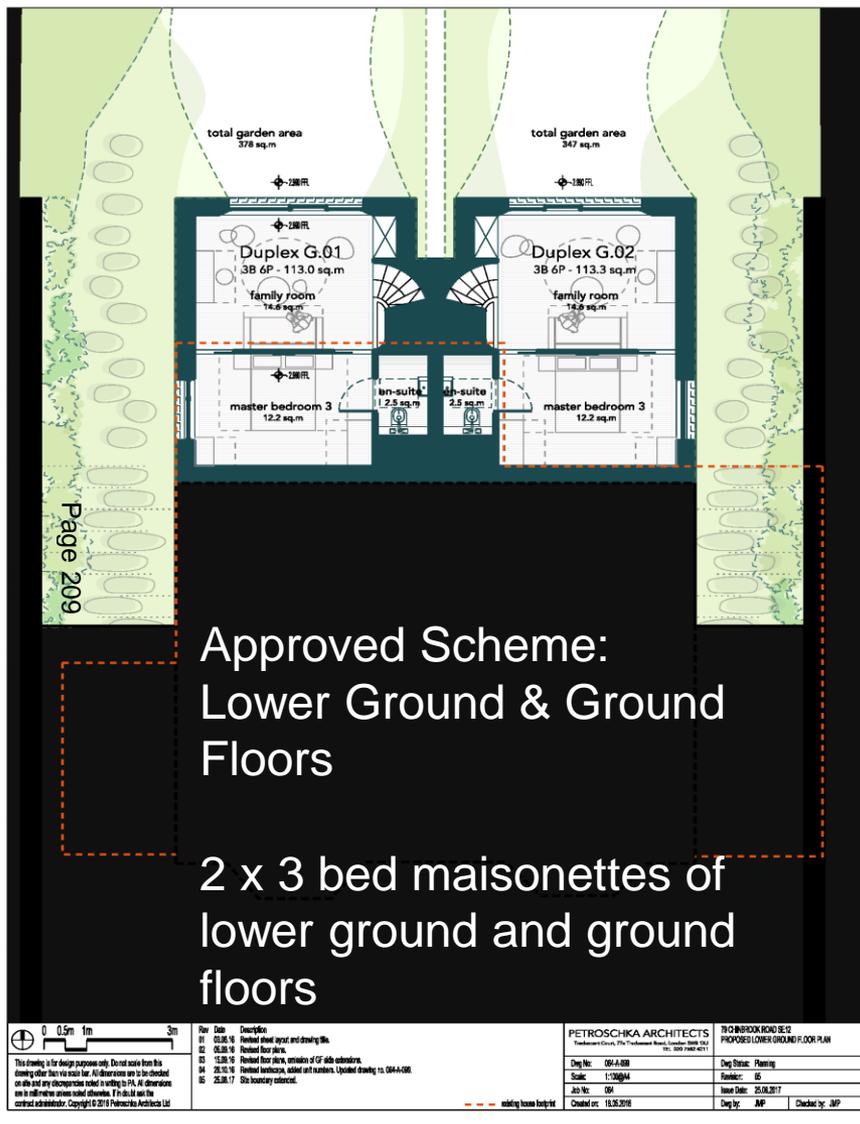
Rev	Date	Description
01	28.10.16	Revised landscape. Updated annotations. Title sheet changed to landscape format.
02	28.11.16	Minor graphics amendments.
03	02.08.17	Roof, roof windows and layout amended.

<b>PETROSKHA ARCHITECTS</b> Tudorcart Court, 77a Tudorcart Road, London SW8 5UJ TEL: 020 7362 4211		79 CHINBROOK ROAD SE12 PROPOSED SECTION A-A THROUGH ENTRANCE + COMMON STAIR	
Dwg No:	064-A-204	Dwg Status:	Planning
Scale:	1:100@A4	Revised:	03
Job No:	064	Issue Date:	02.08.2017
Created on:	30.03.2016	Dwg by:	AS
		Checked by:	JWP

--- existing house outline

# Proposed West Section

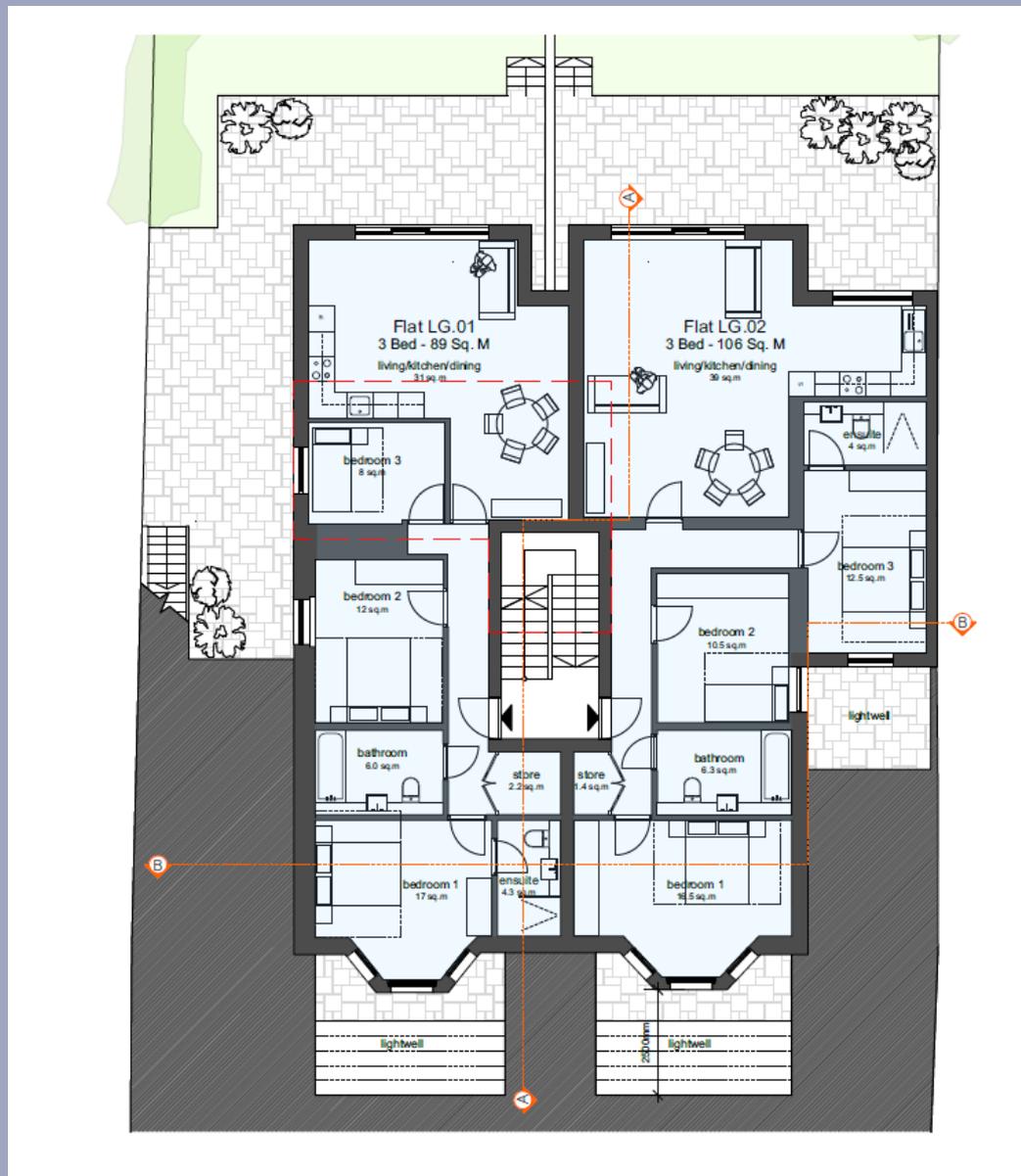




# Current Scheme: Lower Ground Floor Plan

2 x 3 bed flats

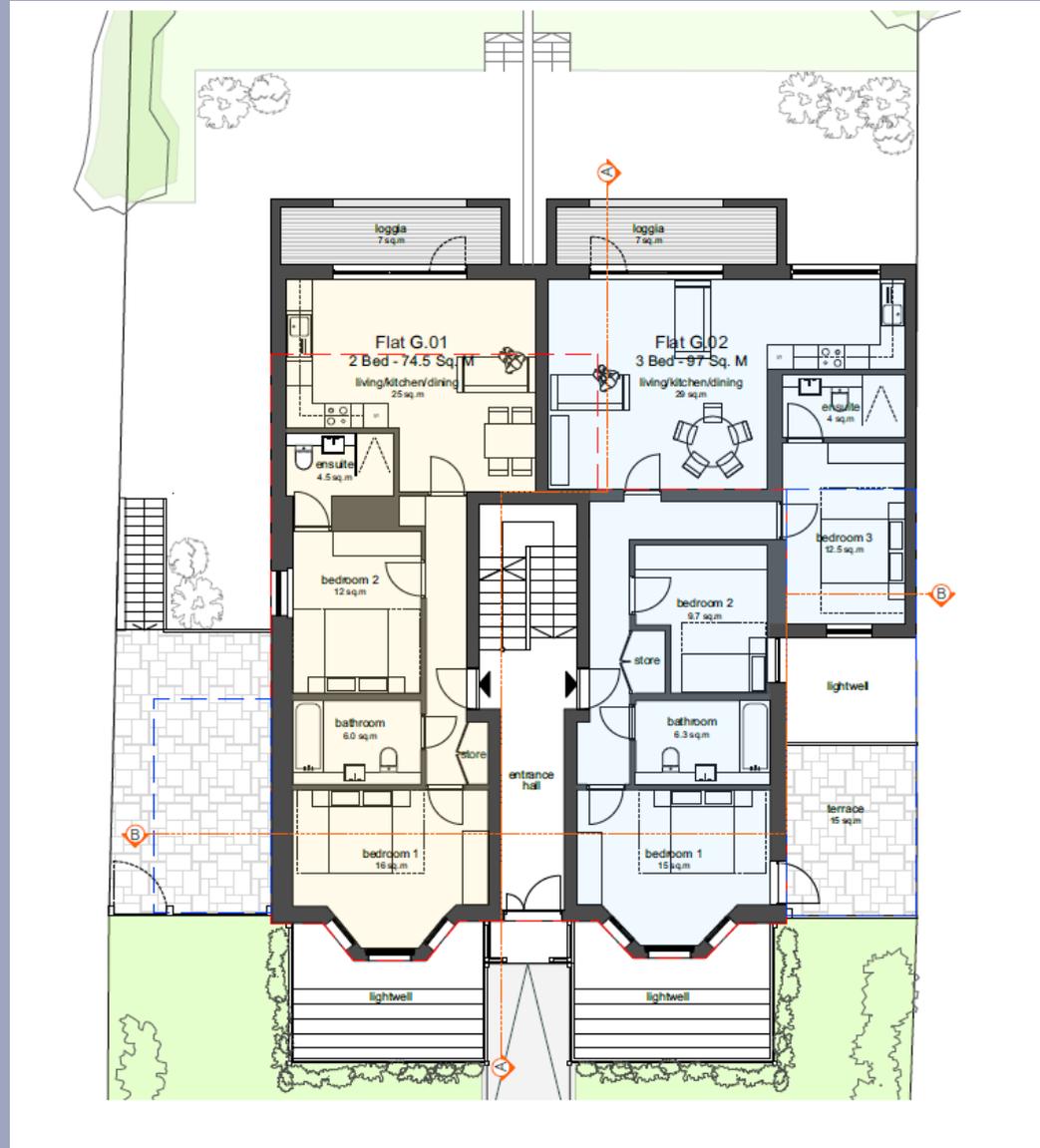
Page 210



# Current Scheme: Ground Floor Plan

2 & 3 bed flats

Page 211

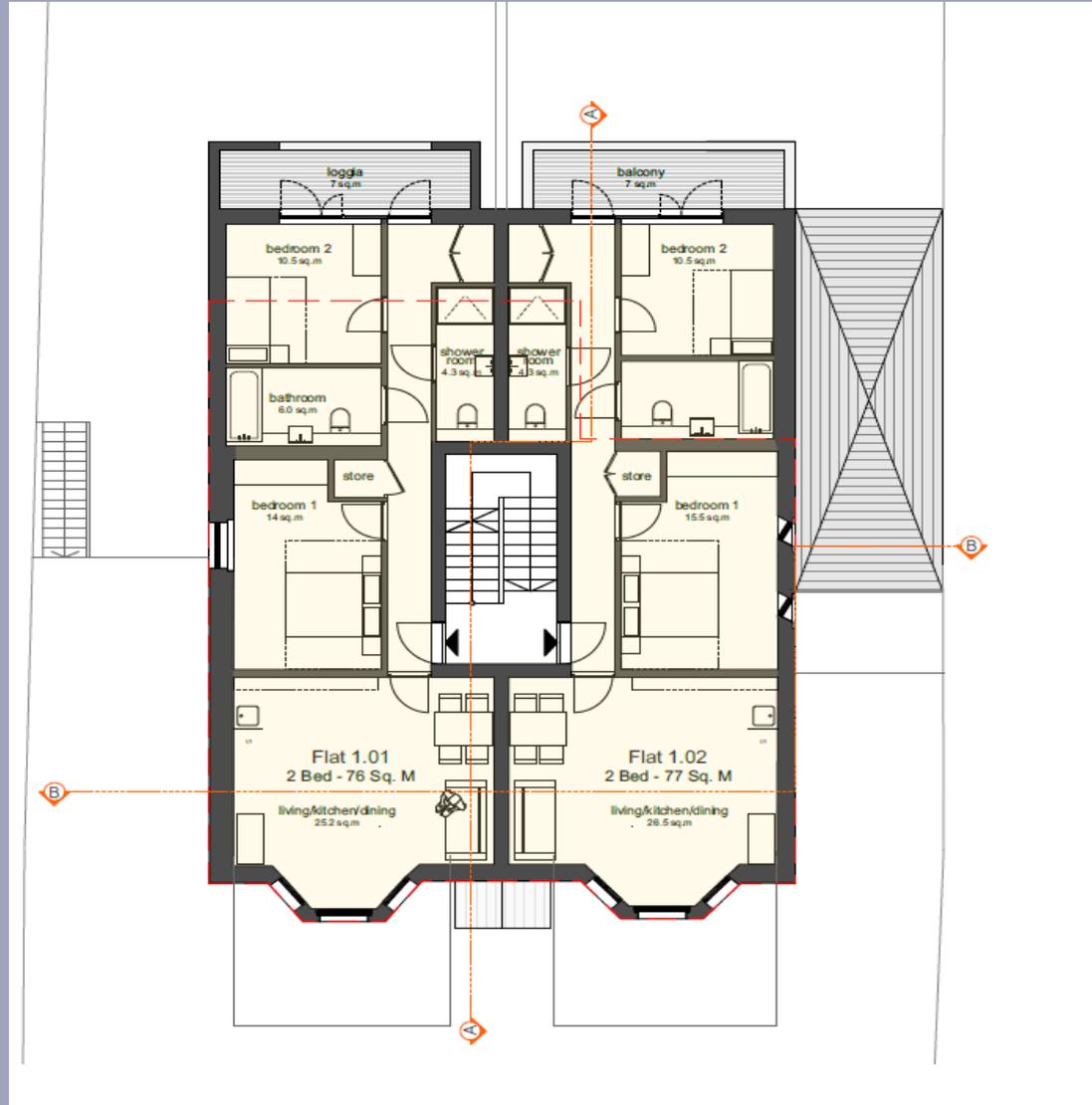


# Current Scheme First Floor Plan

2 x 2 bed flats

No change from  
Approval

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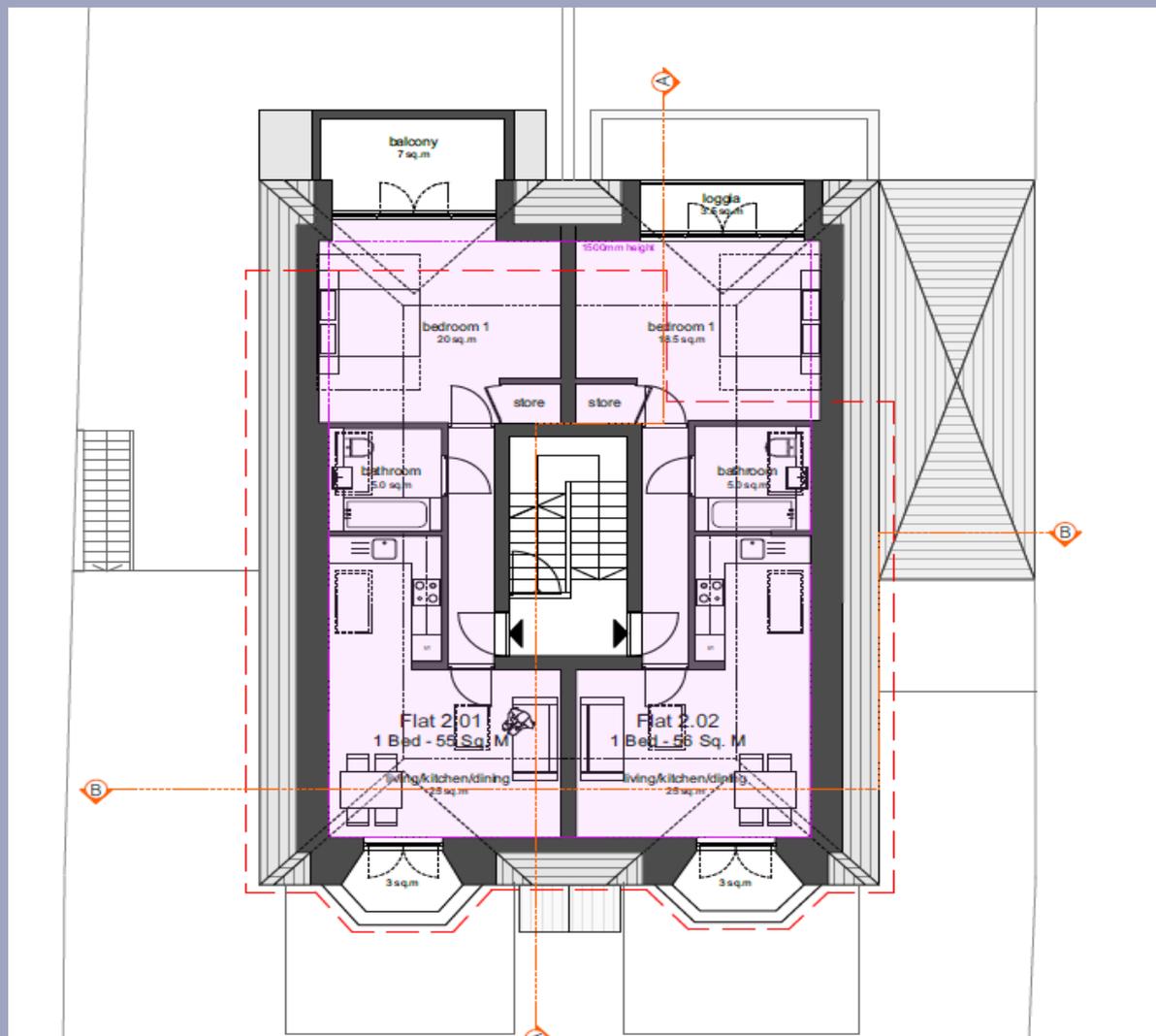


# Current Scheme Second Floor Plan

2 x 1 bed flats

No change from  
Approval

Page 213



Current Scheme: no.79  
Proposed Block Plan

3-storey rear and 2-  
storey side extensions;

Re-profiled roof

3 metre deep lightwells;

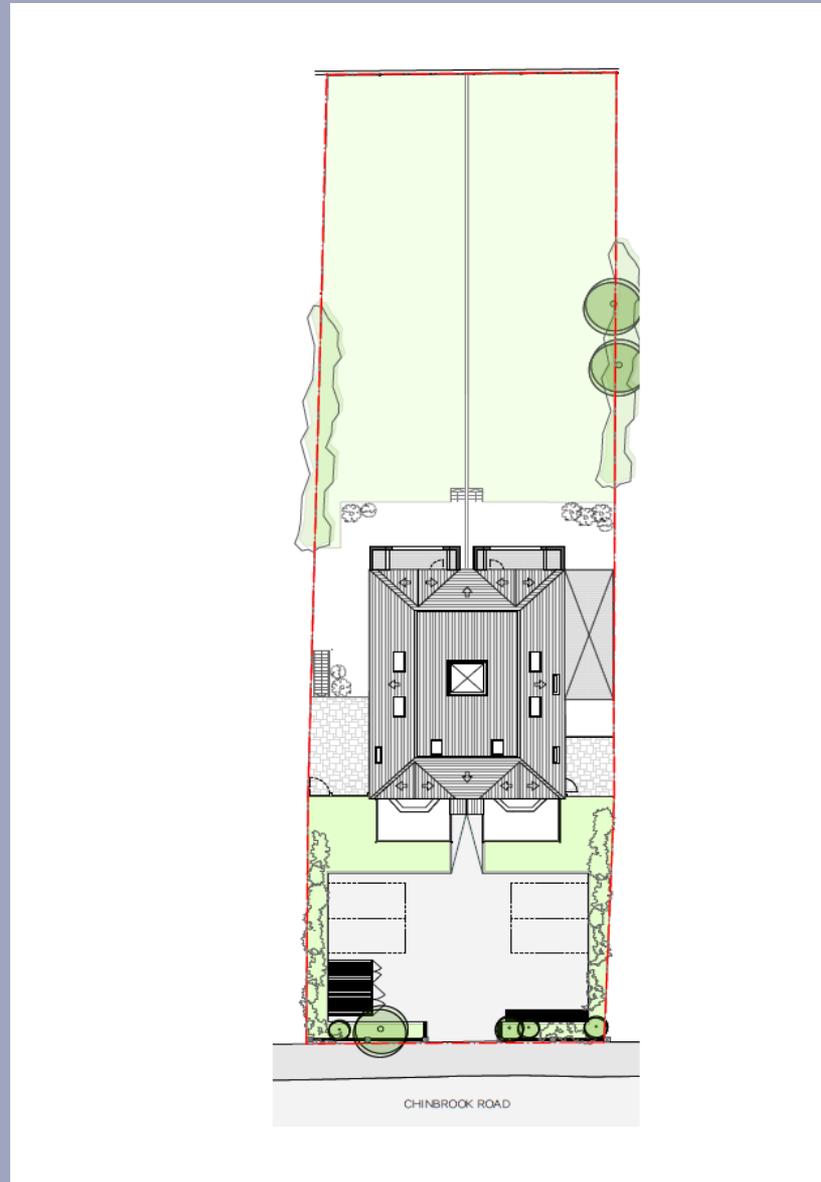
4 off-street bays;

Refuse & Cycle stores;

Formation of a single  
access from Chinbrook  
Road;

Rear gardens retained  
for the lower ground  
floor occupiers.

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No. 81 Chinbrook Road

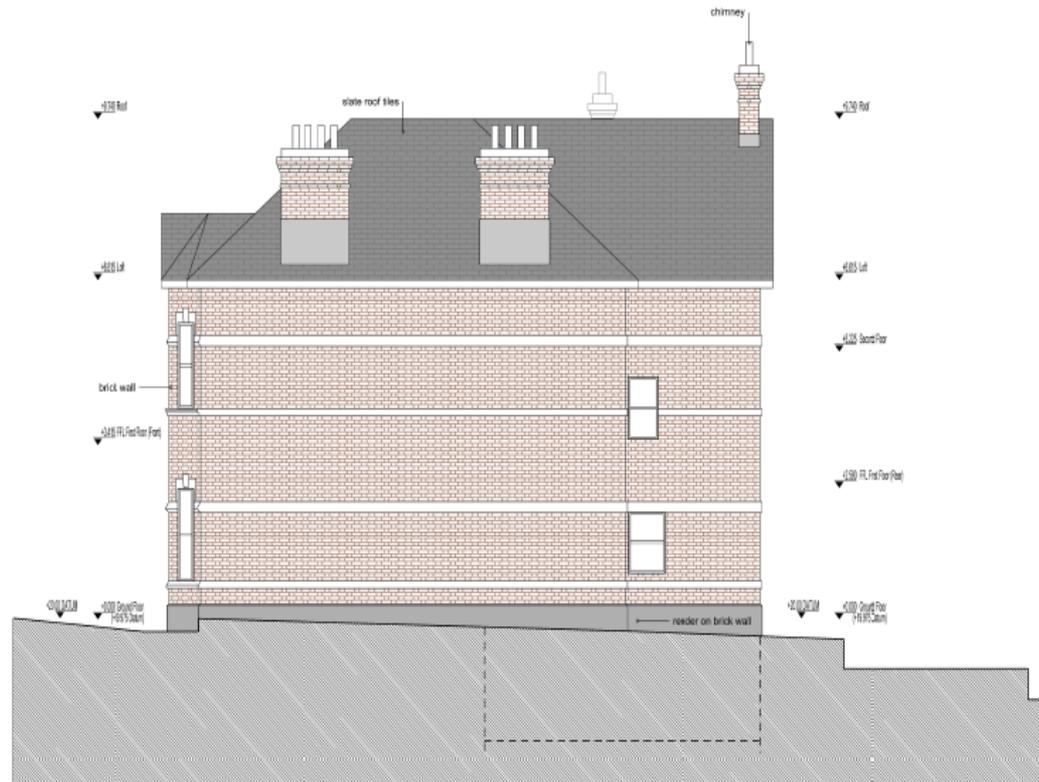
Page 215



No.81: Existing Front Elevation



Existing West Elevation



Existing East Elevation



Existing Rear Elevation



Approved Front Elevation



Proposed Front Elevation, with 2-storey extension to western side



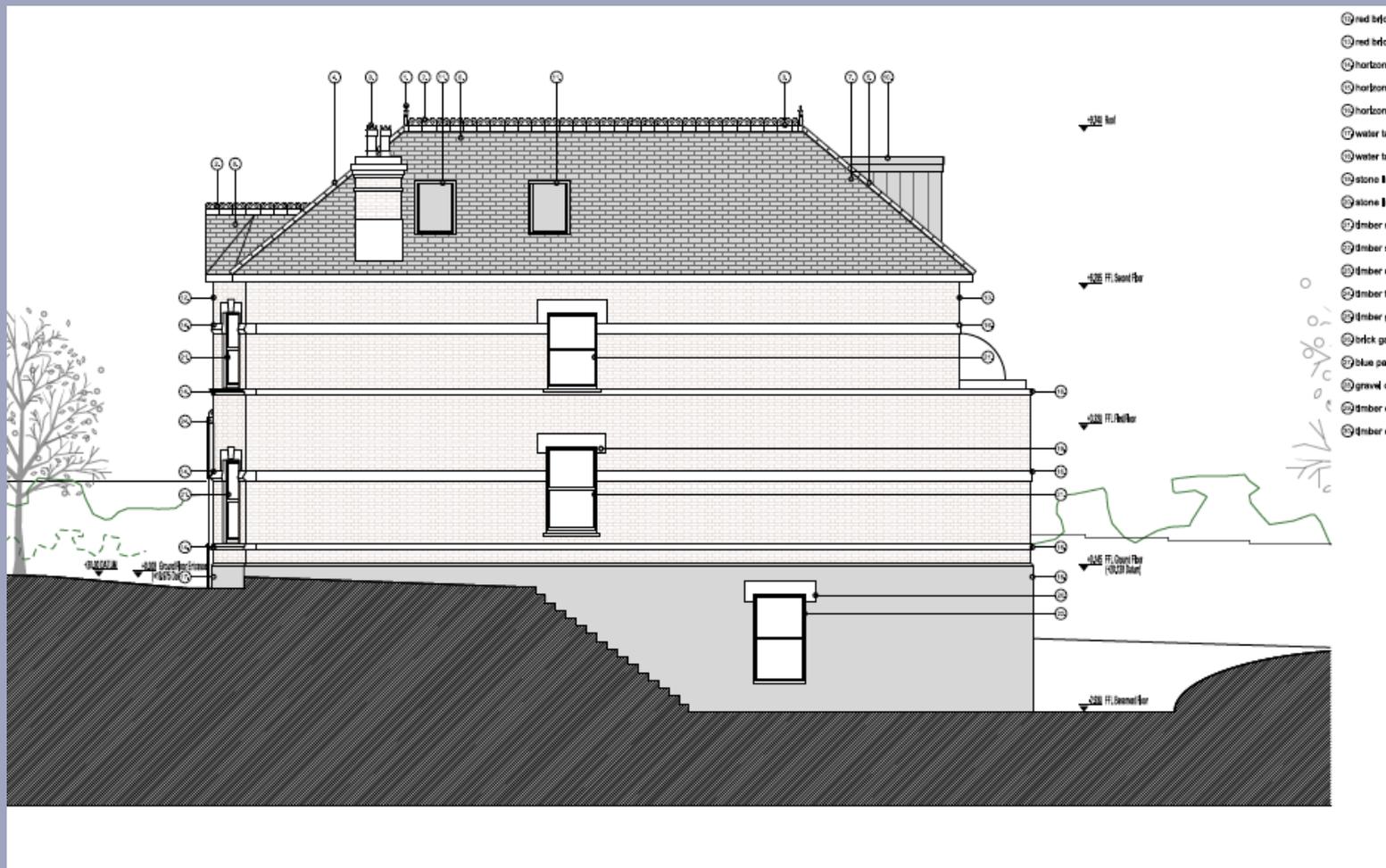
Proposed Front Elevation with lower ground floor bays



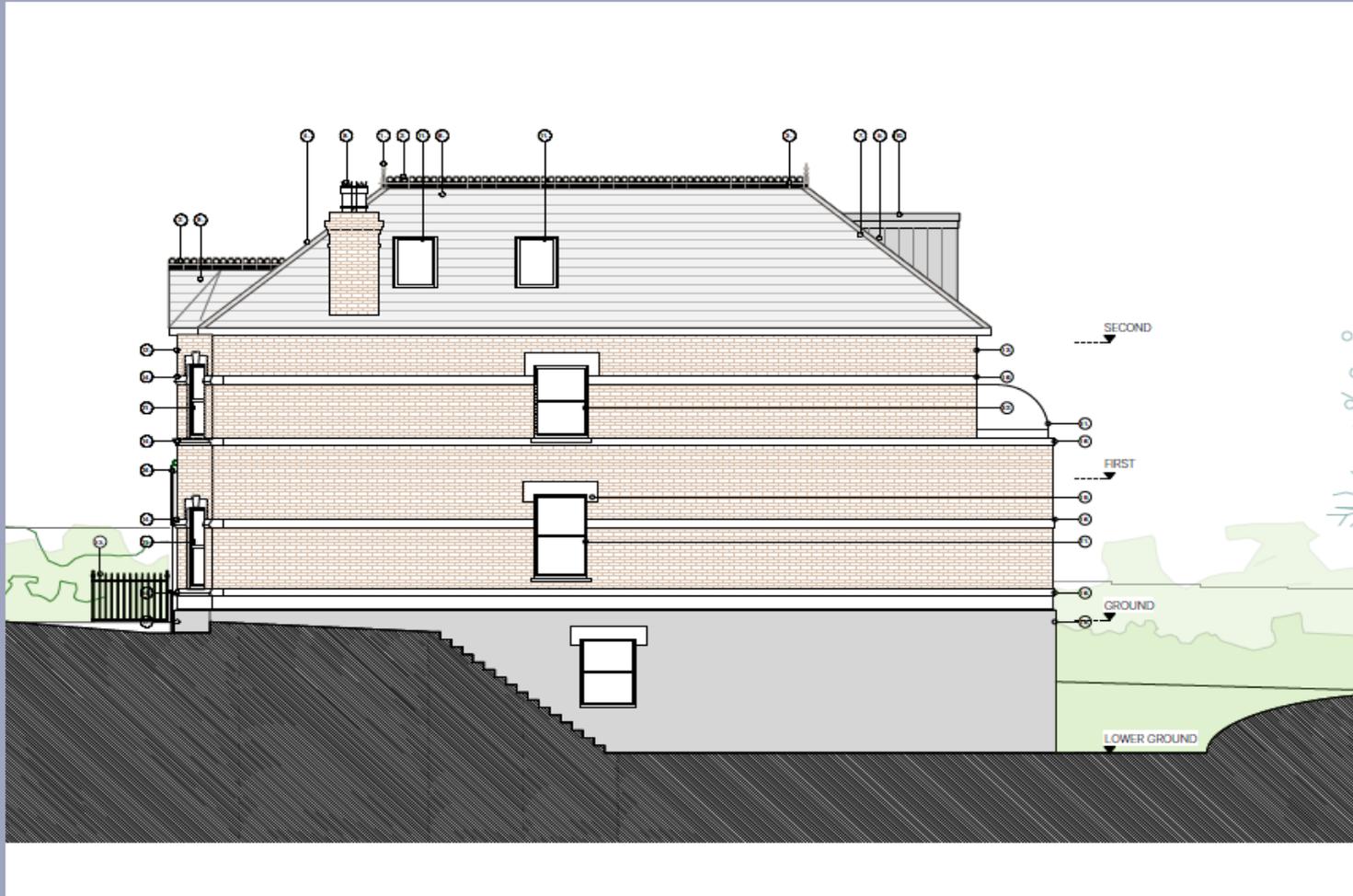
Approved Rear Elevation



Proposed Rear Elevation, with 2-storey side extension



Approved East Elevation

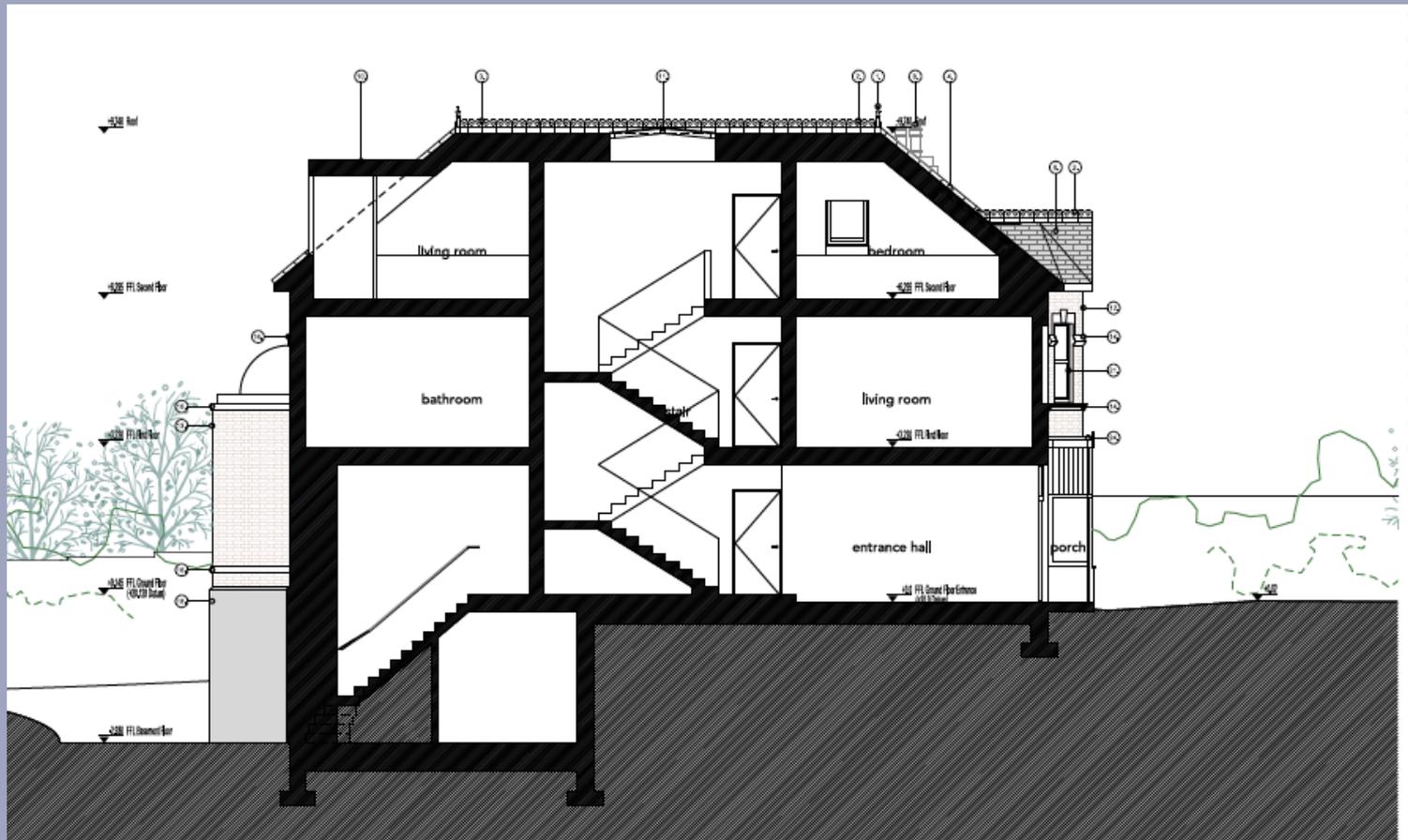


Proposed East Elevation



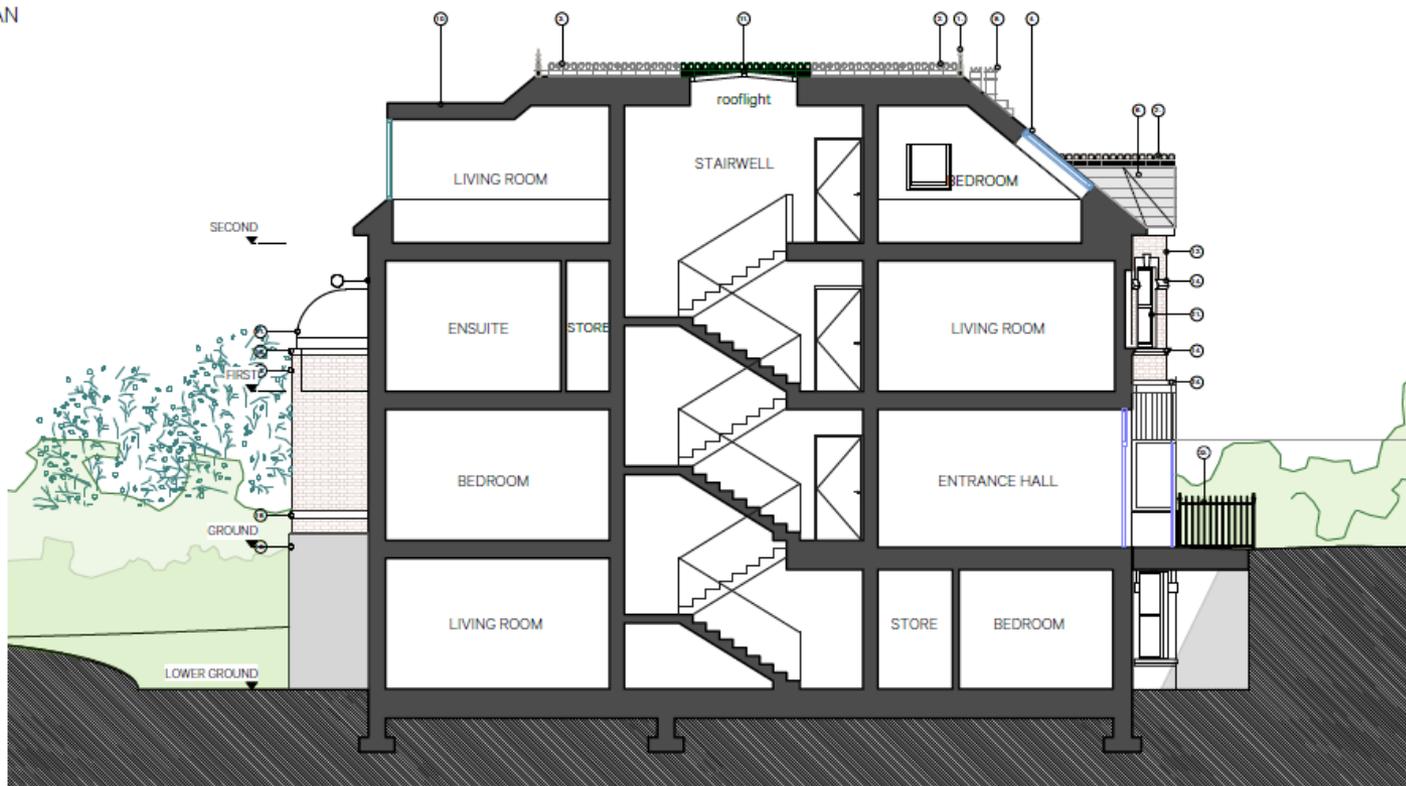


Proposed West Elevation



Approved West Section

KEY PLAN

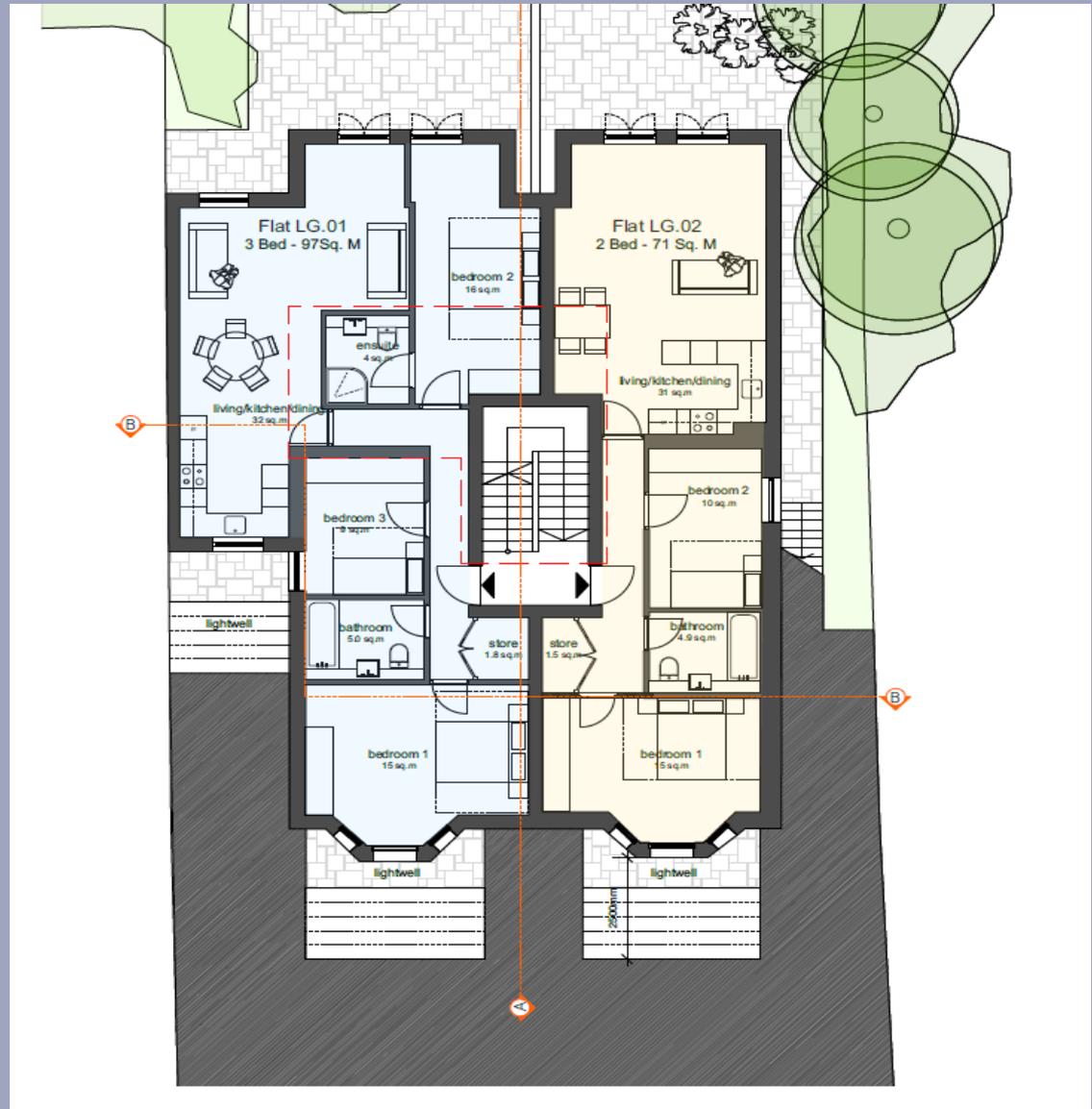


Proposed West Section

# Proposed Lower Ground Floor

1 x 3b  
1 x 2b

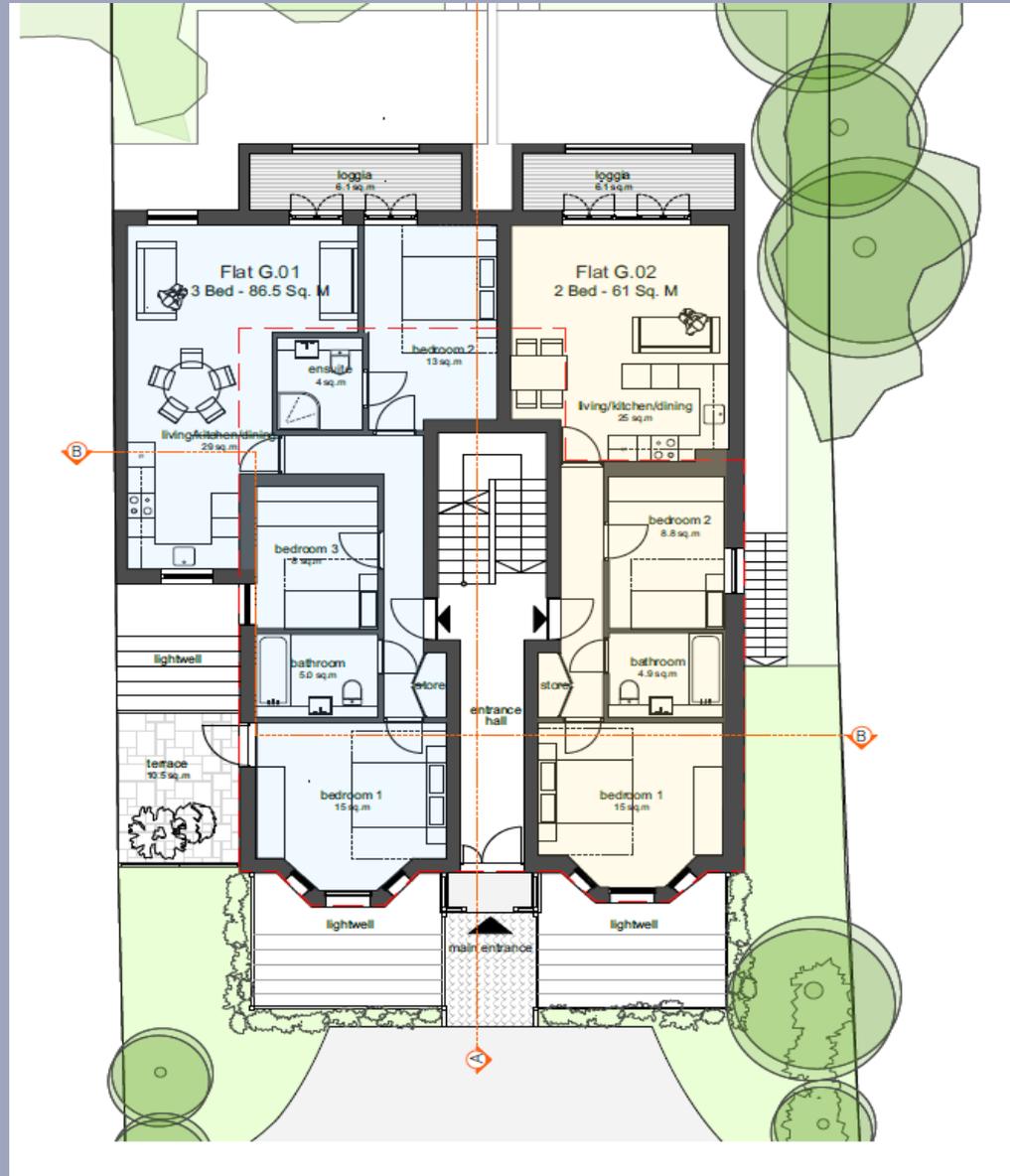
Approval: 2 x 3b  
maisonettes at lower  
ground and ground floors



### Proposed Ground Floor

1 x 3b  
1 x 2b

Approval: 2 x 3b  
maisonettes at lower  
ground and ground  
floors

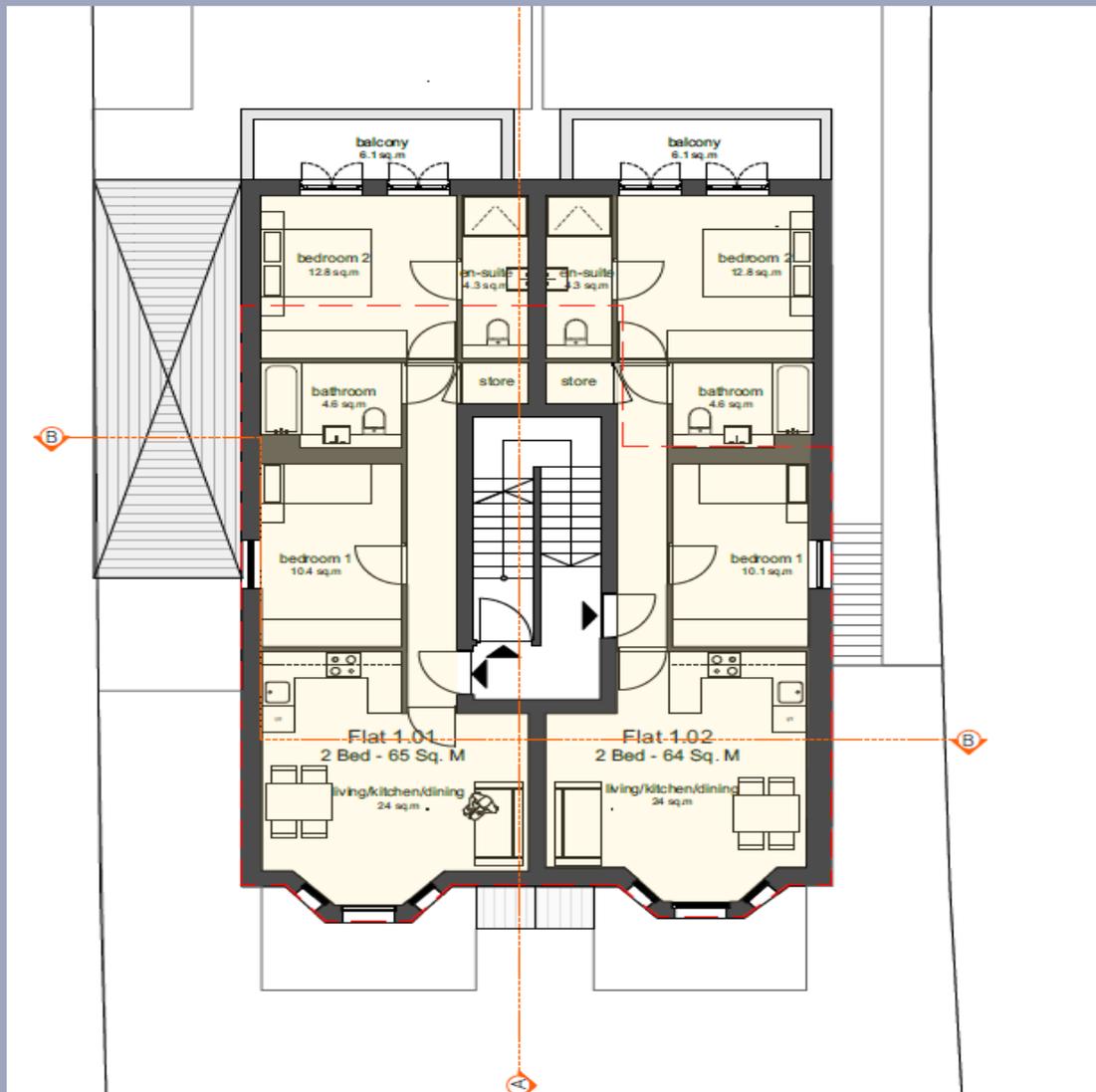


# Proposed First Floor

2 x 2b

No change from Approval

Page 233

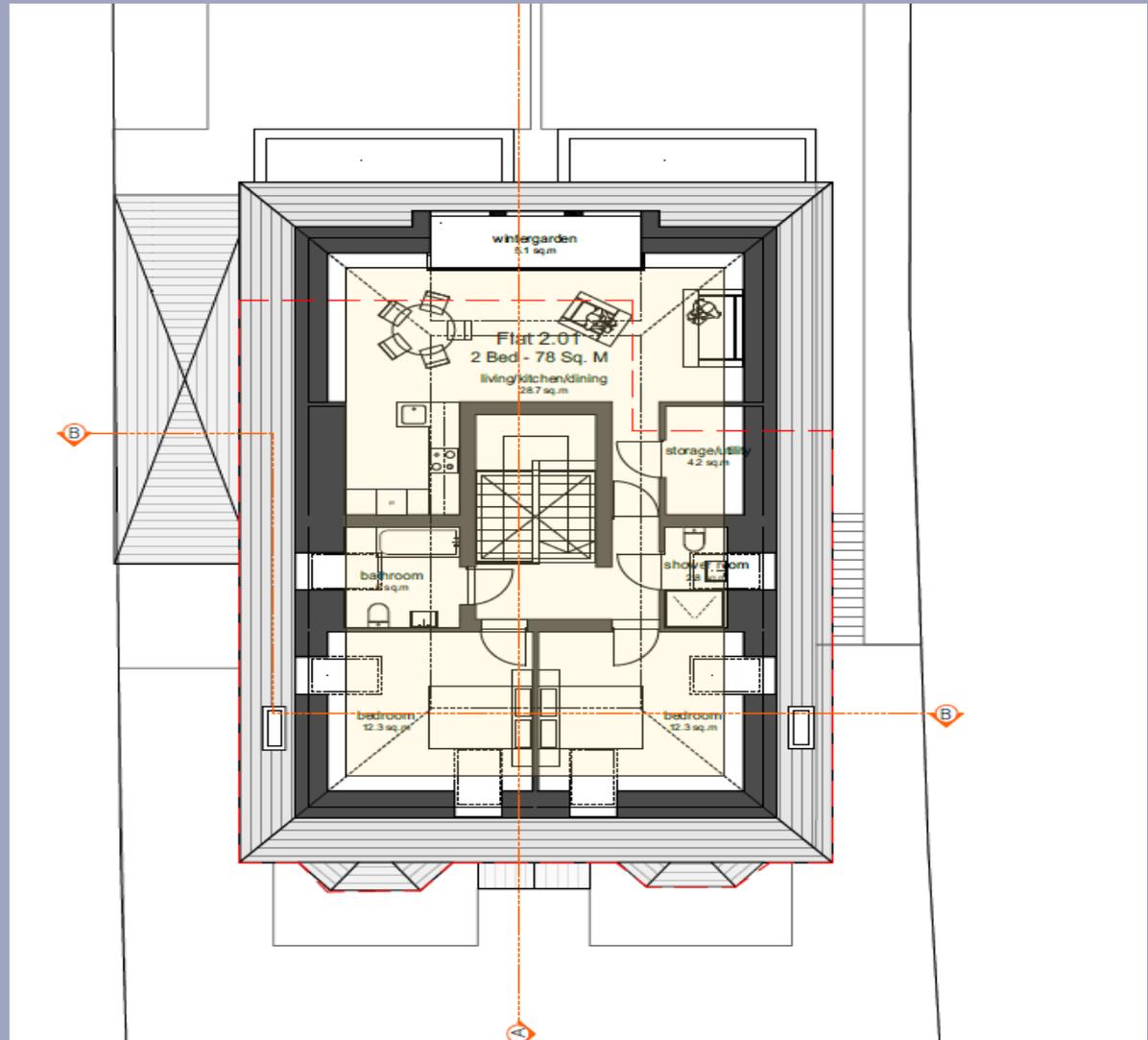


# Proposed Second Floor

1 x 2b

No change from Approval

Page 234



## Current Scheme: No.81 Proposed Block Plan

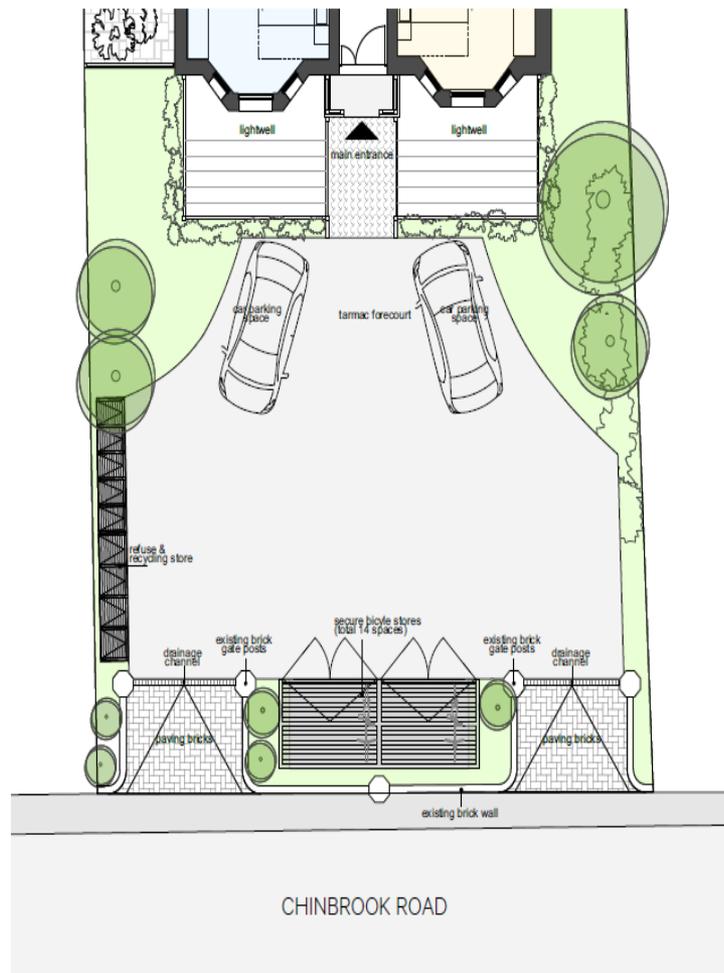
3-storey rear and 2-storey  
side extensions;

2 metre deep lightwells;

2 off-street bays;

Refuse & Cycle stores;

Retention of existing front  
boundary wall and the two  
accesses from Chinbrook  
Road.



Summary:

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79 & 81 Chinbrook Road

Committee	PLANNING COMMITTEE C	
Report Title	46 RINGMORE RISE, LONDON, SE23 3DE	
Ward	FOREST HILL	
Contributors	SAMUEL JAMES	
Class	PART 1	31 October 2019

<u>Reg. Nos.</u>	DC/19/110358
<u>Application dated</u>	03 January 2019
<u>Applicant</u>	HP Architects on Behalf of Mr Cummings
<u>Applicants Plan Nos.</u>	1149/EX-01 Rev.A; 1149/EX-02 Rev.A; 1149/EX-03; 1149/PL-01 Rev.A; 1149/PL-02 Rev.A; Site Location Plan
<u>Proposal</u>	The construction of a single storey extension with crown roof to the rear of 46 Ringmore Rise SE23, together with the provision of a bin and refuse store at the front.
<u>Background Papers</u>	(1) Core Strategy (adopted June 2011) (2) Development Management Local Plan (adopted November 2014) (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	PTAL 3

## 1 SUMMARY

- 1 This report sets out Officer's recommendations for the above proposal. The report has been brought before members for a decision as the recommendation is to approve and there are at least three valid planning objections.

## 2 SITE AND CONTEXT

- 2 The application property is located on the southern side of the road, just east of the right-angle bend that links the top of Ringmore Rise round to Horniman Drive. The existing property is a bungalow. The floor level of the bungalow is set below street level by about 2 metres. The plot measures 34.5 metres deep, by 13.5 metres wide at the front boundary, increasing to 16m wide at the rear boundary. One flank of the roofslope is hipped and the other has a gable end.
- 3 To the east are the rear gardens of houses at 30, 32 and 34 Horniman Drive. 30 Horniman Drive has a garage at the foot of its rear garden, which is accessed from Ringmore Rise, immediately adjoining the front forecourt of the application site. The rear garden of 46 Ringmore Rise falls away steeply towards the grounds of Horniman School to the south.
- 4 The site lies high on the Forest Hill ridge within the Tewkesbury Lodge Estate, in a residential area which comprises dwellings dating mainly from the inter-war period. The vast majority of properties in this part of Ringmore Rise are detached houses. Most are

two-storey, but there are several bungalows, such as that on the application site. The site is in an elevated location and the surrounding ground level slopes downwards towards the north and west, so that most houses have impressive views north and west toward central London. The topography is such that houses on the east side of Ringmore Rise are elevated by several metres above road level, whereas the properties on the west of the road, such as the application property have their ground levels set a metre or even several metres below the road.

5 The far end of Ringmore Rise has a consistent roofscape of hipped roofs however closer to the site there is greater variation in roof form including pitched roofs, hip to gable extensions and other individually design properties such as No.30 Horniman Drive, located on the corner of Horniman Drive and Ringmore Rise.

6 The property is not within a conservation area nor is it subject to an Article 4 Direction. The property is not nor is it adjacent to a listed building. The PTAL rating is 3.

### 3 RELEVANT PLANNING HISTORY

7 **DC/13/85703** – Planning permission was refused for the demolition of existing bungalow at 46 Ringmore Rise and the construction of 2 part one/part three-storey, 4 bedroom semi-detached houses, together with the provision of 2 car parking spaces and associated landscaping, for the reason that:-

"The proposed development, by virtue of its inappropriate scale and mass was considered to constitute an overdevelopment of the site, and would cause a significant and unacceptable impact on the occupiers of 30-34 Horniman Drive and 44 Ringmore Rise."

The proposal was dismissed at appeal in September 2014.

8 **DC/14/86815** – May 2014 – A Certificate of Lawful Development (Proposed) was issued in respect of the construction of a single storey rear extension at 46 Ringmore Rise, together with the conversion of the existing garage to provide additional residential accommodation.

9 **DC/14/87162** – 11 June 2014 – Planning permission was refused for the construction of a single-storey front and side infill extension and an additional storey at first floor level, plus new roof, to provide a four-bedroom house at 46 Ringmore Rise, together with the provision of 1 car parking space, for the following reasons:-

"The proposed development, by virtue of its inappropriate scale and mass is considered to constitute an overdevelopment of the site, and would cause a significant and unacceptable impact on the occupiers of 30-34 Horniman Drive and 44 Ringmore Rise and result in an over-dominant feature in the street scene in this part of Ringmore Rise, contrary to Objective 10: Protect and Enhance Lewisham's Character and Policy 15: High Quality Design for Lewisham of the Local Development Framework - Core Strategy (June 2011) and emerging policies DM Policy 30 Urban design and local character and Policy 32 Infill, Backland, Back Garden and Garden Amenity Area Development of the Development Management Local Plan (Submission Version - August 2013) and saved policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development & HSG 8 Backland and Infill Development of the adopted Unitary Development Plan (July 2004)."

The applicant lodged a successful appeal against the decision and the scheme was allowed on the 30th of April 2015 under appeal decision APP/C5690/D/14/2225090 for the following reasons:

The development would not cause material harm to the character and appearance of the surrounding area.

The development would not cause material harm to the living conditions of neighbouring occupiers.

This permission was never implemented and lapsed on 30<sup>th</sup> April 2018.

- 10 **DC/14/88500** – 8 September 2014 – The Council confirmed that prior approval was required for the construction of a single-storey rear extension at 46 Ringmore Rise - The extension will extend 8 metres beyond the rear wall of the original dwelling house, the maximum height will be 3 metres and the height at the eaves of the proposed extension will be 3 metres.
  - 11 **DC/14/88701** – 31 October 2014 – Planning permission was granted for the demolition of the existing garage and construction of a single-storey extension to the side of 46 Ringmore Rise, together with the excavation of a new lower ground floor to provide additional accommodation, with light wells to the front and projecting glazed roof light to the rear, alterations to the front garden, including new vehicular crossover, driveway and landscaped areas.
  - 12 **DC/14/89609** – 1 December 2014 – The Council confirmed that prior approval was not required for the proposed single storey extension that would extend 8m beyond the rear wall of existing dwelling. At the rear wall of the existing dwelling, the extension would be 3m in height sloping to 2m in height 1.7m from the existing rear wall. Then the extension submerges into the existing surface with a flat roof that is 2.05m high at natural ground level at the rear of the extension.
  - 13 **DC/14/89595** – 12 December 2014 – A certificate of Lawful Development was issued in respect of the demolition of the existing garage and the construction of a single storey extension to the side of 46 Ringmore Rise.
  - 14 **DC/14/90131** – 4th February 2014 – A Certificate of Lawful Development was issued for the construction of two hip to gable roof extensions and a dormer in the rear roof slope at 46 Ringmore Rise SE23, together with obscure glazed windows in the gable end.
  - 15 **DC/15/91023** – Planning permission was granted for the demolition of the existing green house and garage to the side of 46 Ringmore Rise SE23 and the construction of a single storey side extension incorporating living space.
  - 16 **DC/15/91580** – A Lawful Development Certificate (proposed) was refused in respect of a single storey rear extension at 46 Ringmore Rise SE23. The decision was subsequently appealed and dismissed.
  - 17 **DC/15/90901** – Planning permission was refused for the construction of two hip to gable roof extensions and a dormer in the rear roof slope at 46 Ringmore Rise SE23, together with obscure glazed windows in the gable end. The refusal was appealed and allowed.
  - 18 **DC/15/92466** – Planning permission was granted the construction of a single storey extension with crown roof to the rear 46 Ringmore Rise.
- It is noted that the above permission is for an extension almost identical to the one proposed here. This permission lapsed on 28<sup>th</sup> August 2018.
- 19 **DC/16/97710** – Planning permission was granted for the construction of a single storey extension to the rear of 46 Ringmore Rise SE23.

The scale and massing of the rear extension approved above is virtually identical to the extension proposed here.

20 **DC/18/106932** – Planning permission was granted at committee for the demolition of the existing garage and the construction of a single-storey front and side infill extension, an additional storey at first floor level, plus new roof incorporating 8 roof lights, to provide a four-bedroom house at 46 Ringmore Rise SE23, together with the provision of 1 car parking space.

21 **DC/18/109965** – There is a concurrent live application being considered for the demolition of the existing garage and the construction of a ground and lower ground floor extension to the side, excavation to create a new lower ground floor level, creation of 2 lightwells to the front and a lightwell to the rear with a glazed rooflight above at 46 Ringmore Rise, SE23, together with alterations to the front garden landscaping, installation of a new vehicular crossover to create an in-out driveway, bicycle store and tree planting.

#### **4 CURRENT PLANNING APPLICATION**

22 The current application proposes to construct a single storey extension with crown roof to the rear of 46 Ringmore Rise SE23, together with the provision of a bin and refuse store at the front. The proposal would extend 4m from the rear wall of the main building and 3.7m to the projection, with a width of 8.93m which would be 2.1m away from the boundary of the adjoining neighbours at No.44 Ringmore Rise and 3.25m away from the shared boundary at No.30 Horniman Drive. The extension would have a crown roof with a maximum height of 4m (measured from ground level adjacent to the existing rear elevation) and the eaves height of 3.45m to the sides.

23 The external walls of the proposed extension would be in white painted render to match the existing material and the proposed crown roofing would be in tiles matching the existing roof. Two set of windows and doors would be installed to the rear which will provide the access to the rear garden. A fixed obscure window is proposed to each side of the proposed extension. Proposed windows and doors would be timber framed according to the plan. A set of two identical rooflights would be fixed on to the slopes of the proposed roof to the sides.

24 Due to the slope of the ground level from the front to the rear of the garden, steps are proposed to provide access to the rear garden.

25 A bin and cycle storage at 1.2m by 2m is proposed to the front.

#### **5 CONSULTATION**

##### **5.1 APPLICATION PUBLICITY**

26 The Council's consultation was undertaken in accordance with the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

27 Letters were sent to adjoining residents in the surrounding area and the relevant ward Councillors on 14/01/2019. The applicant displayed a site notice on 01/02/2019.

28 Three letter of objections have been received the neighbours. The summary of objections are listed below:

### 5.1.1 Objections

Material planning consideration	Para where addressed
Lose the open aspect of their garden;	55, 56, 57
Would be oppressive and impact on outlook	55, 56, 57
Extension will not be aesthetically pleasing.	52, 53
Increased sense of enclosure to neighbours	55, 56, 57
Overshadowing to neighbours properties	55, 56, 57
Loss of Privacy to neighbours	63
Extension would result in neighbouring occupiers feeling 'hemmed in'.	55, 56, 57
Extension would be over development	46, 49

29 The following concerns, which are non-material to this application were also raised, as follows:

- There have been a large number of previous planning applications and permissions at the property and neighbours are concerned as they do not know the applicant's intentions. Officer comment: The number of previous applications is not relevant to the planning decision before members.

## 6 POLICY CONTEXT

### 6.1 LEGISLATION

30 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

### 6.2 MATERIAL CONSIDERATIONS

31 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

32 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

33 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to the test of reasonableness.

34 Draft London Plan: The Mayor of London published a draft London Plan on 29 November 2017 and minor modifications were published on 13 August. The Examination in Public commenced on 15 January 2019 and concluded on 22 May 2019. Following

the Examination in Public, an updated draft new London Plan was published, consolidated with suggested changes in July 2019. This document has some weight as a material consideration when determining planning applications. The relevant draft policies are discussed within the report (DLPP).

### **6.3 NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance

### **6.4 DEVELOPMENT PLAN**

35 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013)

### **6.5 SUPPLEMENTARY PLANNING GUIDANCE**

36 Lewisham SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)

37 London Plan SPG/SPD

- Sustainable Design and Construction (April 2014)
- Housing (March 2016)

## **7 PLANNING CONSIDERATIONS**

38 The main issues are:

- Design
- Impact on Adjoining Properties
- Impact on highways

### **7.1 PRINCIPLE OF DEVELOPMENT**

#### ***Discussion***

39 The Council are supportive of householders extending their homes in principle, subject to the impact of the extension on the appearance of the house, the surrounding area and on neighbouring residential amenity.

40 As there is a lapsed permission for an almost identical proposal at the same property (DC/15/92466), whether there are any material changes in policy, or to the surrounding area since that proposal was granted must also be considered.

41 That application was determined under the same development plan as is relevant now, and there are no significant changes to Council Policy regarding extensions to households that would allow a different assessment now. However, it should be acknowledged that the Alterations and Extensions Supplementary Planning Document (April 2019) has been adopted, replacing the former Residential Standards SPD which the previous permission would have been assessed against.

42 Both the superseded Residential Standards SPD (2012) and the adopted Alterations and Extensions SPD (2019) seek to ensure extensions are subordinate to the main structure, do not harm the character of the surrounding area, and do not harm the residential amenity of neighbours. There is no guidance in the 2019 SPD which would allow a different outcome in assessment for this application.

## 7.2 URBAN DESIGN

### *General Policy*

43 Core Strategy Policy 15 requires that for all development in Lewisham, the Council will seek the highest quality design.

44 DM Policy 30 sets out the Council's objectives for urban design and local character throughout the Borough. The policy seeks to achieve a high standard of design in all development proposals.

45 DM Policy 31 provides standards for alterations and extensions to existing buildings within the Borough including residential extensions.

46 Specific regard is also given to the Council's Alterations and Extensions SPD which states that extensions should be smaller and less bulky than the original building and reflect its form and shape. In general, the extension complies with the guidance in the Alterations and Extensions SPD.

### *Discussion*

#### *Rear Extension*

47 The proposed extension would be single storey in height, and would remain subordinate to the existing house, due to its set-down roof ridgeline. The eaves would match the main house, which is appropriate for a bungalow extension.

48 The maximum height of the proposal is noted as 4m on the elevations, but this is measured from ground level at the rear wall of the existing house. When measured at the rear wall of the extension, due to the sloping ground level away from the house, the maximum height would be 5.2m, and the eaves height would be 4.1m.

49 Although this is relatively high for a rear extension, it is due to the sloping nature of the garden, and the proposed extension is still considered to be a subordinate addition, which would not over-dominate the host property. The matching eaves height, and matching pitch of the roof ensure the extension respects the form and architectural integrity of the host property.

50 The 4m depth is acceptable considering the overall length and width of the existing garden, of which well over the 50% required by Policy DM31 would remain as a result.

51 The walls would be white painted render externally to match the main house, and the roof would be tiled to match which is acceptable. No objections are raised to the proposed doors and windows.

#### *Bicycle and Refuse Store*

52 As the bicycle and refuse store would be visible from the public realm

#### *Summary*

53 The proposed rear extension is of an acceptable design quality and would be subordinate to the host dwelling, in line with Policies CS15, DM30 and DM31. The proposed design is policy compliant, and therefore it is acceptable.

54 Notwithstanding this assessment, an almost identical extension was approved at the property under application DC/15/92466.

## **8 LIVING CONDITIONS OF NEIGHBOURS**

### *General Policy*

55 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LP7.6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA; Residential Standards SPD 2012, LBL).

56 DMP31 expects residential extensions adjacent to dwellings to not result in significant loss of privacy or amenity (including sunlight and daylight) to adjoining properties.

57 The main impacts on amenity usually arise from: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas; and (iv) noise and disturbance.

58 The main properties to consider in an assessment of the impacts of the proposal upon neighbouring residential amenity are 44 Ringmore Rise. As the host property also borders the rear boundaries of Nos.30, 32, and 34 Horniman Drive, the impact on those properties is also a consideration.

### **Enclosure and Outlook, Daylight and Sunlight**

59 *44 Ringmore Rise:* The extension would be approximately 2m from the shared boundary with No.44, and 3m from its side elevation, and it would have a depth of 3.3m past its original rear elevation. However, there is an existing conservatory with a depth of approximately 3m, meaning the extension would marginally extend past the existing rear elevation of the conservatory, and therefore would have no significantly harmful impacts on the outlook of the rear facing windows.

60 Due to the separation distance, and the sloping roof away from the boundary with No.44, together with the southerly orientation of the gardens, there would not likely be any significant impact on daylight and sunlight to their garden or internally. 45 degree tests taken from the approximate position of existing windows provides further evidence that the impacts to No.44 would not be harmful.

61 *Horniman Drive Properties:* The extension would be at least 3.4m from the rear boundaries of the properties adjoining on Horniman Drive, and over 20m from their rear elevations. It is also noted that those properties are at a significantly higher level than

the proposed extension. There would therefore be no significant impact on the residential amenity of these properties.

### **Privacy**

62 *Neighbouring residential properties:* The proposed windows in the side elevation would be high level and obscure glazed, and this would be secured by planning condition.

63 The additional proposed glazed doors in the rear elevation would have a similar impact on privacy to existing ground floor windows and doors, so no objections are raised.

64 In conclusion the proposal would not have a negative impact on the privacy of neighbouring properties.

### **Impacts on neighbours conclusion**

65 For the reasons as stated above, no undue loss of daylight, sunlight, outlook or privacy are considered to be generated upon any neighbour as a result of the proposal. The amenity impacts to adjoining occupiers is therefore considered to be acceptable.

## **9 TRANSPORT IMPACTS**

### *General Policy*

66 The application site is relatively well connected to the wider public transport network with a PTAL rating of 3. It is approximately a 0.6 miles to the nearest train station, and a five-minute walk to the nearest bus stop.

### *Car Parking*

67 There is an existing off street parking space and crossover on site, and no change is proposed to this, therefore there would be no material impacts.

### *Cycle Parking & Refuse Storage*

68 A cycle and refuse store is proposed in the front garden. As this is an application for works to an existing dwelling there is no requirement to provide cycle parking or refuse storage facilities, but the provision is welcome. The details are proposed to be secured by condition.

## **10 SUSTAINABLE DEVELOPMENT**

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.

70 London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

71 For schemes of this scale, sustainability requirements have been absorbed into Building Regulations meaning the applicant does not have to comply with any particular sustainability requirements at this stage of the development process.

## 11 LOCAL FINANCE CONSIDERATIONS

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

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

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

74 The CIL is therefore a material consideration.

75 This application would not be charged CIL payments, as the extension is less than 100m<sup>2</sup>.

## 12 EQUALITIES CONSIDERATIONS

76 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

77 In summary, the Council must, in the exercise of its function, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and persons who do not share it.

78 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

79 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england> and <https://www.equalityhumanrights.com/en/publication-download/services-public-functions-and-associations-statutory-code-practice>

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

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

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

### 13 HUMAN RIGHTS IMPLICATIONS

83 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:

- Article 8: Respect for your private and family life, home and correspondence
- Protocol 1, Article 1: Right to peaceful enjoyment of your property

84 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.

85 This application has the legitimate aim of the construction of a single storey extension. The rights potentially engaged by this application, including respect for your private and family life, home and correspondence and the freedom to enjoy one's home are not considered to be unlawfully interfered with by this proposal.

86 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

## 14 CONCLUSION

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

88 Officer's consider the proposed development is acceptable in principle, of no significant harm to the character of the application property or surrounding area, or to residential amenity. The scheme is therefore considered acceptable.

89 The proposed extension is recommended for approval, subject to the conditions below.

## 15 RECOMMENDATION

90 That the Committee resolve to **GRANT** planning permission subject to the following conditions and informative:

### 15.1 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:

1149/EX-01 Rev A; 1149/EX-02 Rev A; 1149/EX-03; 1149/PL-01 Rev A; 1149/PL-02 Rev A; Site Location

**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. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new window to be installed in the side elevation of the extension hereby approved shall be fitted as obscure glazed and fixed shut (up to 1.7m above ground floor level) and retained in perpetuity.

**Reason:** To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014).

4. Prior to installation, details of the proposal for the storage of refuse and recycling facilities must be submitted to and approved in writing by the local planning authority.

**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. Prior to its installation, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.

**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).

#### **Informatives**

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

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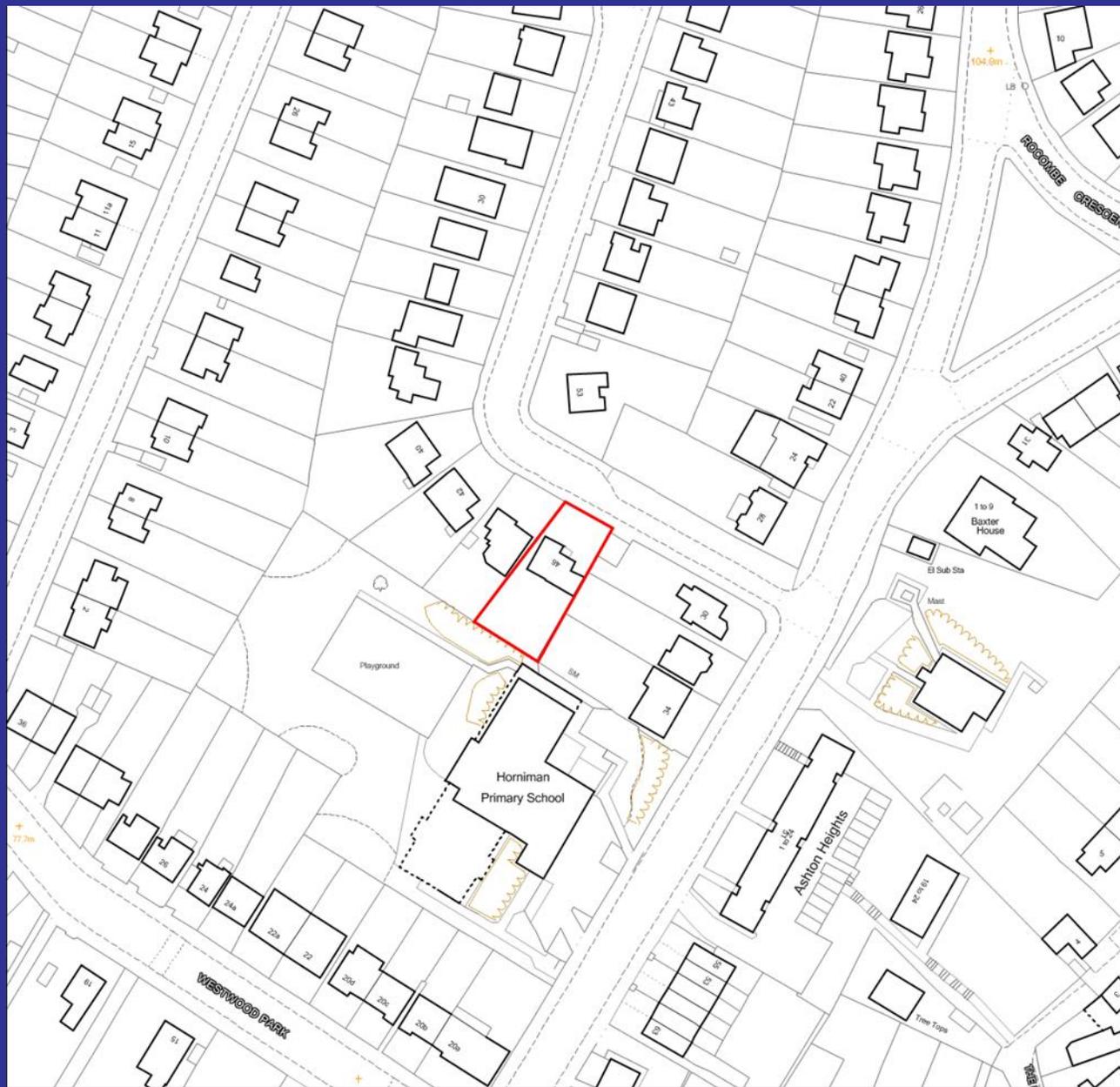
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**46 Ringmore Rise, SE23 3DE**  
**Application No. DC/19/110358**

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***The construction of a single storey extension with crown roof to the rear of 46 Ringmore Rise, SE23, together with the provision of a bin and refuse store at the front.***

This presentation forms no part of a planning application  
and is for information only.



### Site Location Plan



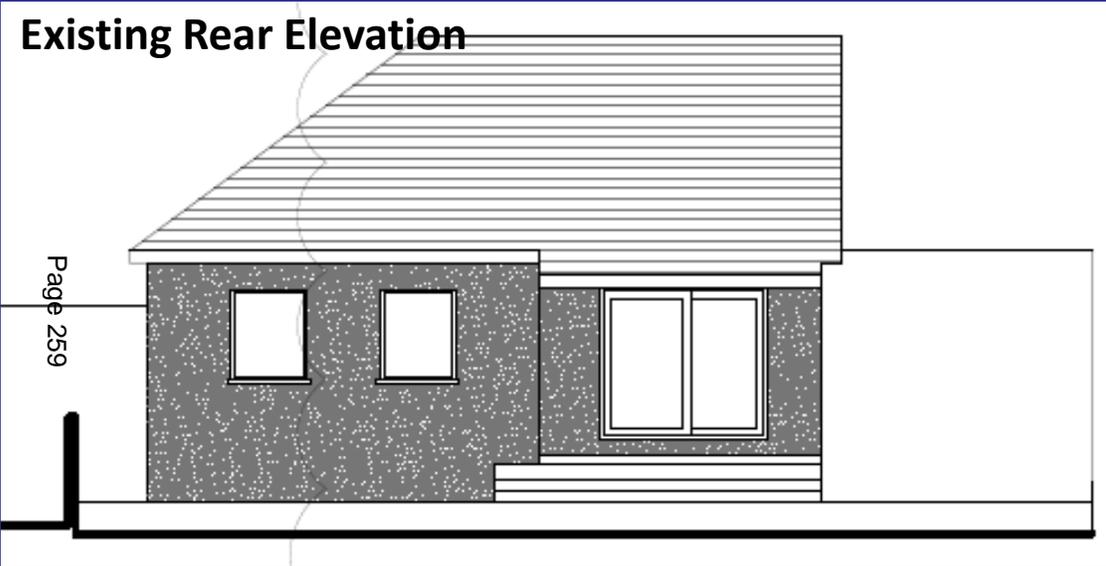




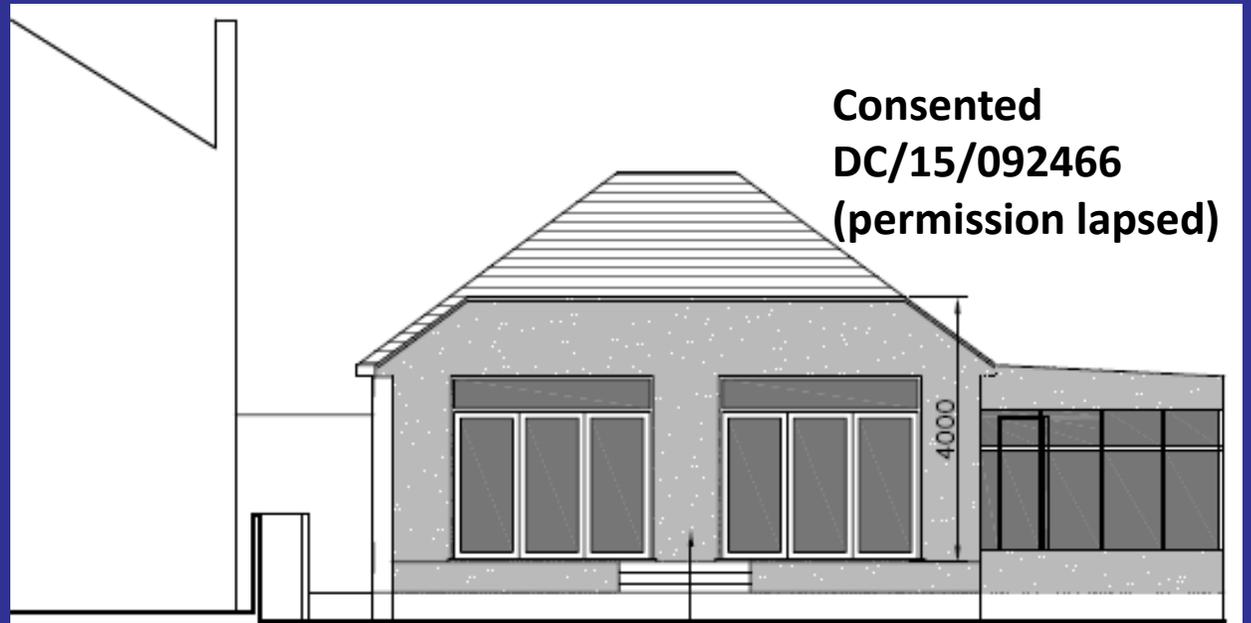


### Existing Rear Elevation

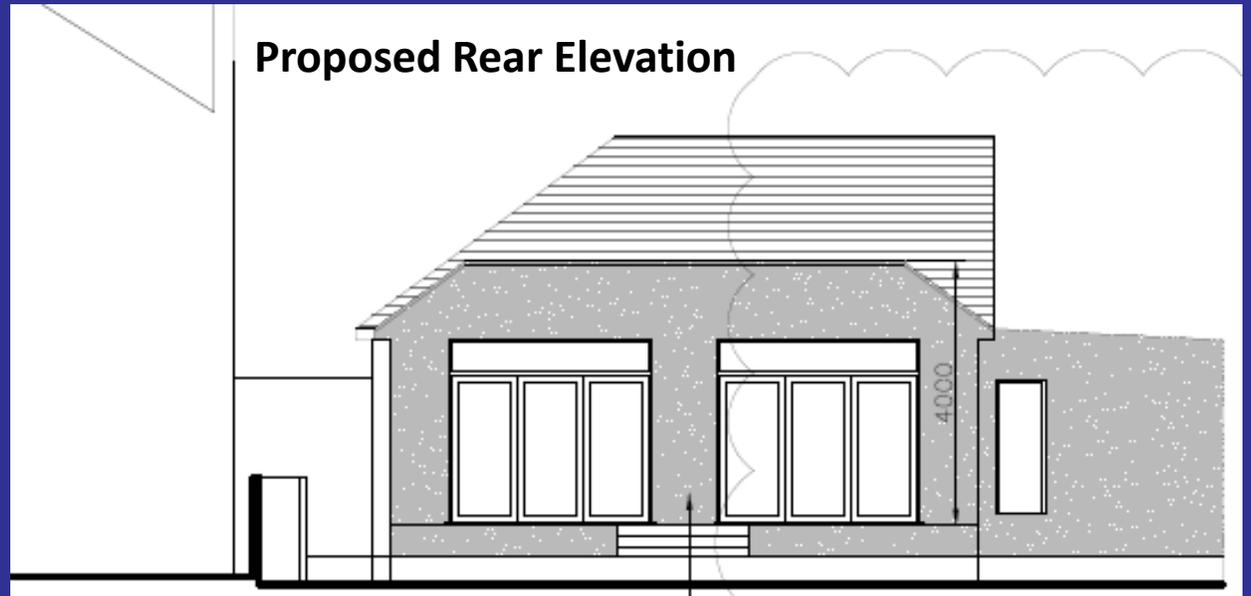
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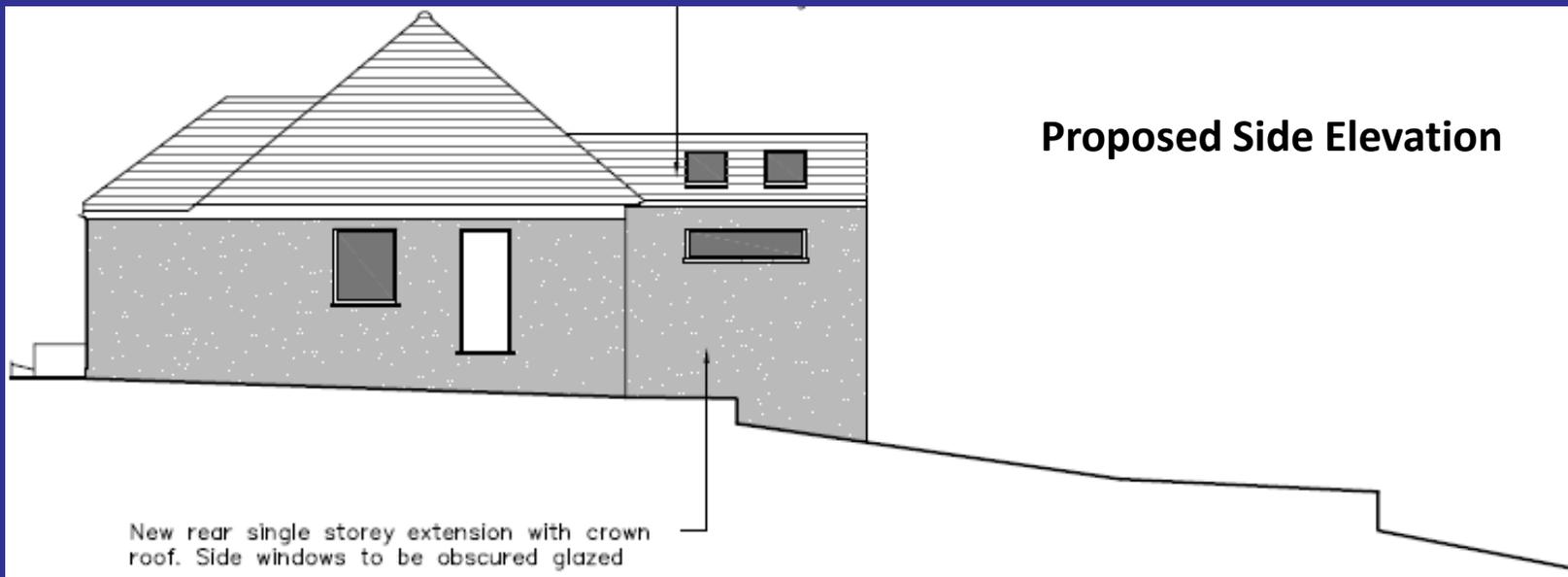
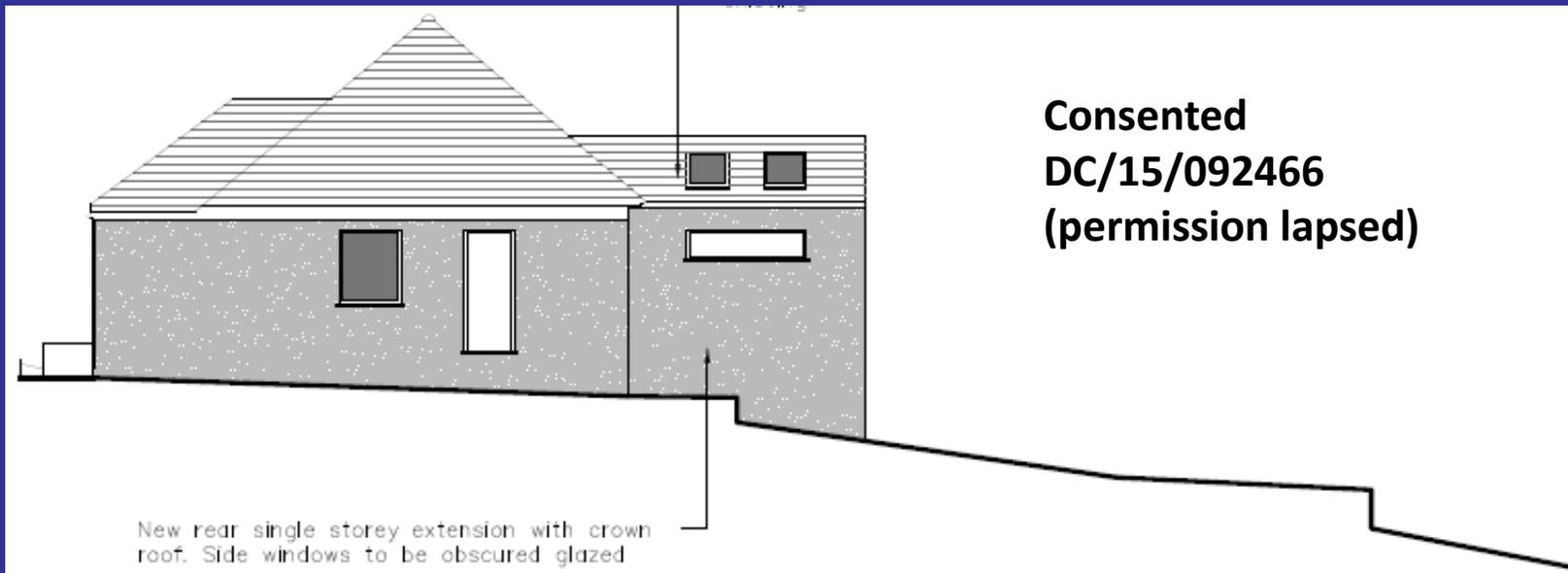


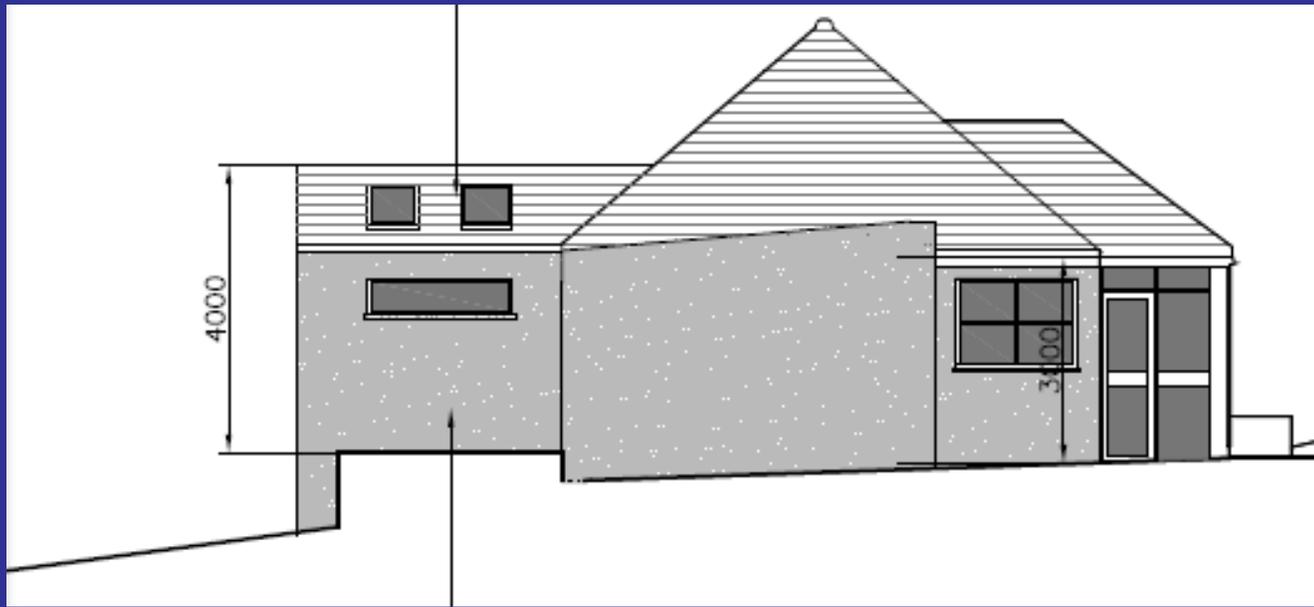
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DC/15/092466  
(permission lapsed)



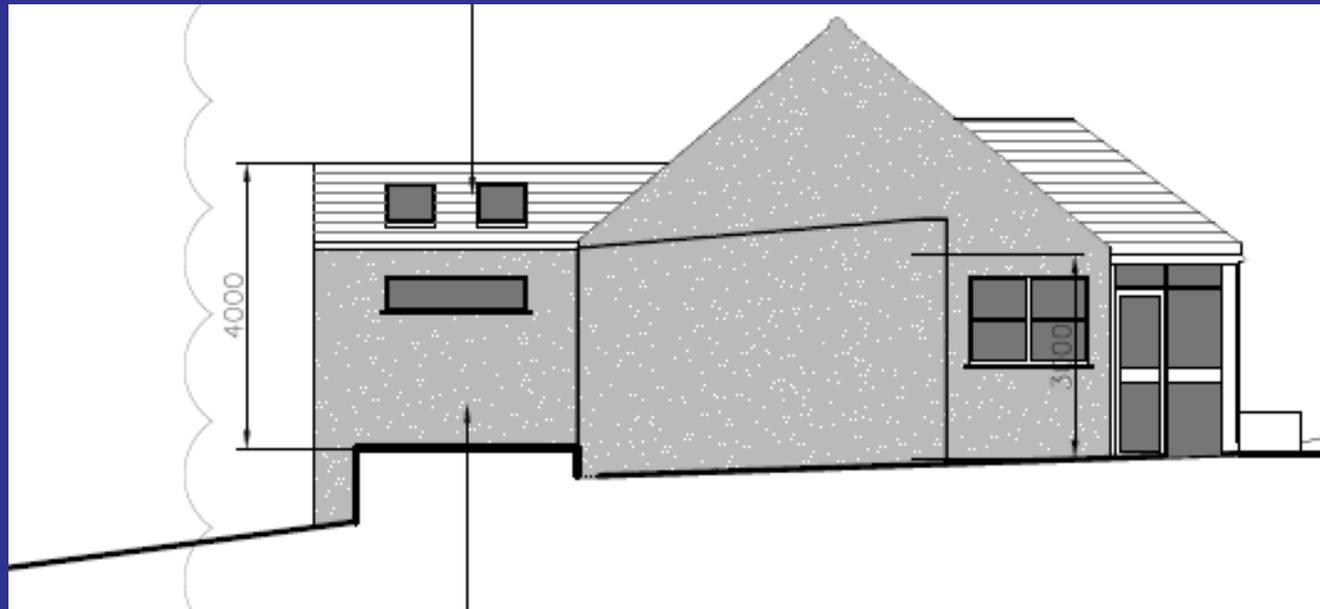
### Proposed Rear Elevation



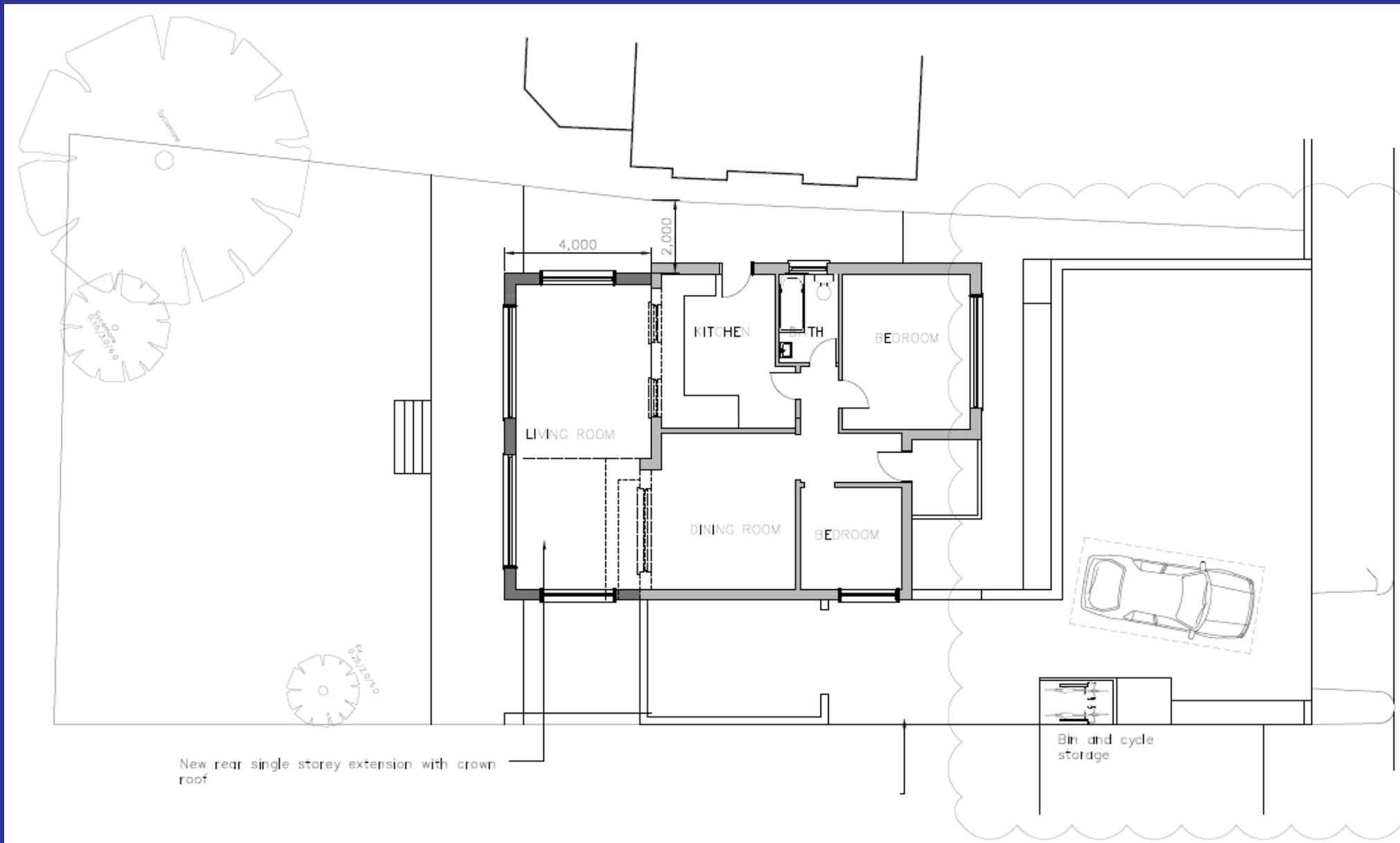




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DC/15/092466  
(permission lapsed)**

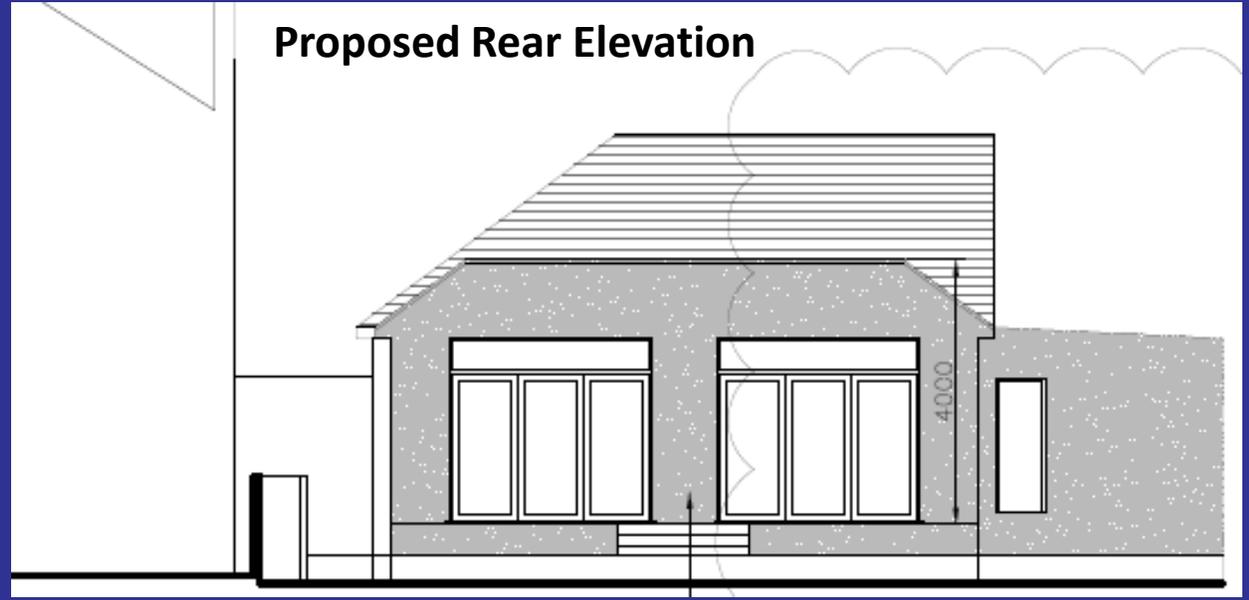
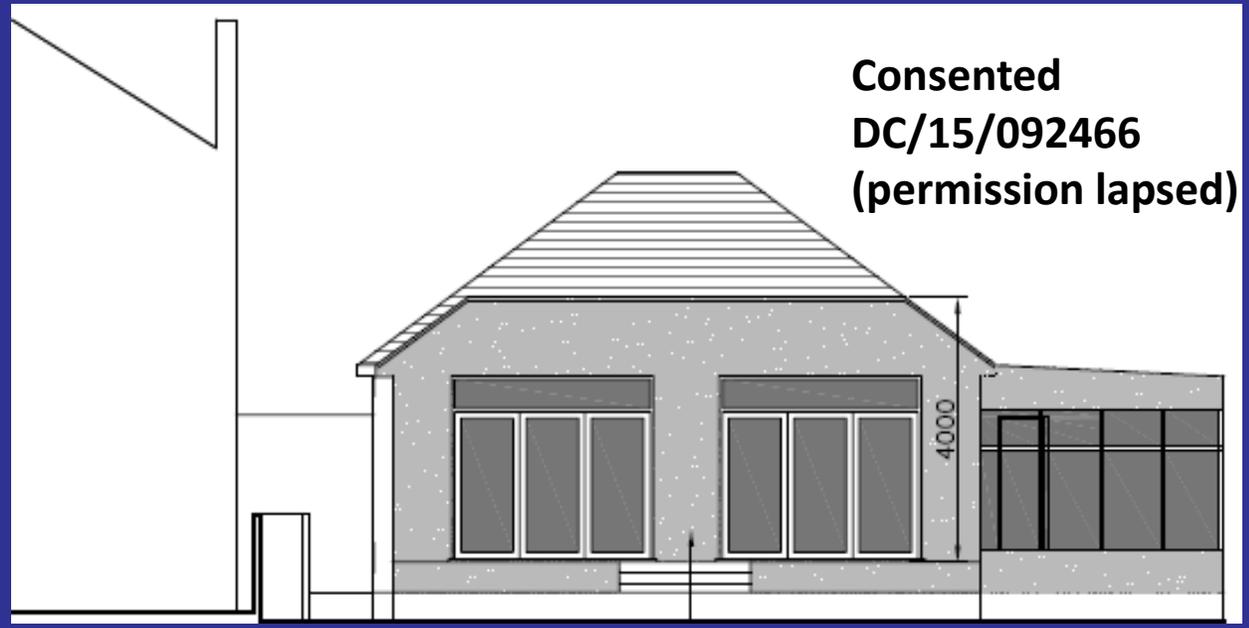


**Proposed Side Elevation**



# Key planning considerations

- **Design and Materials**
- **Impact on Living Conditions of Neighbours**



**Proposed Rear Elevations Comparison**

# Key planning considerations

- Design and Materials
- **Impact on Living Conditions of Neighbours**





