

Committee	PLANNING COMMITTEE (A)	
Report Title	Fairway House, rear of 53 Dartmouth Road, SE23 3HN	
Ward	Forest Hill	
Contributors	Geoff Whittington	
Class	PART 1	Date: 8 October 2015

Reg. Nos. DC/15/90942

Application dated 9 February 2015

Applicant Hindmans Ventures Ltd

Proposal Demolition of the existing building at Fairway House, r/o 53 Dartmouth Road SE23, and the construction of part single/ part 3-storey and part 5/ part 6-storey buildings to provide 27 self-contained residential flats with ground floor offices (Use Class B1a), together with the provision of 3 disabled parking bays, 54 secure cycle spaces and associated landscaping.

Applicant's Plan Nos. 1217-01; 1217-02; 1217-03; 1217-04; 1217-05; 1217-06; 1217-07; 1217-08; 1217-09; 1217-10; 1217-11; 1217-12; 1217-13; 1217-14; 1217-15; 1217-16; 1217-17; 1217-18; 1217-19; 1217-20; 1217-21; 1217-22; 1217-23; 1217-24; 1217-25; 1217-26; 1217-27; 1217-28; 1217-29; 1217-30; 1217-31; 1217-32; 1217-34; 1217-35; 1217-36; 1217-37; 1217-38; 1217-39; 1217-40; 1217-51; 1217-53; 1217-54; 1217-55; 1217-56; 1217-57; 1217-58; 1217-59; 1217-60; 1217-61; 1217-62; 1217-63; 1217-64; 1217-65; 1217-66; 1217-66; 1217-67; 1217-70; 1217-73; 1217-74; 1217-75; CGI 1217-74; CGI 1217-75; 18665_02_E RevA; 18665_03_E RevA; 18665_04_E RevA; 18664_05_E RevA; 18665_01_P 0; 18665a_02_P; Site Location Plan; Design & Access Statement; Landscape Design; Noise Assessment; Office Travel Plan Statement; Residential Travel Plan Statement; Statement of Community Involvement; Transport Statement; Heritage Statement; Construction Traffic Management Plan; Phase 1 Environmental Review; Employment Land Report & Overview; Bat Roost Assessment Report; BREEAM; Energy Strategy Report; Daylight/ Sunlight/ Overshadowing Report; Air Quality Assessment; Appendix 4 - Detailed schedule of availability for industrial; Appendix A - Completion Schedules; Appendix B - Deals Schedules; Appendix C - Marketing Particulars; Appendix D - Marketing Board

Background Papers

- (1) Case File LE/458/U/TP
- (2) Local Development Framework Documents
- (3) The London Plan (2015)

Designation

PTAL 3
Local Open Space Deficiency
Major District Centre
Forest Hill Article 4(2) Direction

1.0 Property/Site Description

- 1.1 The application site lies within the Forest Hill District Centre, located to the rear of 53 Dartmouth Road. The application site is currently occupied by a part two, part three-storey building comprised of two former offices (Class B1) on the upper ground and first floor level, which have been vacant since 2013. A former MOT testing centre (Class B2) on the lower ground floor became vacant during 2015.
- 1.2 The site measures approximately 0.18 hectares in size, and slopes down significantly from Dartmouth Road towards the railway line. The ground level of the western part of the application site is 3.5 metres higher than the eastern side.
- 1.3 The former MOT element of the site is accessed from Clyde Terrace at the end of Dartmouth Place, which is initially a highway that narrows significantly to form a pedestrian pathway outside the application site, bounded by existing 2 metre high palisade fencing. The path runs adjacent to the railway line, leading northwards toward Noel Terrace and Phoenix Works.
- 1.4 A narrow vehicular and pedestrian accessway lies between 53a and 55 Dartmouth Road, that serves the former offices and the commercial and residential units at 53C Dartmouth Road.
- 1.5 The application site falls within the designated District Hub of Forest Hill, and is identified in the Site Allocations Local Plan (2013) as a site that has potential to be redeveloped for 'mixed use retail, business/ employment with housing.'
- 1.6 The surrounding area provides a range of uses;- 51a-61a Dartmouth Road are mixed commercial and residential use; 53C Dartmouth Road provides mixed commercial and residential uses; 1-8 Dartmouth Place provides residential dwellings; 1-11 Ream Apartments Clyde Terrace is in mixed commercial and residential use, which includes affordable housing provision; and Noel Terrace is a residential building accommodating self-contained flats.
- 1.7 The site is located within the Forest Hill Conservation Area, and is subject to an Article 4 Direction.
- 1.8 Dartmouth Road to the west is a busy highway, and is served by two bus routes. The PTAL for this area is 3, where on a scale of 1-6, 6 is excellent. There are restricted on-street parking opportunities along Dartmouth Road, whilst the application site lies approximately 250 metres from Forest Hill Train Station.

2.0 Planning History

- 2.1 Fairway House was granted planning permission in January 1973 for the 'erection of a two-storey building comprising a warehouse with ancillary offices on the ground floor and offices on the first floor, together with the construction of an access road and 8 parking spaces on land at the rear of 51A - 61A Dartmouth Road.'
- 2.2 The permission was subject to use for light industrial only, whilst it was required that all vehicular access to the site should be from Clyde Terrace only.
- 2.3 There have been a couple of minor permissions granted since that time, including the installation of air conditioning units.
- 2.4 In 2010, permission was granted for the change of use of Fairway House from Use Classes B1 & B8 to MOT Testing and Car Repairs.
- 2.5 Within the wider area, permission was granted in 2006 for the construction of three to six storey buildings, to provide mixed use development at the former Crown Graphics Works Site, Clyde Terrace adjacent to Fairway House. It comprises 5 commercial units, a cafe/restaurant (Use Class A3), 10 live/work units, 6 one bedroom and 36 two bedroom self-contained flats, together with associated landscaping, provision of refuse stores, cycle parking and 28 car parking spaces with access onto Clyde Vale.

3.0 Current Planning Application

- 3.1 The application proposes the demolition of the existing building, and the construction of two blocks. The first (Block A) would be a part 5/ part 6-storey building that would provide up to 485sq.m ground floor commercial unit (B1a Office use), with residential accommodation on the upper floors, comprising 8, one bedroom, 10, two bedroom and 4, three bedroom self-contained flats.
- 3.2 The second building (Block B) would be part 2/ part 3-stories, with up to 345sq.m ground floor commercial floorspace and 1, one bedroom, 2, two bedroom and 2, three bedroom self-contained residential units on the upper floors.
- 3.3 Private balconies would be afforded to each residential unit, with some first floor units in Blocks A and B having terraces. The three Block A units located to the 'penthouse' floor would each have private terraces of varying sizes.
- 3.4 A semi-private communal garden area for future residents and general public use would be located to the western part of the site, accessed from the existing passageway from Dartmouth Road. This would lead through to the main residential entrances of Blocks A and B, and a newly created route that would connect Dartmouth Road to Clyde Terrace, stepping down to the lower level courtyard and the commercial units. A secondary entrance to the Block A flats would be provided to the elevation fronting Clyde Terrace.
- 3.5 Due to the significant level changes, the western sections of the two commercial units would not be viewed from the higher ground level areas, with rooflights serving the Block A unit being the only visible indication.

- 3.6 Two first floor level wheelchair units would be provided within Block A, and one first floor unit in Block B.
- 3.7 Tables 1 and 2 below sets out the proposed unit mix within Blocks A and B.

Table 1: Block A:

Level 1	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	A1	3b 5p	87sq.m	•		
	A2	3b 4p	79sq.m	•		
	A3	3b 4p	107sq.m	•		•
	A4	1b 2p	65sq.m		• West facing	•

Levels 2 & 3	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	A5/ A10	1b 2p	50sq.m	•		
	A6/ A11	2b 4p	74sq.m	•		
	A7/ A12	2b 4p	74sq.m	•		
	A8/ A13	1b 2p	51sq.m		• West	
	A9/ A14	2b 4p	73sq.m	•		

Level 4	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	A15	1b 2p	50sq.m	•		
	A16	2b 4p	74sq.m	•		
	A17	2b 4p	74sq.m	•		
	A18	1b 2p	51sq.m		• West	
	A19	2b 4p	73sq.m	•		

Level 5	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	A20	1b 2p	61sq.m	•		
	A21	3b 4p	78sq.m	•		
	A22	2b 3p	66sq.m	•		

Table 2: Block B

Level 1	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	B1	3b 4p	86sq.m	•		
	B2	3b 4p	100sq.m	•		•

Level 2	Unit no.	Occupancy	Unit Size	Dual Aspect	Single Aspect	Wheelchair
	B3	2b 4p	70sq.m	•		
	B4	1b 2p	50sq.m		• South	
	B5	2b 3p	61sq.m	•		

- 3.8 The flat roof area of Block A would provide a biodiverse brown living roof, together with the provision of 42 solar panels and an air source heat pump unit. A living roof would also be constructed to Block B, with 60 solar panels installed.
- 3.9 The scheme would provide 3no Blue Badge disabled car parking spaces within the forecourt area (fronting Clyde Terrace) of the application site, with two spaces allocated to the residential units, and one for the commercial element. No other off-street car parking spaces would be provided. 54 dry and secure cycle spaces for future residential and commercial occupiers would be afforded, comprised of 36 secure lockers for Block A dwellings, 9 for Block A residential occupiers and 9 lockers for the commercial units.
- 3.10 Improvements to the existing front forecourt are proposed, which would include the removal of existing 2 metre high palisade fencing, allowing for the provision of a large open area that would serve to improve pedestrian movement between Noel Terrace and Clyde Terrace.
- 3.11 The proposal does not include the provision of any affordable units, providing 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 would provide an in-lieu payment of £100,000 toward affordable housing within the Borough, which would mitigate the lack of affordable housing provision in the proposed scheme. This would be secured in the S106 Agreement.

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.

Pre Application Consultation:

4.2 The applicants engaged in discussions with local residents prior to the submission of this application. A public exhibition was held on 11th December 2014. Details of the exhibition are provided in the applicants Statement of Community Involvement document.

4.3 In addition the applicant team had pre-application discussions with Planning officers, whilst an earlier version of the scheme was presented to the Design Review Panel.

Council Consultation:

4.4 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

4.5 Five letters received, objecting to the proposal on the following grounds:

- Height of development and impact upon existing amenity and views;
- The proposed 6-storey height would appear overbearing and oppressive;
- Insufficient provision of on-site parking;
- Disruption and noise from demolition works;
- Sunlight/ daylight concerns to nearest Noel Terrace properties;
- Balconies should only be provided to the front of the building to avoid overlooking and general disturbance.

4.6 The Forest Hill Society have objected on the following grounds:

- The design quality of the building are not as good as they could be, being over-complicated and lacking clarity;
- Poor amenity for the new housing;

- Poor positioning of the main block and the complex nature of stairs and landscape results in a lack of clarity of the route through the site from Dartmouth Road to Clyde Vale;
- The qualities of the employment space are limited – concerns that the shape and arrangement of this building means it is unlikely to provide the correct type of flexible employment uses that are currently in demand;
- The scheme will do very little to improve the important route along Clyde Vale;
- The highways aspect of the scheme should be designed to anticipate and facilitate future improvements that could be made along this route.

Network Rail

- 4.7 Raise no objections, but have advised the applicant must engage with them prior to commencement of development.

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 3.6 Children and young peoples play and informal recreation facilities.
Policy 3.8 Housing choice
Policy 3.10 Definition of affordable housing
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 4.23 Mixed use and development and offices
Policy 4.11 Encouraging a connected economy
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 7.5 Public Realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

London Plan Supplementary Planning Guidance (SPG)

- 5.7 The London Plan SPG’s relevant to this application are:
Housing (2012)
Draft Interim Housing Supplementary Guidance (2015)
Shaping Neighbourhoods: Character and Context (2014)
Sustainable Design and Construction (2014)

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 Spatial Policy 5 District Hubs
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 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

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 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

Residential Standards Supplementary Planning Document (August 2006, updated 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 standard of accommodation
- e) Employment
- f) Highways and traffic issues
- g) Refuse
- h) Sustainability
- i) Landscaping
- j) Ecology
- k) Affordable Housing considerations
- l) 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.

Demolition:

6.3 The application proposes the demolition of the existing part 2/ part 3-storey building in its entirety. An assessment of the quality and appearance of the existing building is necessary as the site lies within the Forest Hill Conservation Area. The Article 4 direction for this conservation area is directed towards household dwellings and not commercial premises.

6.4 The applicant describes the building in the Design and Access Statement as being 'a prefabricated industrial shed....of no notable architectural quality', and having '....reached the end of its useful life. It is thought to contain asbestos, particularly the roof.'

6.5 Having assessed the character and appearance of the building, officers consider the building has no discernable architectural merit that would justify its retention. It is considered by officers that the existing building detracts from the character of the Conservation Area, and its surroundings generally, through its poor quality design. No objections are therefore raised to the proposed demolition, subject to securing a replacement of high quality design that enhances the character of the Forest Hill Conservation Area.

Employment:

6.6 Core Strategy Policy 5 Other employment locations in the Lewisham Core Strategy 2011 states that the Council will protect the scattering of employment locations throughout the Borough and that employment land in District Hubs should be recommended for retention in employment use. It further states that other uses

including retail, community and residential will be supported if it can be demonstrated that site specific conditions including site accessibility, restrictions from adjacent land uses, building age, building viability, and viability of redevelopment show that the site should no longer be used in employment use.

6.7 The site does not lie within a designated Defined Employment Area on the Core Strategy Proposals Map, but does fall within the District Hub of Forest Hill. District Hubs are focused around district town centres that provide for the local community's daily needs. The physical form, characteristics and opportunities for redevelopment varies across the District Hubs. Forest Hill is considered as a centre that has underutilised land and regeneration potential, whilst the application site is identified specifically within the Site Allocations Local Plan (2013), which states;

‘development potential remains and the Council allocates the site for mixed use retail, business/ employment with housing, which would provide visual and physical improvements; improve the vitality of the town centre; and is in line with the Forest Hill Urban Design Framework and Development Strategy.’

6.8 The application site provided a long period of employment use, however the (B1) Office was vacated in 2013 and the (B2) MOT testing centre/ car repair garage uses ceased operating in 2015. Both are currently vacant. The applicant has owned the site since 2013, and had been leasing part of the premises to the MOT garage at a rent below market value. The Employment Land Report submitted as part of the application advises that since late 2010, the industrial and office elements has undergone ‘extensive’ marketing, and had failed to find occupiers at competitive market levels.

6.9 The report advises that despite its size, the existing building has been considered undesirable by interested parties due to the positioning of internal columns making the layout inflexible, whilst the low eaves height has also raised concern. Additionally there is an over-supply of older style office space in Lewisham with limited attractiveness to the market.

6.10 In compliance with Core Strategy Policy 5, it is appropriate that a redevelopment of the site includes employment use. The proposal in this case would not include MOT use, however (B1a) Office floorspace would be provided within both buildings. Officers support the principle of (B1a) use, subject to provision of employment, hours and days of operation, and the level of impact upon neighbouring occupiers.

6.11 The loss of (B2) General Industrial provision in this case is considered acceptable. The nature of the immediate area has changed significantly in recent years to be predominantly residential in character, with ground floor commercial uses. The (B2) MOT use is therefore considered to be less compatible with its surroundings, with associated noise and disturbance more likely to be a concern.

6.12 The amount of employment floorspace would be reduced from the existing overall total of 1786sq.m to 830sq.m, although the amount of proposed (B1a) Office floorspace would increase from 744sq.m to 830sq.m.

6.13 The proposed development would provide modern, flexible floorspace specifically for (B1a) Office use, with a greater potential for occupancy than the existing building.

- 6.14 Table 3 shows a comparison between the existing and proposed employment floorspace and employee provision. The Employment Densities Guide Employment (2010) provides a measure of intensity of building use and an indicator of average work floorspace (m²) per Full-Time Equivalent (FTE) member of staff.

Table 3

	B1 Floorspace	No. of Employees	B1 B2 Floorspace	B2 MOT/ Garage Employees
Existing	744 sq.m	Up to 62	1042sq.m	8
Proposed	830 sq.m	Up to 69	N/A	N/A

- 6.15 The submission advises that 8 full time B2 MOT/ Garage staff were employed prior to closure, whilst no figure has been provided regarding the former B1 Office element. The Employment Densities Guide (2010) advises that for B1 units, the standard area per full-time employee is 12sq.m, which equates to a maximum of 62 office staff within the existing floorspace.
- 6.16 Using the same guidance, the proposed development would accommodate up to 69 employees, which is comparable with the overall total of employees that the existing building could accommodate - 70 - despite the smaller floorspace area proposed. The floorspace provision is therefore considered acceptable in principle, and appropriate for this setting.
- 6.17 Additionally, it is considered that B1a floorspace meets the wider aspirations for Forest Hill district centre, in compliance with Core Strategy Spatial Policy 5, which states District Hubs will be managed so as to facilitate change that contributes to the economic vitality and viability of each District town centre. The B1a use is considered to be a more considerate form of use in regard to the residential character of the immediate area.
- 6.18 The Employment Land report advised that the provision of new accommodation for SMEs would make a welcome addition to the stock. Officers agree with this conclusion and have recommended the S106 agreement secures both the fit out of the units and provides a three month rent free period to occupiers to allow the tenant to begin trading and cover any additional fit out costs before rent payment is due.

Residential Use:

- 6.19 At national level, the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy 3.3 Increasing Housing Supply establishes a housing target for the Borough of 13,847 additional dwellings for the plan period 2015-2025.
- 6.20 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.
- 6.21 The provision of a mixed use scheme that includes residential units would be in accordance with Policy, reflecting the character of the surrounding area. The

proposed mixed use nature of ground floor commercial activity with residential units above would be acceptable, subject to appropriate soundproofing measures to safeguard the amenities of future residential occupiers, and impact upon the amenities of existing occupiers.

- 6.22 In summary, officers raise no objections in principle to the demolition of the existing buildings, the redevelopment of the application site, or the nature of proposed mixed commercial and residential uses. The development would replace an unsightly building, with an opportunity to enhance the character of the Forest Hill Conservation Area, and to provide additional quality residential accommodation to assist in meeting Lewisham's housing target of 1385 additional residential dwellings per annum.

Design

- 6.23 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.24 Paragraph 15 of the National Planning Policy Framework 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."
- 6.25 Core Strategy Policy 15 High quality design for and 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.
- 6.26 DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens requires new development to respect the character and appearance of conservation areas.
- 6.27 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. It is considered that the existing vacant commercial building appears unattractive and incoherent with the general character of the immediate area, and no objections are raised toward its demolition.
- 6.28 The height and massing of the proposed development is influenced by the adjacent buildings that have been built to neighbouring plots at Dartmouth Place and Clyde Terrace (Ingres and Ream Apartments), which are 3 to 6-storey mixed use buildings to the east and south of the application site. Directly to the north is Noel Terrace, which is a 4-storey plus roofspace Edwardian residential building that accommodates flatted dwellings.

- 6.29 Block A to the northern part of the site would be a part 5/ part 6-storey building that would measure a height of up to 19 metres, which is comparable with the Dartmouth Place (Ingres Apartments) development, a storey higher than Ream Apartments, and a storey and a half higher than Noel Terrace. The upper floor residential units would overhang the ground floor commercial unit by up to 4.5 metres.
- 6.30 Block B would lie between 7 and 10 metres to the south of Block A, and would be a part 2/ part 3-storey building. It would be sited behind Clyde Terrace to the east, and 2-storey dwellings to the south fronting Dartmouth Place.
- 6.31 Both buildings would be predominantly brick faced (shown as a brown coloured fair face brick on Plan 1217-74) to all elevations on the upper floors, whilst the ground floor commercial units would be largely glazed with steel framing.
- 6.32 All upper floor window frames would be of white metal, whilst balconies would be enclosed by anodised aluminium together with glazed screens. The provision of balconies contributes to the overall outdoor feel and modern design of the development. Steel louvers would form the entrances to the internal refuse area.
- 6.33 The proposed use of materials is considered to be appropriate in principle, contributing positively to the appearance of the development, and relating well with the immediate area. The applicants would be requested by way of a planning condition to provide external material samples for further assessment and detailed plans of the proposed living roof.
- 6.34 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.
- 6.35 Conservation officers raise no objections to the proposal, and consider the scheme would enhance and respect the character of the Forest Hill Conservation Area.

Design Review Panel

- 6.36 On 26 March 2014, a pre-application scheme relating to the current site was presented at a Design Review Panel. The scheme proposed the demolition of the existing building, and the construction of a part one, part two, part three-storey building, and a part four, part five, part six-storey building, accommodating 30 residential units and B1 office use at ground floor.
- 6.37 The Panel considered the general height, scale and massing to be appropriate, whilst the decision to create two buildings and positive routeways through the site was acceptable. The balance of scale between the two buildings was also supported.
- 6.38 The Panel recognised the complexity of the project, and the efforts in seeking to bring forward a high quality development, however they advised that further design development was necessary in regard to a greater simplification of form and geometry, a more robust treatment to the public realm and its landscape, and for a greater clarity in detailing and the deployment of materials.

6.39 The scheme was further developed in response to the Panel comments. The Design and Access Statement advises that the plans were reformulated to follow two geometries, respecting those of the two parts of the site. Balconies and windows were better integrated into the composition, together with technical amendments. A detailed landscape strategy was developed that considered external spaces, and how the scheme may enhance the quality of the public realm.

Density

6.40 The application site is located within the Forest Hill town centre boundary, and therefore is considered to be an urban area, which is characterised by dense residential and commercial activity.

6.41 Policy 3.4 of The London Plan provides guidance on density. The development would provide 27 residential units and 78 habitable rooms, equating to a density of 433 habitable rooms per hectare, which falls within the density range of 200-450 hr/ha stated in Table 3.2 of the London Plan for urban areas with a PTAL of 3.

6.42 Guidance states that the Council should make the best use of previously developed land, however should this not negate the requirement for developments to blend with the surrounding character.

6.43 The scheme is considered to be of high quality design and would substantially improve the appearance of the site, and respect the surrounding Forest Hill Conservation Area. All residential units would exceed minimal sizes stated in the London Plan SPG (2012), whilst the mixed use nature of the scheme and landscaped external spaces would provide a high quality environment that would benefit the wider area. Density in this case is therefore considered acceptable and consistent with current Government guidance, and would not result in demonstrable harm to neighbouring occupiers.

Semi Public Access Route

6.44 The existing site is currently accessed by two means;

- via a gated passageway between 53a and 55 Dartmouth Road that serves 53C Dartmouth Road and the enclosed forecourt and office element of Fairway House;
- from Clyde Terrace providing front access only to the MOT/ garage.

6.45 The application proposes to connect Dartmouth Road and Clyde Terrace through the centre of the site by way of a semi-public route, which would be accessible to non residents during daytime hours only.

6.46 A steel gate to the side of 53C Dartmouth Road would be open during the day to allow for vehicular and pedestrian access. The commercial occupiers or building manager would be responsible for its closure in the evening hours.

6.47 A 2.5 metre high '2-part telescopic steel sliding gate' would be positioned across the main route into the front of the site from Clyde Terrace, and would remain open during the day. The commercial occupiers or building manager would also be responsible for closing the gates in the evenings.

- 6.48 An adjacent self-closing single pedestrian steel gate, measuring 2.5 metres in height, would remain closed, and would be operated by fobs issued to residential occupiers when the main gates are locked at night.
- 6.49 The Council will generally resist permanently gated development as they can harm the integration, permeability and cohesiveness of neighbourhoods. It is considered important therefore to secure the proposed route by way of a Semi-Public Access Management Plan via the s106 Agreement to ensure the development would retain an open and accessible footway for public benefit.
- 6.50 In summary, it is considered that the proposed development would make a positive contribution to the townscape, and would represent high quality modern design that would respect and enhance the character of the immediate area and the Forest Hill Conservation Area generally. On balance the height, scale and massing of the buildings are considered to be acceptable taking into account the context of the site surroundings.

Impact on Neighbouring Properties

Block A

- 6.51 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.*'
- 6.52 Noel Terrace is a 4-storey residential building that lies to the north of Block A, and is an L shaped building, with the rear element set in from the side boundary. The ground floor of Block A would lie between 4-5 metres away from the flank walls of Noel Terrace, whilst the upper residential floors would project approximately 4 metres beyond the initial rear elevation of the existing building - not the main rear elevation at the far end.
- 6.53 All habitable rooms within Noel Terrace are facing either east or west, with kitchen and bathroom openings facing the north elevation of Block A. Plan no. 1217-06 indicates the proposed building would not extend beyond the 45 degree angle taken from the nearest Noel Terrace habitable windows, demonstrating the proposal would not significantly harm existing outlook for existing occupiers.
- 6.54 There would be no openings to the flank wall of Block A that would result in any unacceptable overlooking to Noel Terrace.
- 6.55 Unit A1 within Block A would be afforded a spacious terrace area that would extend beyond the rear elevation of Noel Terrace, however the neighbouring property does not have a rear garden to be overlooked. The provision of a 1 metre high screen upon the 1 metre high flank wall would ensure the rear and flank windows of Noel Terrace would not be overlooked.
- 6.56 Units A20 and A22 on the upper floor of Block A would be afforded terraces that face Noel Terrace. Whilst screening is shown on the proposed elevation plans, it is considered appropriate to request further screening details by Condition so an assessment can be made regarding their composition to ensure there would be no direct overlooking to any existing occupiers.

- 6.57 Concerns have been raised toward potential noise and disturbance from the amenity areas, however this is not considered to be sufficient grounds to refuse permission in this case.
- 6.58 20 metres to the west of Block A is a 2-storey building at 53C, with ground floor commercial use and a first floor residential unit. Further to the west are 3-storey buildings fronting Dartmouth Road with upper floor dwellings. Officers are satisfied the existing properties are sited a sufficient distance away and would not be significantly harmed by the height and scale of proposed development, or the proposed west facing terraces/ balconies.
- 6.59 The Daylight/ Sunlight report concludes that Block A would satisfy the Building Research Establishment (BRE) minimum requirements in relation to daylight, sunlight and overshadowing, and would have no significant impact upon neighbouring properties. This is challenged, however by a resident of Noel Terrace, who considers the development would reduce levels of daylight, and that the applicant has ignored the findings of the report.
- 6.60 In response, the Daylight consultant who compiled the report has advised the following:
- 6.61 'While it is correct to say that window W38 (flank opening) shows a drop in VSC of 30%, the alternate window (W37 rear facing) providing daylight to this room (kitchen/ living/ diner) receives a higher level of daylight than does W38 in both existing and proposed conditions. Indeed, whereas there is a loss of daylight to W38, there would be an improvement in daylight to window W37 rising from a VSC of 19.42 to 21.05.'
- 6.62 VSC (Vertical Sky Component) is a measure of the amount of skylight, and is most commonly applied to the centre of a window to determine the potential for good daylighting.
- 6.63 It is acknowledged that Block A is considerably higher than the existing building, and would lie within close proximity of Noel Terrace. However, in considering the findings of the report, whilst there would be some impact, officers are satisfied the development has been designed to avoid significant adverse harm to the neighbouring occupiers.

Block B

- 6.64 Due to the significant ground level changes around the application site, the ground floor commercial unit of Block B would lie below the ground level of the Mays Flats to the south, extending up to the boundary.
- 6.65 The upper floor residential units would be comparable in height with the existing building, however the upper floors of the proposal would lie further away from the southern boundary than the existing - approximately 9 metres - and would result in the Mays Flats being less enclosed than at present.
- 6.66 The Mays Flats would lie between 9 and 11 metres away from the proposed first and second floors of Block B, however the nearest existing openings are positioned east and west facing, away from the direction of the application site. The ground and first floors have north facing bedroom openings set further back

from the main rear elevation. These would lie between 15-18 metres from the nearest habitable room windows to Block B.

- 6.67 DM Policy 32 advises there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations, however this will be 'applied flexibly' if it can be demonstrated that privacy can be maintained through design.
- 6.68 The first floor rooms within Block B facing directly toward the first floor Mays Flats bedrooms would each be afforded balconies, with 1 metre high opaque screening upon the 1 metre high balcony wall. This would serve to reduce potential overlooking, without necessarily comprising the level of outlook from the new units. It is appropriate to further assess the opaque screening to Units B3, B4 and B5 by Condition, and to ensure their installation in full prior to first occupation, and to be retained thereafter.
- 6.69 A bedroom within Unit B2 at first floor level would include an opening to the west elevation, as would the living room of Unit B5 on the second floor. The windows would look directly into the main accessway and car-parking area for Mays Mews, and would not compromise the privacy of any existing dwellings.
- 6.70 The Daylight/ Sunlight report concludes Block B satisfies the Building Research Establishment (BRE) minimum requirements in relation to daylight, sunlight and overshadowing, and would have no significant impact upon neighbouring properties, attributed to siting and modest height.
- 6.71 Officers are satisfied that Blocks A and B would not result in significant adverse visual harm to the occupiers of Ream Apartments, with direct overlooking avoided by the provision of part frosted openings to Block A windows to the southern elevation.
- 6.72 In summary, the proposed scheme is considered to have a satisfactory relationship to neighbouring dwellings, and would not result in significant visual harm to existing occupiers.

Housing

a) Size and Tenure of Residential Accommodation

- 6.73 Core Strategy Policy 1 seeks to secure an appropriate mix of unit sizes within any development. Lewisham suffers a shortage of larger housing units particularly 3+ bedrooms and therefore a development of 10 or more units must include family sized dwellings. 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.

6.74 In this case, the proposed mix of units is considered acceptable, including an acceptable proportion of 3 bedroom units, accounting for 6 of the proposed 27 units (22%), with each unit afforded sufficient external private space. The unit mix within both blocks are set out in Table 3.

Table 3: Residential Tenure

	1 Bed	2 Bed	3 Bed	4 Bed +	Total
Block A	8 (1 w/chair)	10	4 (1 w/chair)	-	22
Block B	1	2	2 (1 w/chair)	-	5
Total	9	12	6	-	27

Standard of Residential Accommodation:

- 6.75 The Council's adopted Residential Standards SPD (updated 2012) sets out criteria for new residential units but this document is largely superseded by Core Strategy and London Plan requirements. The London Plan Housing SPG sets out guidance to supplement London Plan policies. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.
- 6.76 Table 3.3 of the London Plan and Standard 4.1.1 of the SPG sets out minimum space standards for new development, including unit and room sizes.
- 6.77 The size, layout and circulation of the proposed units are considered to be acceptable, providing a good standard of accommodation for future occupiers. Unit sizes and habitable rooms would be in accordance with the minimum standards set out within the London Plan (2015).
- 6.78 Each habitable room would be provided with sufficient outlook, with the majority of units being dual aspect. 4no, one bedroom units within Block A would be single aspect west facing, whilst 1no, one bedroom unit in Block B would be south facing only, attributed to the internal layout of internal lobby areas and siting of external balconies. Officers are satisfied all units and habitable rooms would be afforded sufficient natural light intake, in accordance with DM Policy 32 Housing design, layout and space standards, which seeks to resist single aspect north facing residential units.
- 6.79 New residential development is no longer required to meet the Lifetimes Home Criteria at planning stage, however this remains a matter to consider. Lifetime Homes Criteria seeks to incorporate a set of principles that should be implicit in good housing design enabling housing that maximizes utility, independence and quality of life. The applicant has advised all units would allow for easy conversion to wheelchair accessible units. This is considered to be acceptable.

- 6.80 Three wheelchair units would be provided within the scheme, compliant with Core Strategy Policy 1 Housing provision, mix and affordability, which requires a minimum 10% provision of wheelchair units in schemes providing 10 or more residential units. From 1 October 2015, this would be in accordance with Building Regulation M4 (3) Wheelchair User Dwellings.' The wheelchair units will be secured by Condition.
- 6.81 Standard 4.10.1 of the London Plan Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. The minimum depth for all external space is 1500mm. All units within this development would have private amenity space in the form of balconies and terraces, which meet the aforementioned standard. In addition, all units would have access to the communal landscaped courtyards.
- 6.82 A semi-public communal 'garden' would be provided on the raised land to the west of Block A, which is described as '...paving is patterned and shaped to provide opportunities for informal play – patterns of paler paving mark out games, a maze, and a sweeping curving route around the garden which banks up along one side to be fun for small children to run along. Black granite blocks provide stepping stones for children or seats for adults.'
- 6.83 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 public open spaces with children's play areas are Horniman Gardens on either side of London Road located approximately 0.5 miles to the north-west of the site. Baxter Fields near Round Hill lies to the south-east, approximately 0.35 miles from the application site, whilst to the south-west is Mayow Park.
- 6.84 London Plan Policy 3.6 and Core Strategy Policy 12 require that residential and mixed use developments make provision for children's play and informal recreation space. The London Plan states that the amount of provision should be proportionally based on the number of children expected to occupy the development and an assessment of future needs. Summarily, the Mayor of London concludes that new development that creates a child yield is expected to provide 10 m² of play and recreation space for every child.
- 6.85 100sqm of playable space has been incorporated in the proposed landscaping to the west (Dartmouth Road side) of the scheme. Based on the Mayor's play space SPG, 12 children between the age of 0-16 are predicted to live in the development. This gives rise to a total child play space requirement of 120sq.m. Based on this, there is an opportunity to enhance some play facilities within the nearby public spaces by securing a financial contribution. In addition it is considered a play strategy is conditioned to ensure the 100sqm proposed is appropriate and useable for play.
- 6.86 The Lewisham Planning Obligations: Supplementary Planning Document (2015) advises that the undelivered play space will then be multiplied by £300 per m², which represents the estimated cost for the Council to deliver off-site children's play space on behalf of the developer. In this case, the sum would be £6,000.
- 6.87 Children's play space contributions are considered separate and additional to the Borough CIL. Whilst children's play space is often located in open spaces, it will

not be considered to be covered by any CIL payment, and therefore would be secured separately within the S106.

- 6.88 In summary, officers accept the proposed standard of accommodation within the development, and are satisfied the scheme would be policy compliant in this respect.

Employment

- 6.89 Core Strategy Policy 5 Other employment locations advises that employment land within District Hubs should be recommended for retention in employment use.
- 6.90 The proposed ground floor commercial units within Blocks A and B would provide (B1a) Office floorspace only, measuring up to 830sq.m. It is acknowledged that the amount of floorspace is less than the existing 1786sq.m, however the proposal is for smaller and more modern premises that provide flexibility for future occupiers. It is considered this would generate employment by being attractive to commercial operators, moreso than the outdated existing building.
- 6.91 The proposed commercial units are appropriately sized and proportioned, and would serve to mitigate the loss of the employment uses that formally occupied the site. The former office and MOT/ Garage uses were capable of employing up to 70 full-time staff in total prior to closure. The proposed commercial units would provide up to 69 employees, which is comparable with the existing building, and thereby demonstrates the level of proposed employment floorspace to be acceptable.
- 6.92 The application does not include any initial marketing procedures of the proposed premises, therefore it is considered appropriate that a marketing strategy for the commercial units be formally submitted to the Council within 6 months of commencement of development, demonstrating that sufficient measures are being undertaken to ensure occupancy of the units. This would be secured in the S106 Agreement.
- 6.93 It is acknowledged that the main difficulties for small businesses being able to occupy new premises includes the affordability of the units that come forward, the start up costs associated with fitting out beyond shell and core and lack of flexibility with leases. In order to address this issue and to ensure that the reduced amount of commercial floorspace to be delivered as part of this mixed used development offers genuine employment opportunities, it is considered appropriate to secure measures that would make the commercial units more affordable for small businesses, whilst increasing potential for occupancy at an early stage.
- 6.94 In accordance with DM Policy 11 Other employment locations, following discussions with officers, the developers have agreed to undertake an initial fit-out of both commercial units. This would include service connections for gas, electricity, water and foul drainage, and provision for telecommunication services and broadband services; wall and ceiling finishes; wheelchair accessible entrances and screed floors, which would be secured by the S106 Agreement. The ingoing tenant would then be responsible for the final fit-out.
- 6.95 The applicant has advised that a 3 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. 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.

- 6.96 The above measures would enable a small business to take over the unit/s without significant start up costs which can be prohibitive and would facilitate a 'bedding in' period.
- 6.97 In summary, the development would make a valuable contribution to employment in the Borough by generating the potential for up to 69 full time jobs. S106 obligations and planning conditions will seek to ensure appropriate measures are undertaken by the applicant to seek the occupation of the B1a office units.

Highways and Traffic Issues

- 6.98 The London Plan (2015) states that in locations with high public transport accessibility, car-free developments should be promoted.
- 6.99 Whilst 3no disabled parking bays would be provided to the front forecourt area, no off-street parking would be provided within the site. A car free scheme in this case however would be acceptable considering the close proximity to bus routes on Dartmouth Road and London Road, whilst Forest Hill Train Station is located within a short walking distance. In addition, four car clubs are currently operating between 400 metres and 1km away from the application site.
- 6.100 Future occupiers may wish to apply for a residents parking 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
- 6.101 A total of 54 secure and dry parking for bicycles are shown within the development. This would comprise 18 individual upstand cycle lockers located to the front of Block B, including 9 for the commercial units on the lower level, and 9 lockers on the upper level for the residential occupiers. The remaining 36 lockers would be located within the residential lobby areas - and some units - of Block A. The provision of 54 cycle spaces would exceed the cycle parking standards in the London Plan.
- 6.102 Highways officers raise no objections to no provision of off-street car parking aside from disabled parking, or the number of proposed cycle stores.
- 6.103 A Residential Travel Plan Statement has been submitted that sets out objectives and targets to ensure occupiers have a greater awareness of how they generally travel, and to promote use of sustainable modes of travel.
- 6.104 The strategy would be overseen by a Resident Travel Plan Co-ordinator, and their responsibility would be to ensure:
- The implementation of measures set out in the Travel Plan;
 - Promoting the objectives and benefits of the Travel Plan.
 - Acting as the point of contact for all residents.

- 6.105 A similar approach would be followed in respect of the commercial units, whereby an Employee Travel Plan Co-ordinator would be appointed to promote travel objectives.
- 6.106 Officers consider these approaches to be acceptable, and suggest Conditions that require the submission of evidence to demonstrate compliance with the proposed monitoring and review mechanisms within 6 months of first occupation for both the commercial and residential uses.

Refuse

- 6.107 The residential refuse store for Block A would be accessed from the front of the building, accommodating 3no x 1.1 litre eurobins. Block B would have use of 2no 1.1 litre eurobins within an enclosed store.
- 6.108 The commercial units would have a shared storage area within the enclosed ground floor area to the side of Block B.
- 6.109 Bins would be located adjacent to the front gate for collection. The Transport Statement advises that refuse vehicles would be able to enter and leave the site in forward gear via Clyde Terrace.
- 6.110 The proposed refuse details and siting are considered acceptable.

Sustainability and Energy

a) Renewable Energy

- 6.111 Relevant policies within the London Plan Core Strategy would need to be addressed in any submission.
- 6.112 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').
- 6.113 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.
- 6.114 The applicant has submitted a Sustainability Statement in support of the application, which satisfactorily addresses the sustainability issues. Solar panels have been identified as the most suitable renewable technology, with 42 PV panels to be installed to Block A, and 60 panels to Block B. An air source pump is also shown to the roof of Block A that would serve the commercial unit.
- 6.115 The Energy statement advises that the commercial units would achieve a BREEAM 'Excellent' rating, in accordance with Core Strategy Policy 8.

- 6.116 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes, though residential development is still expected to meet code level in regard to energy performance and water efficiency.
- 6.117 The scheme would achieve Code Level 4 for Sustainable Homes; a 35.2% energy improvement over Building Regulations Part L 2013 Target Emissions Rate; and an overall 21.41% saving in carbon emissions from renewables.
- 6.118 From 1 October 2015, the Ministerial Statement advised that the standard for energy efficiency in new residential development will be a 19% reduction in CO2 emissions over Building Control requirements, which is equivalent to Code Level 4.
- 6.119 In regard to water efficiency, from 1 October 2015 new development is expected to achieve a consumption of 110 litres per person per day, including a 5 litre allowance for external water use. A Condition will ensure this is achieved.

b) Living Roof

- 6.120 Brown living roofs are proposed to the flat roofs of Blocks A and 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 section plans be formally submitted, that would also ensure the roofs are constructed and planted/operational in full prior to first occupation.

c) Sustainable Urban Drainage Systems

- 6.121 Policy 5.13 of the London Plan requires development to utilise SuDS, unless there are practical reasons for not doing so though supporting text to the policy also recognises the contribution 'green' roofs can make to SuDS. The hierarchy within that policy is for a preference for developments to store water for later use.
- 6.122 The submission advises that rainwater run-off would be minimised by permeable paving, whilst the living roofs and any soft landscaping would assist in attenuating and reducing the amount of run-off.
- 6.123 In summary, it is considered the development would accord with sustainability policies.

Landscaping

- 6.124 The central courtyard area between Blocks A and B would be predominantly paved, with the planting of 1no. tree with black granite seating formed around it. To the rear of the site would be 9 bicycle lockers, and steps leading up to the communal garden and pathway toward Dartmouth Road. A number of black granite resin planters would be sited on either side of the courtyard and to the front of Block A.
- 6.125 The composition of the upper level communal garden has been addressed in Paragraph 6.82 of this report.
- 6.126 The permeable paving would extend out beyond Block A into the improved front forecourt that falls within the curtilage of the application site. The removal of the unsightly 2 metre high palisade fencing would create a new improved space for

pedestrians, opposed to the existing narrow footpath. Two trees would be planted on the new forecourt, together with the provision of a raised planter along the access into the site.

- 6.127 2.5 metre high steel gates are proposed across the main route into the site from Clyde Terrace, and to the side of 53C Dartmouth Road.
- 6.128 New brick walls matching Blocks A and B, varying in height between 1.1 - 1.8 metres would be constructed to the boundaries. 'Wall type 1' would be the highest, incorporating timber trellising. 'Fence type 2' to the northern boundary would be green coloured welded mesh, measuring 2.4 metres in height.
- 6.129 Officers consider the proposed landscaping measures and boundary treatment to be acceptable. A planning Condition will ensure the agreed works are completed in full prior to first occupation and maintained thereafter.

Ecology

- 6.130 The NPPF addresses ecology in paragraph 109 which states, the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 6.131 The Council's Ecological manager has raised no objections to the proposed biodiverse living roof, however further details regarding a species list, planting methodology and maintenance are requested by way of a planning condition.
- 6.132 Wildlife boxes for bats and birds are proposed to various locations to the elevations of Blocks A and B. 4no bat boxes, 2no sparrow terraces, 4no swift boxes and 3no martin nests are proposed to the east elevation of Block B, whilst 4no swift boxes, 2no sparrow terraces, 4no bat boxes and 5no martin nests would be sited to the north elevation of Block A.
- 6.133 The quantum of bat and bird installations are supported, however the placement of the bird boxes close to one another should be reassessed to ensure the different species do not clash. It is suggested the swift boxes be sited on the highest points on the northern elevation of Block A, with the sparrow nest terraces to the east elevation of Block B. Further plans addressing this will be subject to a Condition.
- 6.134 A Bat Roost Assessment Report relating to the existing building was undertaken on 21 January 2015 by an experienced licensed bat surveyor. The report concludes there were 'no signs of roosting bats...likely to be from the building lacking suitable roosting locations, and security lighting on the front of the building are also a likely deterrent for bats. Therefore it should be considered that the building has a negligible potential to support roosting bats.'

Affordable Housing

- 6.135 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.

- 6.136 The NPPF (2012) states that 'In making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.
- 6.137 'This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance.'
- 6.138 The immediate area around the application site is characterised by a mix of market and affordable housing. Ingres and Ream Apartments fronting Clyde Terrace and Dartmouth Place provides 35% affordable units, comprising 25% (13 units) for rent and 10% (2 units) for shared ownership, serving to demonstrate a good tenure mix within close proximity of the application site that includes affordable provision.
- 6.139 The proposed scheme would not be policy compliant, providing 100% market housing and no affordable housing provision. The applicant advised they were seeking a developer profit of 23% on Gross Development Value (GDV), whilst the lender required a 25% return. The returns are considered to be higher than generally expected. A 17-20% developer profit on GDV for residential development is a usually accepted level of return at the current time, which 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.
- 6.140 The applicant's 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 initial 23% on GDV level of return is indeed high, and have therefore based their assessment on an assumption of 20% on GDV, in line with the GLA Toolkit default allowance.
- 6.141 The applicant has advised the scheme would be unable to support affordable housing, attributed in part to demolition and remediation costs, the need to excavate part of the site to accommodate the commercial uses, which UrbanDelivery consider is likely to incur an 'abnormal cost higher than may be anticipated on a level site', and overall build costs.
- 6.142 The Mayoral CIL and LB Lewisham CIL charges also 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 equating to £70 per sq.m.
- 6.143 Based on the proposed GDV, the development costs and the Land Value Benchmark, UrbanDelivery are of the opinion that the proposed development would be unable to support the provision of any onsite affordable housing. Based on current values and development costs, the development appraisal indicates a significant deficit. When considering the development appraisal based on a fixed

land price indicated by the applicant, the developer profit equates to only 8.87% of GDV, which is substantially below the applicant's target of 23% based on GDV.

- 6.144 The applicant accepts the conclusions by UrbanDelivery, and has indicated they may be able to source alternative finance to deliver the development, and seek a more competitive construction contract that would increase the developer profit, however it is unlikely to achieve a 20% profit on GDV.
- 6.145 In response to the lack of onsite affordable provision, officers have negotiated an in lieu payment of £100,000 by the developer toward affordable housing provision in the Borough, which would be secured in the S106 Agreement. The viability appraisal submitted currently indicates a deficit, which is supported by the independent viability assessment. On this basis, the £100,000 payment would be considered a reasonable sum to mitigate the affordable shortfall.
- 6.146 The Lewisham Planning Obligations: Supplementary Planning Document (2015) advises that for all types of affordable housing, it is preferable to the Council for developers to make direct on-site provision without the need for financial contributions to the Council. Where the Council deems that it is not possible to appropriately deliver affordable housing requirements on-site, the developer will be required to provide the necessary provision off-site. Alternatively, and entirely at the discretion of the Council, a financial contribution in lieu may be considered appropriate.
- 6.147 UrbanDelivery have assessed private residential sale values within the immediate area of the application site, including new build schemes. They concluded that the local property market is 'steady, with continued demand from purchasers looking for homes from which they can commute to central London.'
- 6.148 Should values increase within the area, UrbanDelivery have suggested a review mechanism be applied whereby if works have not commenced within a specified period, the Council would undertake a further viability assessment of the scheme, whilst determining whether affordable housing provision on site would be viable.
- 6.149 The NPPG (2014) advises however that such clauses should only be reserved for larger phased projects: 'Viability assessment in decision-taking should be based on current costs and values. Planning applications should be considered in today's circumstances... however, where a scheme requires phased delivery over the medium and longer term, changes in the value of development and changes in costs of delivery may be considered. Forecasts, based on relevant market data, should be agreed between the applicant and local planning authority wherever possible.'
- 6.150 The proposed development would not be phased, and so it is considered, in line with guidance that a review mechanism cannot be applied in this case. Officers consider an alternative approach is to recommend a 2 year permission rather than 3, therefore should no works have commenced on-site prior to that time, a further planning application would be necessary, thereby enabling another opportunity to assess viability that would consider any variations upon current residential and commercial sales and rental values.
- 6.151 In summary, officers accept the conclusions of UrbanDelivery toward viability, and raise no objections to the proposed scheme providing no affordable housing.

Planning Obligations

- 6.152 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
- 6.153 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.
- 6.154 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development.
- (1) £100K off-site payment towards affordable housing;
 - (2) 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;
 - wheelchair accessible entrances;
 - screed floors;
 - glazing solution.
 - (3) A 3 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;
 - (4) To submit a Marketing Strategy for the commercial units to the Council within 6 months of Commencement of Development;
 - (5) £6,000 off-site playspace payment;
 - (6) Submission of a Semi-Public Access Management Plan;
 - (7) Meeting the Council's legal, professional, and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

- 6.155 Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).
- 6.156 The scheme would be liable to the Lewisham Community Infrastructure Levy, which was adopted on 1 April 2015. The financial contribution is subject to a charge of £70 per sq.m, and may be used to ‘fund local and strategic infrastructure that is needed to support growth and development in the Borough.’ In this case, the proposed development would contribute to transport facilities, health, education, recreational facilities and open spaces. As stated earlier in this report, CIL would not include improvements to children’s playspaces within local parks.

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

10.0 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; 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 location. 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) £100,000 off-site payment towards affordable housing in the Borough;
 - (2) 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;
 - wheelchair accessible entrances
 - screed floors;
 - glazing solution.
 - (3) A 3 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.
 - (4) To submit a Marketing Strategy for the commercial units to the Council within 6 months of Commencement of Development.
 - (5) £6,000 off-site playspace payment;
 - (6) Submission of a Semi-Public Access Management Plan;
 - (7) 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 legal agreement, authorise the Head of Planning to **Grant Permission** subject to the following conditions:-

- (1) The development (excluding demolition) to which this permission relates must be begun not later than the expiration of two 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:

1217-01; 1217-02; 1217-03; 1217-04; 1217-05; 1217-06; 1217-07; 1217-08; 1217-09; 1217-10; 1217-11; 1217-12; 1217-13; 1217-14; 1217-15; 1217-16; 1217-17; 1217-18; 1217-19; 1217-20; 1217-21; 1217-22; 1217-23; 1217-24; 1217-25; 1217-26; 1217-27; 1217-28; 1217-29; 1217-30; 1217-31; 1217-32; 1217-34; 1217-35; 1217-36; 1217-37; 1217-38; 1217-39; 1217-40; 1217-51; 1217-53; 1217-54; 1217-55; 1217-56; 1217-57; 1217-58; 1217-59; 1217-60; 1217-61; 1217-62; 1217-63; 1217-64; 1217-65; 1217-66; 1217-66; 1217-67; 1217-70; 1217-73; 1217-74; 1217-75; CGI 1217-74; CGI 1217-75; 18665_02_E RevA; 18665_03_E RevA; 18665_04_E RevA; 18664_05_E RevA; 18665_01_P 0; 18665a_02_P; Site Location Plan; Design & Access Statement; Landscape Design; Noise Assessment; Office Travel Plan Statement; Residential Travel Plan Statement; Statement of Community Involvement; Transport Statement; Heritage Statement; Construction Traffic Management Plan; Phase 1 Environmental Review; Employment Land Report & Overview; Bat Roost Assessment Report; BREEAM; Energy Strategy Report; Daylight/ Sunlight/ Overshadowing Report; Air Quality Assessment; Appendix 4 - Detailed schedule of availability for industrial; Appendix A - Completion Schedules; Appendix B - Deals Schedules; Appendix C - Marketing Particulars; Appendix D - Marketing Board

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, including demolition and site clearance shall commence on site until a Demolition Method Statement has been submitted and approved in writing by the LPA. The Statement should include:

- Detail of how the existing building 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).

- (4) No development, including demolition shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
- (a) Dust mitigation measures.
 - (b) The location and operation of plant and wheel washing facilities
 - (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
 - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
 - (e) Security Management (to minimise risks to unauthorised personnel).
 - (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

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

- (5) (a) No demolition 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 DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

- (6) (i) No demolition shall commence on site until a local labour strategy has been submitted to and approved in writing by the local planning authority. The strategy shall include (but is not limited to):
 - (a) Proposals to achieve a target of fifty per cent (50%) local people and local businesses as employees contractors and sub-contractors during the construction of the Development.
 - (b) A commitment to working with the local planning authority’s local labour and business coordinator.
 - (c) Routes to employment, including direct access to employment opportunities at the development and addressing wider barriers to employment.
 - (d) Early warnings within the local planning authority’s area of contracts to be let at the development.

- (e) The number and type of jobs to be created and the skill requirements in relation to those jobs.
- (f) Recommended training routes to secure jobs.
- (g) Proposals to encourage diversity in the workforce.
- (h) Measures to encourage local businesses to apply for work in relation to the development.
- (i) Training opportunities and employment advice or programmes and employment and training brokerage arrangements.
- (j) Provision of opportunities for modern apprenticeships including the number and type of apprenticeships available.
- (k) Provision of opportunities for school leavers, older people and those who have been out of work for a long period.
- (l) Provision of work experience for local people during the construction of the development including the number of weeks available and associated trades.
- (m) Provision of childcare and employee assistance to improve working environments.
- (n) Interview arrangements for jobs.
- (o) Arrangements for working with schools and colleges.
- (p) Measures to encourage local people into end use jobs.
- (q) Targets for monitoring the effectiveness of the strategy including but not limited to the submission of monitoring information to the local planning authority on a monthly basis giving details of:-
 - The percentage of the on-site workforce which are drawn from persons whose normal residence is within the Lewisham borough.
 - Social and demographic information of all contractors, sub contractors, agents, and employers engaged to undertake the construction of the development.
 - Number of days of work experience provided.
 - Number of apprenticeships provided.

(ii) The strategy approved by the local planning authority under part (i) shall be implemented in its entirety and distributed to all contractors, sub-contractors, agents and employers engaged in the construction of the development.

(iii) Within three months of development commencing and quarterly thereafter until the development is complete, evidence shall be submitted to demonstrate compliance with the approved strategy and monitoring information submitted to the local planning authority in writing, giving the

social and demographic information of all contractors, sub-contractors, agents and employers engaged to undertake the construction of the development.

Reason: In order that the local planning authority may be satisfied that the development makes appropriate provision for local labour and delivers jobs to supports sustainable development in accordance with the National Planning Policy Framework (2012) and to comply with Core Strategy Policy 21 Planning Obligations in the Core Strategy (2011).

- (7) The proposed ground floor commercial units shown on Plan 1217-05 shall only be used for B1a Office use and no other purpose unless agreed in writing with the local planning authority.

Reason: To provide employment floorspace in line with Core Strategy Policy 5 Other employment locations and the Site Allocations Local Plan (2013), and to meet the future development aspirations of the Forest Hill District Hub.

- (8) (a) Prior to commencement of above ground works, 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 there from 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 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) 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).

- (11) (a) No development shall commence on site until samples of hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.

(b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

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

- (12) 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).

- (13) No development shall commence on site until a play strategy demonstrating the proposed layout, materials, fixtures and fittings of the playable space in general accordance with drawing no. 1217-39 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 prior to occupation of the development and retained in perpetuity.

Reason: In order that the local authority may be satisfied that the playable space proposed within the scheme is useable and appropriate in accordance with Policy 3.6 Children and young peoples play and informal recreation facilities. of the London Plan (2015) and Policy 12 Open Space and Environmental Assists of the Core Strategy (2011)

- (14) The residential units shall operate in full accordance with all measures identified within the Travel Plan hereby approved from first occupation. Evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms within 6 months of first residential occupation.

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

- (15) The commercial units shall operate in full accordance with all measures identified within the Travel Plan hereby approved from first occupation. Evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms within 6 months of first occupation of the commercial units.

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

- (16) 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).

- (17) The proposed residential and commercial refuse and recycling stores shall be provided in full prior to first occupation, 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).

- (18) 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).

- (19) No extensions or alterations to either Block A or Block B hereby approved 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 on immediately adjacent neighbours in terms of overlooking, and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

- (20) (a) A minimum of 45 secure and dry cycle parking spaces shall be provided for future residential occupiers, and 9 cycle spaces for the commercial units.
- (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).

- (21) 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).

- (22) All residential screening measures proposed to Blocks A and B 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).

- (23) Screening measures to Unit A22 in Block A, and Units B3, B4 and B5 in Block B shall be submitted to and approved in writing by the local planning authority prior to above ground works, and shall be installed in their entirety prior to first occupation and maintained thereafter in perpetuity.

Reason: To avoid the direct overlooking of neighbouring 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).

- (24) The use of the flat roof areas of Blocks A and B hereby approved shall be as set out in the application and no development or the formation of any doors providing access to the roof areas 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).

- (25) The approved boundary treatments shown on Plans 1217-66 and 1217-67 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).

- (26) (a) No works above ground level shall commence until full written details, including relevant drawings and specifications of the proposed works of sounds insulation against airborne noise to meet D'nT,w + Ctr 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 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).

- (27) 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).

- (28) (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).

- (29) The proposed refuse and recycling facilities relating to the residential and commercial units shall be provided in full prior to first occupation.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal and storage, 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).

- (30) No deliveries shall be taken at or despatched from the employment premises other than between the hours of 7 am and 8 pm on Mondays to Fridays, 8 am and 1 pm on Saturdays, and at no 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).

- (31) The existing 2 metre high palisade fencing to the front of the application site shall be removed in its entirety prior to first occupation of the development hereby granted permission, and shall not be replaced unless approved in writing by the local planning authority.

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

- (32) The three disabled parking bays shown on drawing no.1217-05 hereby approved shall be provided prior to first occupation and retained permanently thereafter

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

- (33) Further details of the location of the bird boxes to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24

Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

- (34) The bedroom windows to be installed in the south elevation of Block A hereby approved shall be fitted as obscure glazed and top hung opening only prior to first occupation, and retained in perpetuity.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 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).

- (35) No plumbing or pipes, including rainwater pipes, shall be fixed on the external elevations of the buildings hereby approved.

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

- (36) The residential units hereby approved shall achieve the following energy efficiency and water efficiency standards :

- Energy efficiency - a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations;
- Water efficiency - 110 litres per person per day (including a 5 litre allowance for external water use).

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 (2011).

- (37) The residential units hereby approved shall achieve the following energy efficiency and water efficiency standards :

- Energy efficiency - a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations;
- Water efficiency - 110 litres per person per day (including a 5 litre allowance for external water use).

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 (2011).

- (38) The 3no.wheelchair dwellings as shown on drawing nos.1217-09 and 1217-16 hereby approved shall be provided in full prior to first occupation, in accordance with Building Regulation M4(3) Wheelchair User Dwellings (2015);

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

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) 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>

- (C) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.

<https://www.lewisham.gov.uk/myservices/environment/Pollution-information-for-developers-and-businesses/Documents/GoodPracticeGuide.pdf>

- (D) You are advised to contact Network Rail prior to the commencement of works - AssetProtectionKent@networkrail.co.uk

- (E) The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- (F) Assessment of all sound insulation scheme should be carried out by a suitably qualified acoustic consultant.
- (G) The weighted standardised level difference (D'nT,W + Ctr) is quoted according to the relevant part of the BS EN ISO 717 series. To guarantee achieving this level of sound insulation, the applicant is advised to employ a reputable noise consultant details of which can be found on the Association of Noise Consultants website.
- (H) Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- (I) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- (J) Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.
- (K) It is the responsibility of the owner to establish whether asbestos is present within their premises and they have a 'duty of care' to manage such asbestos. The applicant is advised to refer to the Health and Safety website for relevant information and advice.
- (L) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myserVICES/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>