

Committee	PLANNING COMMITTEE (A)	
Report Title	16-22 Brownhill Road SE6 2EJ	
Ward	Rushey Green	
Contributors	Geoff Whittington	
Class	PART 1	Date: 27 August 2015

Reg. Nos. DC/14/89404

Application dated 9 October 2014, amended 1 May 2015

Applicant Brownhill Properties LLP

Proposal The alteration and conversion of the existing building at 16-22 Brownhill Road SE6 to provide 347 sq.m ground floor commercial floorspace for (A2) Financial & Professional Services, (A3) Café/Restaurant or (D1) Non-Residential Institution use on the ground floor, and 5 one bedroom and 4 two bedroom self-contained flats on the upper floors, together with the construction of a part 2/ part 3/ part 4 storey building fronting Plassy Road to provide 4 one bedroom and 6 two bedroom self-contained flats, with a green living roof, associated landscaping and cycle and refuse stores.

Applicant's Plan Nos. 20140117-A-920 Rev 00; 20140117-A-921 Rev 02; 20140117-A-922 Rev 01; 20140117-A-930 Rev 00; 20140117-A-931 Rev 01; 20140117-A-953 Rev 00; 20140117-A-955 Rev 00; 20140117-A-960 Rev 10; 20140117-A-963 Rev 05; 20140117-A-964 Rev 03; 20140117-A-965 Rev 02; 20140117-A-967 Rev 00; 20140117-A-968 Rev 01; 20140117-A-990 Rev 01; Design and Access Statement; Planning Statement; Energy Statement; Acoustic Assessment; Heritage Assessment; Affordable Housing Statement; Transport Statement; Wheelchair Design Statement; Code for Sustainable Homes

20140117-A-900 Rev 04; 20140117-A-901 Rev 01; 20140117-A-950 Rev 14; 20140117-A-951 Rev 15; 20140117-A-952 Rev 01; 20140117-A-954 Rev 01; 20140117-A-956 Rev 01; 20140117-A-957 Rev 01; 20140117-A-958 Rev 01; 20140117-A-959 Rev 01; 20140117-A-961 Rev 04; 20140117-A-962 Rev 05; 20140117-A-966 Rev 01; 20140117-A-980 Rev 02; A100-A1; Energy Statement received 1 May 2015

Background Papers (1) Case File LE/777/A/TP  
(2) Local Development Framework Documents

### (3) The London Plan (2015)

#### Designation

#### Existing Use

#### **1.0 Property/Site Description**

- 1.1 The application site is located on the southern side of Brownhill Road at its corner with Plassy Road, and comprises the distinctive locally listed 2-storey former Cooperative Store building (subsequently used by Age Concern), which is entirely vacant. To the rear of the site is associated undeveloped land that was formerly used for parking purposes.
- 1.2 To the east of the application site are 2-storey semi-detached dwellings and associated rear gardens along Brownhill Road. Further to the east are terraced dwellings on Bowness Road.
- 1.3 To the immediate south of the site is a part three/ part four storey residential block fronting Plassy Road, comprising 21 one bedroom, 24 two bedroom and 4 three bedroom self-contained flats, and a two storey terrace of 11 three bedroom houses.
- 1.4 To the west is the Catford Island Retail Park with the prominent flank elevation of the Mecca Bingo hall at the northern end fronting Plassy Road. The remainder of the retail park frontage is occupied by a single-storey McDonalds outlet including a drive-through facility with, to the south, the open grassed area between the retail park and Sangley Road. Access into the retail park is controlled by traffic lights with a pedestrian crossing.
- 1.5 Plassy Road is part of the Catford one-way system with two lanes leading southwards and is part of the South Circular Road. There are two bus stops serving routes 124, 160, 181, 202 and 284. There is no on-street parking in Plassy Road, which is controlled in part by double red lines.
- 1.6 The site is not a designated employment site, and does not lie within a conservation area. The PTAL for this area is a 6, where on a scale of 1-6, 6 is excellent.

#### **2.0 Planning History**

- 2.1 1968: Permission granted for the use of the small hall above 16-22 Brownhill Road for a children's playgroup for not more than 20 children.

#### **3.0 Current Planning Application**

- 3.1 The application proposes two elements. The first is to extend and convert the existing locally listed building to provide a ground floor commercial unit, with residential accommodation on the upper floors, comprising 5, one bedroom and 4, two bedroom self-contained flats.
- 3.2 The main alteration to the front of the building would be the formation of enlarged dormer windows, and the restoration of the existing shopfront, which would serve the 323 sq m ground floor commercial unit fronting Brownhill Road. The shopfront has been boarded up for approximately 20 years, and it is proposed that should

the existing glazing be beyond repair, replacement glazing would be installed, together with the formation of two new entrances.

- 3.3 At the rear, the reprofiling and extension of the existing roof is proposed. The distinctive turret feature to the corner would be retained. A first floor infill extension at the rear would be constructed measuring a depth of 4 metres, whilst the existing rear roof slope would be removed and replaced by a 4.3 metre deep flat roof element, before sloping down to the proposed first floor extension. The existing ridge height would be maintained.
- 3.4 In addition, a 2 metre deep ground floor extension and a 5.5 metre deep first floor extension would be built at the rear to the eastern side, whereby new openings would match the existing.
- 3.5 The second element of the scheme relates to the area at the rear of the site, whereby a part 2, part 3, part 4-storey flat roof building would be constructed, fronting Plassy Road. This would accommodate 4, one bedroom and 6, two bedroom self-contained flats. Private balconies and communal garden space would be provided.
- 3.6 The scheme would be a car-free development, with the provision of 29 dry and secure cycle spaces for future residential occupiers, and 3 spaces afforded to the commercial unit.
- 3.7 One ground floor level wheelchair unit would be provided within Block B.
- 3.8 The proposal does not include the provision of any affordable units, and would provide 100% market housing. The scheme has been assessed by an independent viability consultant on behalf of the Council, which will be addressed within this report. The developer has agreed to provide an off-site payment of £35,000 toward affordable housing within the Borough.

#### **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.
- 4.2 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.3 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors.

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

- 4.4 At the time of writing this report, no objections had been received.

#### Sustainability Manager

- 4.5 No objections raised.

#### Highways and Transportation

- 4.6 No objections raised since the removal of the proposed lay-by on Plassy Road.

## Transport for London

- 4.7 Raised initial objections toward the proposed lay-by on Plassy Road, which has since been removed from the proposal. TfL have also advised that an increased provision of cycle storage would be expected, which the applicant has agreed to undertake.

## Conservation Officer

- 4.8 Is satisfied with the proposed works to the existing building, but requires the submission of further details relating to proposed works to the existing building, including a demolition method statement.

## **5.0 Policy Context**

### Introduction

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

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

A local finance consideration means:

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

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

### National Planning Policy Framework

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

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

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

#### Other National Guidance

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

#### London Plan (March 2015)

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

Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 5.3 Sustainable design and construction  
Policy 6.3 Assessing effects of development on transport capacity of the London Plan  
Policy 7.1 Lifetime neighbourhoods  
Policy 7.4 Local character  
Policy 7.6 Architecture

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

- 5.7 The London Plan SPG's relevant to this application are:  
Housing (2012)  
Sustainable Design and Construction (2006)

#### Core Strategy

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

Core Strategy Policy 1 Housing provision, mix and affordability  
Core Strategy Policy 5 Other employment locations  
Core Strategy Policy 8 Sustainable design and constructions and energy efficiency  
Core Strategy Policy 12 Open space and environmental assets  
Core Strategy Policy 14 Sustainable movement and transport  
Core Strategy Policy 15 High quality design for Lewisham

## Development Management Local Plan

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

The following policies are considered relevant to this application:

DM Policy 1 Presumption in favour of sustainable development

DM Policy 11 Other employment locations

DM Policy 22 Sustainable design and construction

DM Policy 28 Contaminated land

DM Policy 29 Car parking

DM Policy 30 Urban design and local character

DM Policy 32 Housing design, layout and space standards

DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas

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

## Residential Standards Supplementary Planning Document (August 2006, amended 2012)

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

## **6.0 Planning Considerations**

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

- a) Principle of development
- b) Design
- c) Impact on neighbouring properties
- d) Housing, including Affordable housing considerations
- e) Employment
- f) Highways and traffic issues
- g) Refuse/ recycling
- h) Sustainability
- i) Landscaping
- j) Planning obligations

## Principle of Development

- 6.2 National, regional and local planning policies seek to promote efficient use of land for housing delivery by developing Brownfield sites, bringing back into use vacant sites and providing higher density development.

### *Existing Building (Block A):*

- 6.3 The proposal is for the alteration and conversion of the existing locally listed building to provide a commercial ground floor unit, and 9 self-contained flats on the upper floors.
- 6.4 The building is located on a prominent street corner, and is considered to be a local landmark, attributed in part to its distinctive turret feature. However, the building has experienced a long period of vacancy and has subsequently fallen into a poor internal state. The site is not within a Defined Employment Area on the Core Strategy Proposals Map, but had provided employment use since the early 1900s until its closure in the 1990s. The building is currently vacant.
- 6.5 The application proposes either (A2) Financial/ Professional Services, (A3) Café/ Restaurant or (D1) Non-Residential Institution use to occupy the ground floor. Retail use was originally proposed, however subsequent to concerns raised by TfL regarding the inappropriate location of a loading bay to Plassy Road and frequency of deliveries, A1 use is no longer being considered.
- 6.6 The principle of the proposed uses would be considered acceptable for this location, subject to hours and days of operation, the suitability of any mechanical/ ventilation equipment and the level of impact upon neighbouring occupiers.
- 6.7 It is considered that a mixed use of ground floor commercial activity with residential units above is acceptable - subject to appropriate soundproofing measures - serving to secure the long term future of the derelict building.

### *New Building (Block B)*

- 6.8 To the rear of the site fronting Plassy Road, the application proposes the construction of a part 2, part 3, part 4-storey building upon the vacant plot, to provide 10 self-contained flats.
- 6.9 Having assessed the proposal, officers are satisfied that the principle of a new build development would be acceptable, considering the immediate area is predominantly residential in character, whilst infilling an unsightly plot that lies within a prominent location. The suitability of the scheme is subject also to design, scale, standard of accommodation and visual impact upon neighbouring occupiers.
- 6.10 In summary, officers raise no objections in principle to the proposed alteration and conversion of the existing building, or the redevelopment of the land at the rear.

## Design

### *Block A:*

- 6.11 DM Policy 37 states the Council will seek to retain and enhance locally listed buildings and structures and may use its powers to protect their character, significance and contribution made by their setting, where appropriate. The Council will resist the demolition of locally listed buildings and expect applicants to give due consideration to retaining and incorporating them in any new development.
- 6.12 The existing building is considered to be an undesignated heritage asset of significance, due to 'elaborate and attractive detailing in a mix of Domestic Revival (with Jacobean and renaissance Revival influences) and Edwardian Baroque styles.'
- 6.13 In planning terms, a heritage asset is '*a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.*' Since the building is identified by the Council as an undesignated heritage asset, conservation concerns are a material consideration in considering this application.
- 6.14 The locally listed status does not necessarily negate the alteration or extension of such buildings, however a proposal must be sympathetically designed whilst respecting the character and heritage of the building. The applicants have engaged with officers to seek an appropriate form of extension that meets with this criteria.
- 6.15 Whilst the character and appearance of the building are acknowledged, there are areas of the building that require significant improvements, in particular the rear elevation. This includes flat roof elements of varying heights, a 2-storey white brick structure that relates poorly with the building, and a number of unaligned window openings, all serving to contribute to an unsightly appearance.
- 6.16 It is proposed that the existing rear facing pitched roof be removed, with the formation of a 4 metre deep flat roof area flush with the existing ridgeline, and the construction of a roof pitch sloping down to a 4 metre deep first floor infill extension at the rear.
- 6.17 The proposed roof would be evident from Brownhill Road to the west of the site, however officers are satisfied it would not harm the character or setting of the building, and therefore raise no objections to this aspect. Tiling to the new roof would match the existing, which would be ensured by way of a planning condition.
- 6.18 Three existing dormers to the front slope would be enlarged to provide sufficient headroom within the roofspace. Two existing dormers to the Plassy Road side would be replaced with larger additions, whilst at the rear, there would be five dormers set within the new roofslope. All proposed timber framed dormers, which would be of the same size and appearance, are considered to be appropriate, relating well with the building.
- 6.19 The infill extension at the rear would be a significant improvement upon the existing elevation, providing a more attractive and orderly appearance that would enhance the character of the locally listed building.

- 6.20 The existing predominantly glazed shopfront, which has been boarded up for many years, would be largely retained, including pilasters and fascia. However, it is considered appropriate that further details regarding materials and measures to upgrade the existing features are formally submitted to ensure the shopfront would be suitable in appearance.
- 6.21 Conservation officers worked closely with the applicants prior to the formal submission, and are satisfied with the nature of proposed alterations to the existing building, subject to the submission of further details.
- (Block B):*
- 6.22 Paragraph 15 of the National Planning Policy Framework (p15) states: "local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however proper to seek to promote or reinforce local distinctiveness.
- 6.23 Policy 32 of the Development Management Plan requires that all new residential development be attractive and neighbourly, and meet the functional requirements of future residents.
- 6.24 The applicants have engaged in pre-application discussions with officers to seek advice on what would constitute an acceptable form of development upon the vacant site at the rear. Officers provided advice on planning policies, the constraints of the site, design, layout and relationship with surrounding development.
- 6.25 The height of the development is influenced by the existing building to the adjacent site, with a part 2, part 3, part 4-storey building proposed to front the highway. The building would measure a height of up to 12.6 metres, which is comparable with the existing Plassy Road development and the existing corner building. It would initially be 3-storey at the northern end, significantly lower than 16-22 Brownhill Road, before stepping up to a 4-storey height that would match the adjacent building. The 2-storey element would be to the rear of the proposed 3-storey section.
- 6.26 The building would be brick faced to all elevations, with London Yellow Multi Stock brick used predominantly, together with a 'to be confirmed contrasting textured brick', likely to be red in appearance. All window frames and external doors would be grey powder coated aluminium, whilst balconies would be enclosed by glazed screens and metal handrails.
- 6.27 The proposed use of materials is considered to be appropriate, contributing positively to the appearance of the development, and relating well with the immediate area. The provision of balconies contributes to the overall outdoor feel and modern design of the development.
- 6.28 Design officers have advised they consider the height, scale and massing of the current scheme to be acceptable, respecting the general form of development within the immediate area. The applicants will be requested by way of a planning condition to provide external material samples for further assessment and detailed plans of the proposed living roof, windows, entrances and brick detailing.

- 6.29 The application site is located within the town centre boundary, and therefore considered to be an urban area, which is characterised by residential and commercial activity.
- 6.30 Policy 3.4 of The London Plan provides guidance on density. The development would provide 19 residential units and 43 habitable rooms, equating to a density of 358 habitable rooms per hectare, which falls within the density range of 200-700 hr/ha stated in Table 3.2 of the London Plan for urban areas with a PTAL of 6.
- 6.31 Density forms only part of the considerations toward developments such as this. Guidance states that the Council should make the best use of previously developed land, however such aspirations should not negate the requirement for developments to blend with the surrounding character.
- 6.32 Given that the scheme is of high quality design and would substantially improve the appearance of the site, the higher density is considered acceptable and consistent with current Government guidance, and would not result in demonstrable harm to neighbouring occupiers.
- 6.33 In summary, the proposed building is considered to represent good modern design that would respect the character of the locally listed building, and the surrounding area generally.

#### Impact on Neighbouring Properties

- 6.34 DM Policy 32 states that new residential development must '*provide a satisfactory level of privacy, outlook and natural lighting for both its future residents and for its neighbours.*'
- 6.35 The existing building would be extended to the roof and at the rear. A 5.5 metre deep first floor extension adjacent to 24 Brownhill Road would be constructed, which would end approximately in line with the existing 2-storey outrigger to the rear of no.24. Officers are satisfied the proposed works to the existing building would result in no significant visual harm upon the nearest Brownhill Road occupiers.
- 6.36 Block B would project 3.5 metres beyond the rear elevation of the existing development fronting Plassy Road, however Plan no. A-950 Rev 14 indicates the building would not extend beyond the 45 degree angle taken from the nearest windows, thereby demonstrating the proposal would not significantly harm existing outlook for existing occupiers.
- 6.37 First, second and third floor balconies to the rear of Block B would lie approximately 3 metres from the southern boundary, and would be sited away from the southern edge of the building, thereby avoiding direct overlooking into the nearest Plassy Road units.
- 6.38 The 2-storey building to the rear of the Plassy Road development lies approximately 25 metres from the rear elevation of the proposed building. DM Policy 32 advises there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. The proposal would therefore be unlikely to result in any significant overlooking or loss of privacy to those occupiers.

- 6.39 Flat 8 on the second floor of Block B, and Flat 10 on the third floor would be afforded amenity space to the northern side. To avoid direct overlooking to Block A, 2 metre high screening would be provided. Officers are satisfied the screening would not impair outlook for Flats 8 and 10. Further details of the screening will be requested by way of a condition to assess their appearance, whilst also ensuring the approved measures are undertaken prior to first occupation and retained in perpetuity.
- 6.40 The Daylight/ Sunlight report concludes the proposed development satisfies the Building Research Establishment (BRE) minimum requirements in relation to daylight, sunlight and overshadowing, and would have no significant impact upon neighbouring properties.
- 6.41 No local objections have been raised toward the proposed scheme.
- 6.42 In summary, the proposed scheme is considered to have a satisfactory relationship to neighbouring dwellings, and would not result in any significant visual harm to existing occupiers.

### Housing

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

- 6.43 Core Strategy Policy 1 seeks to secure an appropriate mix of unit sizes within any development, including the provision of family housing (3+ bedrooms) as part of any scheme with a minimum of 10 units. However, the policy advises that an appropriate mix will be determined having regard to:
- a) the physical character of the site or building and its setting;
  - b) the previous or existing use of the site of building;
  - c) access to private gardens or communal garden areas for family dwellings;
  - d) the likely effect on demand for car-parking within the area;
  - e) the surrounding housing mix and density of population; and
  - f) the location of schools, shops, open space and other infrastructure.
- 6.44 In this case, the conversion of the upper floors of the existing building would provide 5 one bedroom and 4 two bedroom units. Block B would provide 4 one bedroom and 6 two bedroom units. The provision of only 1 and 2 bed flats is considered acceptable on account of the location close to Cufford Town Centre, the high public transport accessibility of the site and broader existing mix of dwelling sizes in the locality.

#### **Affordable Housing:**

- 6.45 In accordance with The London Plan and Core Strategy, affordable housing will be sought on developments of 10 units or more. The starting point for negotiation is 50%, and would be subject to a financial viability assessment. To ensure mixed tenure and promote mixed and balanced communities, the affordable housing

component to be provided should achieve at least 70% social rented and 30% intermediate housing.

- 6.46 The immediate area is characterised by a mix of market housing on Brownhill Road, and a recent development fronting Plassy Road that comprises 40% affordable units (19 social rented and 6 shared ownership), serving to demonstrate a good tenure mix within close proximity of the application site that includes affordable provision.
- 6.47 The proposed scheme would provide 100% market housing, with no affordable housing provision, which would not be policy compliant. The applicant, from the outset has advised the scheme would be unable to support affordable housing, attributed in part to the cost of renovating the existing building, construction costs of Block B, and the location of the site affecting residential and commercial values.
- 6.48 This is reflected in the applicant's viability assessment, which confirmed they are seeking a developer profit of 20% profit on Gross Development Value for residential uses and 15% profit on the value of the commercial unit.
- 6.49 The viability statement has been independently assessed on behalf of the Council by UrbanDelivery, who have advised that on the basis that the proposed scheme would need to be delivered as a single phase, they are of the opinion that the level of return is in line with small to medium sized developments, and is therefore acceptable.
- 6.50 The final Mayoral CIL and LB Lewisham CIL charges form part of UrbanDelivery's appraisal. The Lewisham CIL was adopted on 1 April 2015 after the current application was formally submitted, therefore it is subject to a CIL payment of approximately £111,530 (£70 per sq.m), £60,000 more than the original S106 financial contribution.
- 6.51 UrbanDelivery's appraisal concludes that the development is likely to return a minor deficit having made an allowance for the developer profit of 15% and 20% on commercial and residential GDV respectively and accounting for all development costs.
- 6.52 This supports the viability assessment undertaken on behalf of the developer that the scheme would be borderline unviable with 100% market housing provision. A policy compliant provision of 50% affordable units in this case would be unachievable based on projected development costs.
- 6.53 UrbanDelivery have advised that if the scheme proves to be viable, to uphold the developer profit of 20%, a payment in lieu of £35,000 toward affordable housing provision in the Borough should be sought from the applicant. Whilst this is relatively low, it must be acknowledged this is a sum calculated by an independent viability assessor. The developer has agreed to provide the payment.
- 6.54 A 20% developer profit on GDV for residential development is a generally accepted level of return at the current time. This can be a minimum requirement of some lenders to ensure there is sufficient margin to cover potential cost over-runs or falls in sales values while ensuring the lender has recourse to recover its debt. The developer also needs to have a sufficient incentive for taking on the risk of development, albeit with the housing market in London appearing relatively strong.

- 6.55 Officers consider it appropriate that should no building works commence beyond 18 months of the application being determined, the profit level of the scheme should be re-examined by way of a review mechanism, which would be secured by the Section 106 Agreement. This has been discussed with the applicant, who has agreed to the review procedure.
- 6.56 With regard to the commercial unit, the developers would undertake an initial fit-out, in accordance with DM Policy 11. This would include service connections for gas, electricity, water and foul drainage, and provision for telecommunication services and broadband services; wall and ceiling finishes; DDA compliant entrances and screed floors. The incoming tenant would then be responsible for the final fit-out.
- 6.57 The applicant has advised that a 6 month rent free period would be granted to allow the tenant to fit-out the unit and begin trading before any rental payments are due - the estimated rent of £14 per sq ft is based on this assumption. Where the landlord allows for fit-out there may be scope to increase the rent marginally or reduce the rent free period, however this is unlikely to have a material impact on viability once the additional cost is accounted for.
- 6.58 In summary, based upon the findings of UrbanDelivery, officers raise no objections to the proposed scheme providing no affordable housing.

*b) Standard of Residential Accommodation*

- 6.59 The layout and circulation of the proposed units is considered to be acceptable, providing a good standard of accommodation for future occupiers, in accordance with the minimum standards set out within the London Plan (2015). Each habitable room would be assured of sufficient natural light intake and outlook.
- 6.60 The proposed set-back of Block B from the Plassy Road footpath by 3 metres would provide some privacy for the ground floor residents from passing pedestrians.
- 6.61 In accordance with the London Plan and Core Strategy all units should be built to Lifetime Home standards and should show full compliance with the 16 criteria where possible. The scheme would achieve the majority of the criteria, failing only on car-parking, therefore officers are satisfied the units would be policy compliant. A condition will ensure the scheme would be built to the approved standards prior to first occupation.
- 6.62 One dwelling (Flat 3 in Block B) would be built to South-East London Housing Partnership (SELHP) Wheelchair standards, compliant with Core Strategy Policy 1 Housing provision, mix and affordability. A 1:20 plan has been submitted, which demonstrates the unit would comply with SELHP standards. This will be secured within the S106.
- 6.63 Each unit within Block B would be afforded private balconies/ terrace, whilst there would also be a communal garden at the rear, in accordance with Council guidelines.
- 6.64 The site lies within an Area of Open Space Deficiency, which means there are a limited number of local parks within the area. The nearest open space is

Mountsfield Park, which provides children's playgrounds and tennis courts, located approximately 800 metres to the north-east of the site.

- 6.65 Officers raise no concerns toward the proposed standard of accommodation within the development.

#### Employment

- 6.66 The proposed ground floor commercial unit would provide either (A2) Financial/ Professional Services, (A3) Café/ Restaurant or D1 Non Residential Institutions uses. (A1) Retail use was originally proposed however this has since been removed subsequent to concerns raised by TfL regarding the inappropriate location of a loading bay to Plassy Road and frequency of deliveries.
- 6.67 The application does not advise whether any marketing procedures of the ground floor premises have been undertaken. There are a mix of A1, A2 and A3 uses within this section of Brownhill Road, with a low unit vacancy rate, therefore no objections are raised toward the principle of the proposed uses. The close proximity of the application site to Catford Town Centre, accessibility, and floorspace provision would assist in good potential for future occupancy of the premises.

#### Highways and Traffic Issues

- 6.68 The London Plan (2015) states that in locations with high public transport accessibility, car-free developments should be promoted.
- 6.69 No off-street parking would be provided within the site, however a car free scheme in this case is acceptable considering the PTAL for this area is 6, attributed to the excellent provision of bus routes, whilst Catford and Catford Bridge Train Stations are located within a short walking distance.
- 6.70 Future occupiers may wish to apply for a residents permit, however the number of existing permits that have already been issued to local residents, together with availability of on-street parking would be a determining factor.
- 6.71 Secure and dry parking for 19 bicycles are shown within individual cycle lockers located to the rear of the existing building. However, TfL have advised that in accordance with the Further Alterations to the London Plan (2015), the development would be required to provide 29 spaces for the dwellings, and 3 spaces for the commercial unit (2 staff and 1 customer), which the applicant has agreed to undertake.
- 6.72 Further details of the proposed cycle storage will be subject to a planning condition. At the time of writing this report, the applicant was considering a perspex shelter with steel hoops, which may accommodate more bicycles.
- 6.73 Overall, TfL and Highways officers raise no objections to the proposal, however they suggest appropriate conditions relating to construction works be applied, considering the busy nature of the South Circular.

## Refuse

- 6.74 A refuse store would be located to the rear of Block A for the residential occupiers, whilst the commercial floorspace would have storage within the basement area. The Design and Access statement advises the refuse collection point would be from Plassy Road 'as existing'.
- 6.75 Further details of storage and collection are required, however in principle, the proposed refuse details and siting are considered acceptable.

## Sustainability and Energy

### *a) Renewable Energy*

- 6.76 Relevant policies within the London Plan Core Strategy would need to be addressed in any submission.
- 6.77 London Plan Policy 5.2: Minimising Carbon Dioxide Emissions establishes an energy hierarchy based around using less energy, in particular by adopting sustainable design and construction (being 'lean'), supplying energy efficiently, in particular by prioritising decentralised energy generation (being 'clean') and using renewable energy (being 'green').
- 6.78 In terms of being 'lean', London Plan Policy 5.3: Sustainable Design and Construction encourages minimising energy use, reducing carbon dioxide emissions, effective and sustainable use of water and designing buildings for flexible use throughout their lifetime. Major developments should demonstrate that the proposed heating and cooling systems have been selected to minimise carbon dioxide emissions. In terms of being 'green', a reduction in carbon emissions from onsite renewable energy is expected.
- 6.79 The applicant has submitted a Sustainability Statement in support of the application, which satisfactorily addresses the sustainability issues.
- 6.80 Green living roofs are proposed to the flat roofs of Block B, which the applicant has confirmed would be a quality extensive roof system that would be plug planted and over-seeded. A condition will request sectional plans be formally submitted, whilst ensuring the roof is constructed in full prior to first occupation.
- 6.81 Solar panels have been identified as the most suitable renewable technology, and would be installed to the flat roof of Block B.
- 6.82 The scheme would achieve Code Level 4 for sustainable Homes, and a 35% CO<sub>2</sub> reduction, therefore it is considered the development would accord with sustainability policies.

## Landscaping

- 6.83 The applicant refers to the space between Blocks A and B as a 'piazza type environment with suitable furniture and lighting to ensure the area is both welcoming and secure for residents'.
- 6.84 A paved area and ramps would lead to the entrance for the occupiers of Block B, the cycle storage areas, and the communal garden located at the rear of the new

building. Plans show the garden to comprise grass and trees/ planting, whilst hard surfaces would be permeable concrete paving slabs.

- 6.85 The ground floor units within Block B would be afforded small private gardens, comprised of lawned areas.
- 6.86 Officers are generally satisfied with the principle of proposed landscaping works, however it is suggested that a more detailed landscape plan confirming proposed materials including paving materials be formally submitted.

#### Planning Obligations

- 6.87 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:
- (a) Necessary to make the development acceptable
  - (b) Directly related to the development; and
  - (c) Fairly and reasonably related in scale and kind to the development
- 6.88 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 6.89 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development.
- (1) £35K off-site payment towards affordable housing;
  - (2) Unit 3 to meet SELHP Wheelchair Homes Design Guidelines (August 2009);
  - (3) Developer to undertake initial fit-out of the commercial unit prior to any occupation of the residential units to include:
    - service connections for gas, electricity, water and foul drainage;
    - provision for telecommunication services and broadband services;
    - wall and ceiling finishes;
    - DDA compliant entrances;
    - screed floors;
    - glazing solution.
  - (4) A 6 month rent free period granted to the commercial occupier to allow the tenant to fit-out the unit and begin trading before any rental payments are due.

- (5) A Review Mechanism to be undertaken within 18 months of the date of the Deed should development have not commenced during that period.
- (6) Meeting the Council's legal, professional, and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

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

## **7.0 Local Finance Considerations**

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

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

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

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

## **8.0 Community Infrastructure Levy**

8.1 The proposed development is CIL liable.

## **9.0 Equalities Considerations**

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

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

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

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

9.4 In this particular case, it is not considered that the nature of the proposed development would result in a harmful impact upon equality.

## **10.0 Conclusion**

- 10.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 10.2 Site specific issues include: the height, massing and design of the proposed building; external works to the existing locally listed building; local transport provision; and social infrastructure to cope with the intensification of the mixed use development; the accessibility of the scheme; the impact the development would have on the occupiers of surrounding properties; and the ability to deliver an environmentally sustainable development. For the reasons set out in this report it is considered that the proposal adequately responds to the aforementioned issues.
- 10.3 Officers consider that with appropriate planning conditions and obligations in place, the proposal represents a high quality development that would be befitting of this prominent street corner. It is therefore recommended permission be granted.

## **11.0 RECOMMENDATION (A)**

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

- (1) £35,000 off-site payment towards affordable housing in the Borough;
- (2) Unit 3 to meet SELHP Wheelchair Homes Design Guidelines (August 2009);
- (3) Developer to undertake initial fit-out of the commercial unit prior to any occupation of the residential units to include:
  - service connections for gas, electricity, water and foul drainage;
  - provision for telecommunication services and broadband services;
  - wall and ceiling finishes;
  - DDA compliant entrances;
  - screed floors;
  - glazing solution.
- (4) A 6 month rent free period granted to the commercial occupier to allow the tenant to fit-out the unit and begin trading before any rental payments are due.
- (5) A Review Mechanism to be undertaken within 18 months of the date of the Deed should development have not commenced during that period.
- (6) Meeting the Council's legal, professional, and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

## **RECOMMENDATION (B)**

Upon the completion of a satisfactory Section 106 by the 13 week time frame, in relation to the matters set out above, authorise the Head of Planning to Grant Permission subject to the following conditions:-

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

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

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

20140117-A-920 Rev 00; 20140117-A-921 Rev 02; 20140117-A-922 Rev 01; 20140117-A-930 Rev 00; 20140117-A-931 Rev 01; 20140117-A-953 Rev 00; 20140117-A-955 Rev 00; 20140117-A-960 Rev 10; 20140117-A-963 Rev 05; 20140117-A-964 Rev 03; 20140117-A-965 Rev 02; 20140117-A-967 Rev 00; 20140117-A-968 Rev 01; 20140117-A-990 Rev 01; Design and Access Statement; Planning Statement; Energy Statement; Acoustic Assessment; Heritage Assessment; Affordable Housing Statement; Transport Statement; Wheelchair Design Statement; Code for Sustainable Homes

20140117-A-900 Rev 04; 20140117-A-901 Rev 01; 20140117-A-950 Rev 14; 20140117-A-951 Rev 15; 20140117-A-952 Rev 01; 20140117-A-954 Rev 01; 20140117-A-956 Rev 01; 20140117-A-957 Rev 01; 20140117-A-958 Rev 01; 20140117-A-959 Rev 01; 20140117-A-961 Rev 04; 20140117-A-962 Rev 05; 20140117-A-966 Rev 01; 20140117-A-980 Rev 02; A100-A1; Energy Statement received 1 May 2015

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

- (3) 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) The measures proposed to maintain a clear vehicular thoroughfare on Brownhill and Plassy Roads.
    - (ii) Rationalise travel and traffic routes to and from the site.
    - (iii) 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.
    - (iv) 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 to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction and Policy 6.3 Assessing effects of development on transport capacity of the London Plan (2015).

- (4) No works to the locally listed building shall commence until a full schedule of all internal and external works to the building, including method statements and plans shall be submitted to and approved in writing by the local planning authority. The scheme shall be carried out in full compliance with the approved details.

**Reason:** In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham and Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 37 Non-designated heritage assets and Policy 30 Urban Design and local character of the Lewisham Local Development Framework, Development Management Local Plan (November 2014) and Policy 7.8 of the London Plan (2015).

- (5) No development shall commence on site until a Demolition Method Statement has been submitted and approved in writing by the LPA. The Statement should include:

- Existing plans, elevations and sections indicating clearly which areas of the building are proposed to be demolished.
- Detail of how any existing structures would be demolished, explaining the type of machinery etc.
- Detail of the proposed hours of working.
- Detail of the measures to control the environmental (noise, air quality, land contamination etc) and construction traffic impacts.

**Reason:** In order that the local planning authority may be satisfied that the demolition works are limited to those set out in the permitted scheme and is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the adopted Core Strategy (2011).

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

**Reason:** It is considered that such plumbing or pipes would seriously detract from the appearance of the buildings and to comply with Policy 15 High quality design for Lewisham and Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 37 Non-designated heritage assets and Policy 30 Urban Design and local character of the Lewisham Local Development Framework, Development Management Local Plan (November 2014) and Policy 7.8 of the London Plan (2015).

- (7) No development shall commence on site until full particulars including drawings and sectional details at a scale of 1:10 or 1:20 showing any alterations to the shop front have been submitted to and approved in writing by the local planning authority. The development shall be constructed in full accordance with the approved details.

**Reason:** In order that the local planning authority may be satisfied with any proposed works to the shop front and to accord with Policy 15 High quality design for Lewisham and Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 37 Non-designated heritage assets and Policy 30 Urban Design and local character of the Lewisham Local Development Framework, Development Management Local Plan (November 2014) and Policy 7.8 of the London Plan (2015).

- (8) (a) Prior to any works commencing, full details of the proposed living roofs shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a 1:20 scale plan of the living roofs that includes contoured information depicting the extensive substrate build up and a cross section showing the living roof components and details of how the roof has been designed to accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings.
- (b) The development shall be carried out strictly in accordance with the details so approved under (a) and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Evidence that the roof has been installed in accordance with (a) & (b) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

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

- (9) No development shall commence on site until samples and a detailed schedule/ specification of all external materials and finishes to be used on Block B, including London Yellow Multi Stock Brick, Grey Powder Coated Aluminium windows and external doors, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (10) (a) No works above ground level shall commence until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted to 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.

- (11) All planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 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 Policy 12 Open space and environmental assets, and 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).

- (12) Any external lighting is required to meet with CIBSE and ILE criteria of a maximum 2 lux at the nearest neighbouring residential window.

**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).

- (13) The proposed residential refuse store shall be provided in full prior to occupation of the dwellings, and shall thereafter be retained in perpetuity.

**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).

- (14) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in the elevations of the buildings 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 DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (15) No extensions or alterations to either Block A or Block B hereby approved, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

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

- (16) (a) A minimum of 29 secure and dry cycle parking spaces shall be provided for future residential occupiers, and 3 cycle spaces for the commercial unit. Full details of the proposed cycle stores shall be submitted to and approved in writing by the LPA.
- (b) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

- (17) Each of the dwellings shall meet Lifetime Home Standards (in accordance with the 2010 (Revised) document) as shown on the plans hereby approved.

**Reason:** In order to ensure an adequate supply of 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).

- (18) The whole of the amenity spaces (including the communal garden and private terraces/ balconies) as shown on the plans hereby approved shall be provided in full prior to first occupation, and retained permanently thereafter 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 of the Development Management Local Plan (November 2014).

- (19) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed elements of Block B 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 areas be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (20) (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).

- (21) 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).

- (22) (a) No works above ground level shall commence until full written details, including relevant drawings and specifications of the proposed works of sound insulation against airborne noise to meet  $D_{nT,w} + C_{tr}$  dB of not less than 55dB for walls and/or ceilings where a residential dwelling parties the ground floor commercial unit shall be submitted to and approved in writing by the local planning authority.
- (b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.
- (c) The soundproofing shall be retained permanently in accordance with the approved details.

**Reason:** In the interests of residential amenity and to comply with DM Policy 26 Noise and vibration, DM Policy 32 Housing design, layout and space standards and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (23) The rating level of the noise emitted from any fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.

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

- (24) (a) The commercial floorspace hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) No works beyond piling shall commence until a Design Stage Certificate for the commercial floorspace (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

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

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

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

- (26) (a) The commercial unit 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).

- (27) (a) Details for the on-site storage, disposal and collection of refuse and recycling facilities relating to the commercial unit shall be submitted to and approved in writing by the local planning authority prior to first occupation of the unit.
- (b) The approved details shall be carried out in full prior to occupation of the commercial unit and retained thereafter.

**Reason:** In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal, storage and collection, in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

- (28) No deliveries shall be taken at or despatched from the commercial premises other than between the hours of 7 am and 8 pm on Mondays to Fridays, 8 am and 1 pm on Saturdays, or at any time on Sundays or Public Holidays.

**Reason:** In order to safeguard the amenities of adjoining residents 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).

- (29) The commercial premises shall only be open for customer business between the hours of 7 am and 11 pm on Mondays to Sundays.

**Reason:** In order to safeguard the amenities of adjoining occupants at unsuitable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 14 District centres shopping frontages and DM Policy 17 Restaurants and cafes (A3 uses) of the Development Management Local Plan (November 2014).

- (30) Details of screening to terraces and balconies shall be submitted to and approved in writing by the local planning authority, and shall be installed prior to first occupation in their entirety and maintained thereafter in perpetuity.

**Reason:** To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 32 Housing design, layout and space standards, DM Policy 32 Housing design, layout and space standards, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (31) The proposed solar panels shall be installed in full prior to first occupation of the residential units hereby approved, and retained in perpetuity.

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

- (32) No development shall commence until details of the proposed residential refuse collection point are submitted to and approved in writing by the local planning authority and shall thereafter be retained in perpetuity.

**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).

## **INFORMATIVES**

- (A) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (B) The applicant be advised that in order to comply with Condition (4) attached to the Planning Consent, the following details will need to be submitted to and approved in writing by the local planning authority;
- 1) A detailed section drawing at a scale of 1:20 showing the detail of the design, material and construction of the proposed roof ridge.
  - 2) 1:20 sectional and elevational drawings showing the design, material and construction of the proposed dormer windows.
  - 3) 1:20 elevational drawings and 1:5 sectional drawings showing the design, material and construction of the proposed new windows and doors to the existing building/ extensions.
  - 4) A Schedule of Restoration Works for Historic Elevations, including details of proposed materials and techniques to be used in relation to the restoration of:

- The existing two historic shopfronts (including the proposed approach to the granite pilasters, the timber shop-screens and glazing, the shop doors and entrance mosaics, the cornice and fascia and any awnings and signs).
  - The existing doors, including any repairs or alterations.
  - The existing windows, including any repairs or alterations.
  - The existing brickwork, including any proposed cleaning and re-pointing.
  - The existing areas of rough cast, including any proposed painting.
  - The existing areas of stucco and cast stone, particularly ornamental and decorative features, including any proposals for cleaning or painting.
  - The existing roof eaves elements including any fascias and rainwater goods, including any proposals for repair and repainting.
  - The existing chimneys and roof features, including any proposals for repair.
  - The corner turret, including any proposals for repair.
- 5) A survey demonstrating that the alterations proposed to Block A can be carried out without unacceptable risk to the integrity and significance of the asset or result in the unacceptable loss of historic fabric. This should include:
- A description, explanation and illustration of the current structural condition of the property.
  - A description, explanation and illustration of the means of support for the property during the demolition and construction works.
  - A description, explanation and illustration of the means of support for the property in the finished design. Detail is required of the proposed new roof structure, indicating the design, materials and construction and how roof spread will be restrained.
  - The survey shall be prepared by a suitably qualified conservation professional.
- 6) A sample panel demonstrating the proposed pointing materials, consisting of an area 1 metre square of brickwork pointed with the materials and technique proposed.
- 7) Details of the size, type, colour and texture of the proposed roof slates in the form of a specification and physical samples.

- (C) You are advised that the application granted is subject to the Mayoral Community Infrastructure Levy ('the CIL'). More information on the CIL is available at: -

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

(Department of Communities and Local Government) and

<http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>

- (D) 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.
- (E) You are advised to contact Transport for London regarding the proposed reinstatement of the existing crossover. A hoardings licence and other notifications and approvals may also be required from TfL during the works.

