

Committee	PLANNING COMMITTEE C	
Report Title	1 CROSSFIELD STREET, DEPTFORD SE8 3PH	
Ward	Evelyn	
Contributors	Michael Forrester	
Class	PART 1	28 AUGUST 2014

Reg. Nos. DC/14/87202

Application dated 02.01.2014

Applicant Mr J Pile

Proposal The demolition of the existing building and the construction of a part single, part two storey, three bedroom house on land at 1 Crossfield Street SE8 (rear of 156 Deptford High Street)

Applicant's Plan Nos. 001, 002, 003A, 004A, existing site plan, 004A existing site plan walls to be demolished, 013A, 010A, 011A, 012A, 020B, 007, 016, 07A, 07B, 005, 006, 006A, 019A, 020, 020A, 016C, 018A proposed Crossfield Street elevation 1:20, 018C, 18A facade detail section A, 018B, 014, 015, 015A, 016A, 008, 017, 009, 022A, 022, overshadowing diagram, 021, Rubbecover, Design and Access Statement, Sustainability Statement, Sadolin Safety Data Sheet, Sadolin Superdec Opaque Wood Protection, Velvac 229 reversable opening light, Sustainability Monitoring Form, Daylight and Sunlight Assessment, Materials and Detailing, Heritage Statement, Living Roof Design, Code for Sustainable Homes 2010 Design Stage Pre-assessment.

Background Papers

- (1) Case File DE/156/M/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) Local Development Framework Documents
- (4) The London Plan

Designation [Core Strategy or Adopted UDP] - Existing Use

## **1.0 Property/Site Description**

1.1 The application site is an irregularly shaped, largely open yard at the rear of 150-156 Deptford High Street. The site has a 10.4m frontage to Crossfield Street with a 2.5 metre high brick boundary wall with 2.6 metre high piers, constructed in second hand stock bricks. The yard is in use for car repairs and is accessed by inward opening timber gates. Inside the yard are a portable building used as an office, an open sided timber shed and a stable of possible Victorian date located to the rear of No 150.

The boundary of the site does not correspond to the OS plan for the area and appears to have been assembled from land originally part of No. 150 with access onto Crossfield Street. The site has been widened to the north to include land previously part of No. 156 Deptford High Street (formerly the Brown Bear public house). The boundary wall appears to have been constructed by the Council as part of improvement works to the public realm in the late 1970s.

- 1.2 While there is no record of planning permission having been granted for use of the land for vehicle repairs, it appears to have been in this use for more than 10 years and is therefore now likely to be lawful. Working conditions in the yard are extremely poor with sanitation comprising only a chemical toilet. The site is littered with car parts and is unattractive in appearance. The access gates are normally left open during the day and the untidy appearance of the premises has a detrimental effect on the public realm. The site has never been previously occupied by a dwelling.
- 1.3 The properties fronting Deptford High Street date from the late 1600s, the oldest surviving property being 150. Until recently this still possessed its original roof. No. 152 is a modern rebuilding in the style of no. 150 and Nos. 154 to 156 is a Victorian public house of the 1850s.
- 1.4 The only features of significance at the site are the stable building at the rear of No. 150 with its stone floor and the modern wall to the street frontage, which is well constructed and screens the site activity from public view.
- 1.5 The site is in the Deptford High Street Conservation Area and borders the St Paul's Conservation Area which is dominated by the Grade 1 Listed St Paul's Church which was built by Thomas Archer in the early 1700s. The site is also within an archaeological priority area.

## **2.0 Planning History**

- 2.1 DC/10/76223 – The construction of a single storey, two bedroom dwellinghouse on land at the rear of 156 Deptford High Street, SE8 – permission granted 30/05/2012, not implemented.

## **3.0 Current Planning Applications**

### **The Proposals**

- 3.1 Permission is sought for the demolition of existing buildings to the rear of 156 Deptford High Street and the construction of a single storey plus roofspace, three bedroom house.
- 3.2 Access is from Crossfield Street, behind the retained boundary wall. A gate would open onto a courtyard where the entrance leads to two bedrooms and a staircase leads to a first floor comprising a work/studio room. Behind the ground floor bedrooms is an open plan kitchen/ living room which runs along the western edge of the plot, creating space for a central courtyard. To the rear of the site enclosing the courtyard is a third bedroom.
- 3.3 The dwelling would occupy the full width of the plot facing Crossfield Street at 10.4m, with the bedroom block to the rear measuring 5m deep as a maximum. The connecting kitchen/living room block projects a total of 11.4m with the rear bedroom block projecting a further 4.2m to the rear site boundary.

The first floor element measures 5m deep by 8.7m in width and is set in from the western boundary to the rear of the Deptford High Street properties by 2m.

- 3.4 The two storey element of the building has a total height of 6.2m to the ridge of the pitched roof.
- 3.5 The building is proposed to be clad in black stained timber.

#### Supporting Documents

- 3.6 Design and Access Statement – this document describes the level of residential accommodation, the sustainability aspirations to reach Code Level 4 and some historical context. Details on the impact of views/ neighbour consultation and materiality are also provided.
- 3.7 Sustainability Statement, monitoring form and pre-assessment – this details the proposed sustainability measures including use of recycled materials and provides a pre-assessment score of 68.63%.
- 3.8 Daylight and Sunlight Assessment - this statement, to be read in conjunction with the submitted drawings, describes the impact upon daylighting.
- 3.9 Materials and Detailing – this document provides a detailed description of the proposed materials for the timber cladding, windows and detail of the Crossfield Street boundary treatment.
- 3.10 Heritage Statement – this document provides an analysis of the sites historical context including the Deptford High Street Conservation Area and St Paul's Conservation Area and the surrounding historic buildings, namely St Paul's Church which is Grade I listed. The visual impact of the building is described in detail.
- 3.11 Living Roof Design – this provides a detail of the living roof specification
- 3.12 Sadolin Safety Data Sheet and Superdec Opaque Wood Protection – these documents to be read in conjunction with the Materials and Detailing Statement provides further information as to the finish of the timber cladding.
- 3.13 Velvac 229 reversible opening light – this is a specification sheet for the proposed windows.

#### **4.0 Consultation**

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

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

- 4.3 Four objections have been received from neighbouring properties nos. 152 (comprising the ground floor commercial unit and flat at first floor, 152a and the back yard of 150 Deptford High Street). The issues raised are summarised below.

- loss of views towards St. Paul's Church and gardens
- loss of privacy and overlooking from first floor windows
- loss of light
- inappropriate scale of development
- would set clear precedent for larger buildings in Crossfield Street

4.4 A letter of support has also been received from a local resident at 84 Speedwell Street, stating that the use of the black stained timber is sympathetic for the area.  
(Letters are available to Members)

4.5 The Amenities Societies Panel have objected to the proposals stating that the mezzanine level is inappropriate. This site has historically comprised rear yards and single storey buildings ancillary to the High Street properties, hence the existing permission for a wholly single storey dwelling with a green roof on the site. The proposed structure clad in vertical black timber would be highly visible and severely detract from the character and appearance of both the Deptford High Street and St Paul's Conservation Area as well as the setting of the St Paul's Church, which is one of only a few Grade I listed buildings in the Borough.

#### Sustainability Manager

4.6 Proposals meet Code Level 4 by 0.83%, a condition is required to ensure that the proposals meet Level 4 at construction stage.

#### Conservation Officer

4.7 Crossfield Street has lost its historic development as a result of slum clearances of the 1970s. The street would in our opinion benefit from re-development with housing facing the street. The isolated position of the property in question allows for the contemporary approach and would add to the group of more recent contemporary self-build infill development within the side streets off the High Street. As a high quality representative of its time, the proposed building would preserve the special interest of the conservation area and enhance the character of Crossfield Street by re-developing a plot of land that since the 1970s clearances has remained under-maintained. I therefore have no objections to this proposal.

#### Highways and Transportation

4.8 Unobjectionable in principle, Construction Logistics Plan is required by condition.

#### English Heritage

4.9 No objection. Proposals should be determined in accordance with national and local planning policy.

### **5.0 Policy Context**

#### Introduction

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

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

A local finance consideration means:

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

5.2 Section 38(6) of the Planning Compulsory Purchase Act 2004 makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham Unitary Development Plan (July 2004) that have not been replaced by the Core Strategy and Policies in the London Plan (July 2011). The NPPF does not change the legal status of the development plan.

#### National Planning Policy Framework

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

#### Other National Guidance

- 5.5 The other relevant national guidance is:
- Climate change
  - Conserving and enhancing the historic environment
  - Design
  - Housing and economic development needs assessments
  - Housing and economic land availability assessment

Renewable and low carbon energy

Travel plans, transport assessments and statements in decision-taking

Tree Preservation Orders and trees in conservation areas

#### London Plan (July 2011)

5.6 The London Plan policies relevant to this application are:

Policy 2.14 Areas for regeneration

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 8.3 Community infrastructure levy

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

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

Housing (2012)

#### London Plan Best Practice Guidance

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

5.9 Development Plan Policies for Biodiversity (2005)

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

#### Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy

Spatial Policy 2 Regeneration and Growth Areas  
Core Strategy Policy 1 Housing provision, mix and affordability  
Core Strategy Policy 7 Climate change and adapting to the effects  
Core Strategy Policy 8 Sustainable design and construction and energy efficiency  
Core Strategy Policy 15 High quality design for Lewisham  
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

#### Unitary Development Plan (2004)

5.11 The saved policies of the UDP relevant to this application are:

STR URB 1 The Built Environment  
STR URB 4 Regeneration Areas  
URB 3 Urban Design  
URB 6 Alterations and Extensions  
URB 12 Landscape and Development  
URB 13 Trees  
URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas  
HSG 4 Residential Amenity  
HSG 5 Layout and Design of New Residential Development  
HSG 7 Gardens  
HSG 8 Backland and In-fill Development  
HSG 9 Conversion of Residential Property  
HSG 10 Conversion of Office and other Commercial Space to Residential Accommodation  
HSG 11 Conversion of Space Above Shops to Residential Accommodation  
HSG 12 Residential Extensions

#### Residential Standards Supplementary Planning Document (August 2006 revised 2012)

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

#### Emerging Plans

5.13 According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

5.14 The following emerging plans are relevant to this application.

#### Development Management

5.15 The Council submitted the Development Management Local Plan (DMLP) for examination in November 2013. The Examination in Public has now concluded, and the Inspector has issued his report on 23 July 2014 finding the Plan sound subject to 16 main modifications. The 16 main modifications had previously been published by the Council for public consultation on 29<sup>th</sup> April 2014.

5.16 The Council expects to formally adopt the DMLP in autumn 2014.

5.17 As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process. The DMLP as amended by the 16 main modifications has undergone all stages of plan making process aside from formal adoption, and therefore holds very significant weight at this stage.

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 23	Air quality
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 28	Contaminated land
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

## **6.0 Planning Considerations**

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

- a) Principle of Development
- b) Design
- c) Housing
- d) Highways and Traffic Issues
- g) Impact on Adjoining Properties
- h) Sustainability and Energy
- i) Ecology and Landscaping
- k) Planning Obligations



### Principle of Development

- 6.2 Policy 3.4 'Optimising housing potential' of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.
- 6.3 Saved Policy HSG 8 of the UDP sets out criteria to assess whether infill and backland development is appropriate, subject to an assessment of the impact of the proposal on the appearance/ character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.
- 6.4 DM Policy 33 of the Development Management Local Plan states that if a site is considered suitable for development, planning permission will not be granted unless the proposed development is of the highest design quality, relates successfully and is sensitive to the existing design quality of the streetscape, and sensitive to the setting of heritage assets. This includes the importance of spaces between buildings which may be as important as the character of the buildings themselves, and the size and proportions of adjacent buildings.
- 6.5 The acceptability of the principle of development will depend on how the site is classified and also on the character of the area and the urban design function a space fulfils. If a site is considered suitable for development, planning permission will only be granted for development of the highest design quality that successfully relates to the streetscape and character of the surrounding buildings and site layouts.
- 6.6 The proposal has been specifically designed to fit the site and surroundings well and to respect the character of the surrounding streetscape. The details of the application demonstrate how the proposal seeks to address issues of design, parking and residential amenity. However considering the proposal in light of the site context and planning policy, the principle of developing this site for a single residential dwelling is considered acceptable subject to a high standard and sustainable design and a layout which responds to the site context, and which takes account of the amenities of neighbouring properties.
- 6.7 The site is well served by public transport, with Deptford Station in close proximity, bus stops located in Deptford Church Street, and Deptford Bridge DLR station nearby. The site has a PTAL rating of 4 and is therefore considered a sustainable location and would utilise previously developed land. The proposals do not result in the loss of existing residential gardens or public open space and accordingly the principle of development can be considered acceptable in principle.
- 6.8 It is noted that planning permission was granted for a single dwelling on this site under reference DC/10/76223 on 30.5.2012, for which permission is still extant, therefore the principle of residential development of the site has been established.

### Design

- 6.9 Paragraph 63 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'.

- 6.10 Policy 3.5 'Quality and design of housing developments' of the London Plan states that housing developments should be of the highest quality internally, externally and in relation to their context. Policy HSG 5 of the UDP states that the Council expects all new residential development to be attractive and high quality.
- 6.11 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character. Policy DM 30 of the Development Management Local Plan states that the Council will require all developments to attain a high standard of design.
- 6.12 The site is located within the Deptford High Street Conservation area, with a frontage onto the St. Paul's Conservation Area. The existing site is in poor condition. Officers welcome the reuse of this site in principle as it could offer enhancement to the streetscene and conservation area.
- 6.13 The approved scheme comprises a single storey dwelling built behind the existing wall and finished with a living roof. This would have been of minimal visibility from surrounding view points and as such the wider conservation area. The revised proposal submitted here proposes a larger dwelling, part of which would be two storeys in height, with single storey projections to the rear, also finished with a living roof. The higher element of the building is located against the wall facing Crossfield Street and as such would create a building visible in the streetscene.
- 6.14 The principle of a dwelling in this location is established and it therefore falls for consideration as to whether the additional storey is acceptable. The applicant has prepared a detailed Design and Access/Heritage Statement which includes detailed design options and historical analysis as to the buildings which would have typically existed in the area around the time of the construction of St Pauls Church. It is noted that a building or stable has existed on the site since 1868. The massing of the proposed new building comprises a projected barn style roof with a steep roof pitch and gable ends to reference, but not copy traditional vernacular massing. This would be clearly visible above the retained front boundary wall, creating a distinct visual separation between old and new.
- 6.15 Officers consider that the case for the massing has been well presented and that the provision of a two storey block facing Crossfield Street is acceptable in principle, subject to the highest quality design and detailing.
- 6.16 The building is proposed to be clad in black stained timber, this would be punctuated on the front elevation at eaves level by a dormer window, shown as a single sheet of glass with crisp detailing. The rear is punctuated by two smaller windows. The design is contemporary in approach, exploring clean simple lines and massing, articulated by single panes of glass, however, the materials make a reference to vernacular architecture, utilising the stained timber and is considered to be appropriate in the locality and would view well next to the retained London stock boundary wall. A high quality contemporary building of sympathetic design is considered preferable to a pastiche design.

- 6.17 Detailed drawings have also been submitted including profiles of the timber cladding, guttering detail, cladding of the dormer windows and finish to the front boundary including entrance gate, door frames and door furniture. Specifications for the windows, and stain finish have been submitted. These collectively are considered to provide a realistic detailed impression of the appearance of the building and would provide for a high quality contemporary dwelling. However, it is recommended that the submission of samples of the timber in the proposed painted finish are secured by condition, given the importance of the materials to the acceptability of the project.
- 6.18 Officers consider the contemporary approach to be an acceptable response to the sites context, where a pastiche interpretation of historical architecture would be inappropriate. No objection has been received from the Councils Conservation Officer, and it is considered that the proposal has demonstrated a suitably high quality design which would make a positive contribution to the streetscene and wider conservation area.
- 6.19 The building would be visible from surrounding view points and be visible in context of St. Paul's Church, however, the site is considered to be at a sufficient distance from the grounds of the church, so as to not appear overbearing or intrusive given the width of Crossfield Street and presence of several trees within the setting of the church. The building is considered to be modest in scale and of high quality and that it would enhance the character of the streetscene.

#### Housing

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

- 6.20 The proposal is for a single family dwelling in private tenure.

##### *b) Standard of Residential Accommodation*

- 6.21 Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing developments to be of the highest quality internally, externally and in relation to their context. This policy sets out the minimum floor space standards for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and circulation, in line with Lifetime Home Standards. The accompanying London Plan Housing SPG is also a material consideration, and contains further guidance on internal layout. The dwelling has a proposed gross internal area (GIA) of 144.6 square metres which is above the minimum as set out in the London Plan for a 4 bedroom dwelling.
- 6.22 Policy HSG 5 Layout and Design of New Residential Development of the UDP states that the Council expects all new residential development to meet the functional requirements of its future inhabitants. It states that new dwellings should provide a satisfactory level of privacy, outlook and natural lighting with an appropriate level of amenity space.
- 6.23 Core Strategy Policy 1 requires all new dwellings to be built to meet Lifetime Homes standards. An annotated plan has been submitted stating that the dwelling would be able to meet Lifetime Homes, with the exception of criterion 1 (car parking) as this is a car free scheme. A condition is recommended which ensures that the completed development achieves this.

- 6.24 The dwelling is accessed via Crossfield Street via a gate which opens into a courtyard. This is flanked by bedrooms and the open plan kitchen/ living room which projects into the site, opening out into a central courtyard, behind which is a further bedroom. The first floor is accessed by the main entrance and opens out onto an open plan room designed as a work space for the applicant. It is considered that the internal layout and courtyard arrangement is acceptable and would provide a high quality living environment.
- 6.25 The London Plan Housing SPG (2012) states that 5sqm of private outdoor amenity should be provided for 1-2 person dwellings and an extra 1 sqm for each additional occupant. The proposal is for a 4 bedroom, 6 person dwelling. Amenity space is provided within a central courtyard approximately 24.09 sqm. in area, incorporating areas for planting and seating. Officers consider the amenity provision to be of an acceptable size and shape and to benefit from acceptable levels of privacy.

#### Highways and Traffic Issues

##### a) *Access*

- 6.26 Access into the site would remain off Crossfield Street. This raises no objections given it is an existing access.

##### b) *Cycle Parking*

- 6.27 Two cycle spaces are proposed which is acceptable, these would be located within the entrance courtyard and would therefore be secure.

##### c) *Car Parking*

- 6.28 The proposals do not include off street car parking. The site is located within close proximity to Deptford Rail Station and Deptford Bridge DLR and has a PTAL rating of 4. Officers consider a car free approach to be acceptable.

##### d) *Refuse*

- 6.29 An area is shown on plan for the storage of refuse and recycling within the ground floor courtyard. This has access both from the courtyard and via a door opening onto Crossfield Street. This arrangement is considered acceptable.

#### Impact on Adjoining Properties

- 6.30 Policy HSG 4 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 6.31 The nearest residential properties are to the west at Nos. 150-156 Deptford High Street which is characterised by ground floor commercial uses with residential accommodation above. This terrace has a varied rear building line, characterised by various extensions. The associated ground floor yards to these properties vary in size and are again characterised by various extensions and outbuildings. The rear elevations of these properties (at first floor and above) are set between 6m and 7m from the western boundary of the site due to the changing boundary line, which is enclosed by a brick wall. There are a number of sheds and outbuildings located at ground floor closer to the boundary with the proposed dwelling.

- 6.32 At ground floor level the proposed dwelling would extend to the rear boundaries shared with Nos. 150-156 Deptford High Street (as per the approved scheme) with the first floor set between 1.5m and 2m from the western boundary, creating minimum back to back distances of between 7.5m and 9m from Nos. 154-156. However, the first floor element of the proposed house is set at an angle, projecting away from No. 152 Deptford High Street where the back to back distance measures between 10.5m, rising to 16.5m which is considered acceptable.
- 6.33 Nos. 150 and 152 Deptford High Street have upper floor rear windows and a large balcony at first floor level which face onto the site and towards St. Paul's Church. The ground floor is in commercial use (DIY store). Representations received have objected to the first floor element and to the loss of the views towards St. Paul's Church. However, the loss of a particular view is not a material planning consideration upon which a refusal of planning permission could be based. The applicant within their Design and Access Statement has addressed the impact upon views, and whilst the first floor part of the proposed building would be visible, the tall spire of St Paul's would remain visible in the background. These views as shown however, are taken from site levels rather than specific photographs.
- 6.34 The objections also relate to the loss of light from the mass and bulk of the first floor element. It is noted that the height of the building proposed at 6.2m is lower than that of the traditional two storey projections of the buildings facing Deptford High Street. The existing balcony at 152 Deptford High Street is located south of the two storey part of the proposed house, facing the single storey element of the building (with a view onto the two storey section). Overshadowing diagrams provided show that throughout the year (the diagrams show overshadowing at 9am, 12pm and 3pm on the 21<sup>st</sup> December, March and June) the two storey bulk of the building is set sufficiently away from the boundary as to not cause overshadowing, beyond that already created by existing buildings.
- 6.35 The applicant has submitted section drawings of the proposed house in the context of rear windows of properties in Deptford High Street. The nearest first floor windows (at nos. 154-156 Deptford High St) are located 6m from the western boundary. The drawings submitted show that these windows would not be subject to loss of light and would be located outside of the 25 degree visible sky angle.
- 6.36 The ridge line of the proposed house would marginally be located within the 25 degree visible sky angle of the ground floor of Nos. 154-156 Deptford High Street (Deli X), however, this is a commercial unit and although there is an existing rear courtyard for the café/ deli the impact of the proposal is considered to be minor, such as to not warrant a reason for refusal.
- 6.37 The overshadowing diagrams also show the area to the rear of the existing buildings on Deptford High Street and the application site to be in shadow for much of the time, due to the westerly orientation of Deptford High Street. The existing boundary wall already partly shades the courtyard to the rear of Deli X, however, this has previously been considered acceptable on the extant approval. The first floor element creates shadow over the roof of the ground floor, rather than the adjacent courtyard serving Deli X.

- 6.38 The proposed building is considered to have a modest impact, which Officers consider would not result in significant unacceptable impact upon neighbouring amenity. The submitted drawings show the proposed building being visible from neighbouring windows, however, the visibility of a building, rather than impact upon satisfactory outlook and daylighting is not considered an adverse impact in itself, and is not a ground upon which a refusal reason could be substantiated. It is not considered that the bulk of the first floor would give rise to an excessive sense of enclosure or be visually detrimental, given the slope of the roof and extent of the two storey element of the proposed building.
- 6.39 Representations received from Nos. 150-152 and 152a Deptford High St also object to the proposed first floor rear windows which may cause overlooking and a consequent loss of privacy. These windows are set at an oblique angle from these existing properties and as such do not face directly into adjacent windows or their balconies. However, given the relative distances of between 11.5m and 14.5m to No. 152 and 10m to No. 150 and tight urban context, together with the use of this first floor room as work space, it is considered that an element of privacy screening should be secured by condition for the window in front of the staircase, closest to the rear of the Deptford High Street properties.
- 6.40 It is recommended that given the physical constraints of the site, and proximity to neighbouring buildings that all permitted development rights are removed.

#### Sustainability and Energy

- 6.41 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.
- 6.42 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
1. Be Lean: use less energy
  2. Be clean: supply energy efficiently
  3. Be green: use renewable energy
- 6.43 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policy 8 requires all new residential development to meet a minimum of Code for Sustainable Home Level 4 and commercial buildings to achieve a BREEAM rating of 'Excellent'.
- 6.44 The applicant has stated that the proposals would meet Code Level 4, and with reference to renewable energy includes the use of solar thermal panels to the single storey rear bedroom block. The Code Level rating is to be secured by condition.

## **7.0 Local Finance Considerations**

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

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

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

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

## **8.0 Equalities Considerations**

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

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

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

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

8.4 In this matter there is considered to be no impact on equality.

## **9.0 Conclusion**

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

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

- (1) Time limit

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

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

(2) Accordance with Plans

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

001, 002, 003A, 004A, existing site plan, 004A existing site plan walls to be demolished, 013A, 010A, 011A, 012A, 020B, 007, 016, 07A, 07B, 005, 006, 006A, 019A, 020, 020A, 016C, 018A proposed Crossfield Street elevation 1:20, 018C, 18A facade detail section A, 018B, 014, 015, 015A, 016A, 008, 017, 009, 022A, 022, overshadowing diagram, 021, Rubbecover, Design and Access Statement, Sustainability Statement, Sadolin Safety Data Sheet, Sadolin Superdec Opaque Wood Protection, Velvac 229 reversable opening light, Daylight and Sunlight Assessment, Sustainability Monitoring Form, Materials and Detailing, Heritage Statement, Living Roof Design, Code for Sustainable Homes 2010 Design Stage Pre-assessment.

**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) Archaeology Programme

No development shall commence on site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority.

**Reason:** To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (July 2011)

(4) Construction Management Plan

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

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
  - (i) Rationalise travel and traffic routes to and from the site.
  - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity.



- (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Saved Policies ENV.PRO 9 Potentially Polluting Uses and HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

(5) Construction Logistics Plan

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

- (a) Rationalise travel and traffic routes to and from the site.
- (b) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity.
- (c) Measures to deal with safe pedestrian movement.
- (d) Storage of construction materials and hoarding lines.

The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

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

(6). Site Contamination

- (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
  - (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
  - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or

not) has been submitted to and approved in writing by the Council.

(iii) The required remediation scheme implemented in full.

- (b) If during any works on the site, contamination is encountered which has not previously been identified ("the new contamination") the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

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

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

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with Saved Policy ENV.PRO 10 Contaminated Land in the Unitary Development Plan (July 2004).

(7) Land contamination

- (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
  - (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
  - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.

(iii) The required remediation scheme implemented in full.

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

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

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

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with Saved Policy ENV.PRO 10 Contaminated Land in the Unitary Development Plan (July 2004).

(8) Materials

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

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).

9. Living roofs

- (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. Living Roof Design 'Sky Garden Green Solutions' and drawings 020B, 020, 020A, hereby approved and maintained thereafter.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

**Reason:** To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2011) and Core Strategy Policy 10 managing and reducing flood risk and Core Strategy Policy 12 Open space and environmental assets.

10. Lifetime Homes

The dwelling hereby approved shall meet the relevant Lifetime Home Standards (in accordance with the 2010 (Revised) document) as shown on drawing nos. 021 hereby approved.

**Reason:** In order to ensure an adequate supply of accessible housing in the Borough in accordance with Saved Policy HSG 5 Layout and Design of New Residential Development in the Unitary Development Plan (July 2004) and Core Strategy Policy 1 Housing provision, mix and affordability and Core Strategy Policy 15 High quality design for Lewisham (June 2011).

11. Plumbing or pipes

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building(s).

**Reason:** It is considered that such plumbing or pipes would seriously detract from the appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).

12. Removal of permitted development rights

No extensions or alterations to the building(s) hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

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

14. No new windows

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in the elevations of the building other than those expressly authorised by this permission.

**Reason:** To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties in accordance with Saved Policy HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

15. Use of flat roofs

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roof on the building(s) hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Saved Policy HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

16. Privacy Screening

No development shall commence on site until a detailed scheme of privacy screening for the western rear dormer window has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally, to ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Saved Policies HSG 4 Residential Amenity and URB 3 Urban Design in the Unitary Development Plan (July 2004) and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

(17). Cycle Parking Provision

- (a) A minimum of 2 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

**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**

- (1). Positive and Proactive Statement: The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought. However, as the proposal was clearly in accordance with the Development Plan, permission could be granted without any further discussion.
- (2) 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.
- (3) 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.
- (4). It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Developer Services will be required. They can be contacted on 0845 850 2777.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes you are recommended to contact Thames Water to discuss their status in more detail, You can contact Thames Water on 0845 850 2777 or for more information [www.thameswater.co.uk](http://www.thameswater.co.uk).

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 Water pipes. The developer should take account of this