

Committee	PLANNING COMMITTEE A	
Report Title	Sergison Cottage, Goffers Road, Blackheath	
Ward	Blackheath	
Contributors	Michael Forrester	
Class	PART 1	21 April 2016

Reg. Nos. DC/15/94940

Application dated 23.12.2015

Applicant Sketch London

Proposal Application submitted under S.73 of the Town and Country Planning Act 1990 for a Minor-Material Amendment to DC/14/89117 granted on 25/08/2015 for the demolition of Sergison Cottage, Goffers Road SE3 and the construction of a two storey four bedroom dwelling house, in order to allow for a basement beneath the approved dwelling with skylights set into the ground to the front and south eastern flank elevation

Applicant's Plan Nos. 10, 11, 12, 13, 20, 21 rev A, 31, 32, 40, 100, 101, 102, 103, 200, 201, 202, 203, 302, 303, Groundworks Design Statement & Design & Access Statement.

Background Papers

- (1) This is Background Papers List
- (2) Case File LE/212/A/TP
- (3) Local Development Framework Documents
- (4) The London Plan

Designation Area of Stability and Managed Change  
Blackheath Conservation Area  
World Heritage Site Buffer

## **1.0 Property/Site Description**

- 1.1 The application site is located to the north east of Goffers Road, bound by Talbot Place to the north, Duke Humphreys Road and Blackheath Vale to the south and comprises a single storey (with roof accommodation) detached Victorian building, set to the rear of the site adjacent to Blackheath Vale.
- 1.2 The property is set within a central location visible from across the Heath and is within the Blackheath Conservation Area. The adjacent properties, South East House, Golf House and The Coach House are all Grade II listed.

## **2.0 Planning History**

- 2.1 DC/14/89117 – Demolition of Sergison Cottage, Goffers Road SE3 and the construction of a two storey four bedroom dwelling house – approved.

## **3.0 Current Planning Applications**

The Proposals

- 3.1 Permission is sought for an amendment to the building as approved under application reference DC/14/89117 in order to allow for a basement beneath the building.
- 3.2 The basement would comprise a swimming pool, gym, plant, laundry room, office and cinema room. The basement level would have a floor to ceiling height of 2.7m (the pool has a maximum depth of 1.8m) to create a maximum excavation depth of 4.5m.
- 3.3 Lightwells would be inserted into the front south western elevation and flank south eastern elevation. These would be set flush with the floor with no upstanding so that they have the ability to form part of the garden/ courtyard spaces around the property.

#### Supporting Documents

- 3.4 Design and Access Statement – this report provides a summary of the changes to the approved scheme, and details the quality of the space at basement level.
- 3.5 Groundworks Design Statement – this report provides an overview of the basement proposals and states that the structural integrity and stability of the existing boundary retaining wall between Sergison Cottage and All Saints school would not be adversely affected by the proposals. This is a desktop based assessment.
- 3.6 Structural Engineering Statement – this report provides an outline method statement for the construction of the basement and indicates that the grounds would be excavated, the wall supported and with the construction of the new basement wall, new ties constructed to the retaining wall. The report states that these works would be subject to a Party Wall 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.
- 4.2 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors.

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

- 4.3 Neighbouring properties and local ward councillors were notified. Site notices were also displayed outside of the site. Press notices were also issued in respect of the proposals.
- 4.4 The Blackheath Society have objected to the proposals, summarised below:
  - The changes represent a major change to the approved scheme
  - No consultation undertaken.
  - Basements are extremely disruptive and can cause distress to those occupying nearby properties. The Society has pressed for the adoption of an extensive Basement Impact Survey for the implications of nearby structures, groundwater and stability of surrounding land.

- The excavation will be extremely close to the retaining wall enclosing All Saints School.
- Permission should not be granted until detailed assessments have been made of its potential wider impact in line with the policy approach suggested.
- The footprint will extend beyond the approved ground floor plan and basement rooms will be reliant upon mechanical ventilation and be artificially lit.

4.5 The Council's School Property Officer for All Saints has made representations stating that such basement works could have an impact upon the safety of children in the playground directly below. In 1997/1998 Council contractors carried out strengthening works to the retaining wall which required the children to be moved off site for 7 months. Lewisham Council has responsibility for this wall on behalf of the diocese so any works would need an appropriate Party Wall Agreement in place before any works commences. Communication is also expected between the successful contractor (for Sergison Cottage) and the School.

4.6 The Headteacher for All Saints School has also made representations which echo the School Property Advisor.

4.7 Copies of representations are available to Members.

## **5.0 Policy Context**

### Introduction

5.1 Section 73 of the Town and Country Planning Act 1990 allows for an application to be made to vary or remove conditions when a previous planning permission was granted. On receiving an application, the Council can only consider the question of the conditions subject to which planning permission was granted.

5.2 On receipt of an application, the Council can grant permission to vary that condition which is being varied or remove it totally. The Council can also decide that the original condition should still apply by refusing permission.

5.3 The practical effect of a Section 73 application, is that a new planning permission is created with all conditions applying.

5.4 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

5.5 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)'.

- 5.6 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

- 5.7 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)

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

Policy 3.5 Quality and design of housing developments  
Policy 5.18 Construction, excavation and demolition waste  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.10 World Heritage Sites

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

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

Sustainable Design and Construction (2006)

#### London Plan Best Practice Guidance

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

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

#### Core Strategy

- 5.11 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:

Spatial Policy 1 Lewisham Spatial Strategy  
Spatial Policy 5 Areas of Stability and Managed Change  
Core Strategy Policy 8 Sustainable design and construction and energy efficiency  
Core Strategy Policy 15 High quality design for Lewisham  
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

#### Development Management Local Plan

- 5.12 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic

objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
DM Policy 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/ Update 2012)

5.14 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.

Blackheath Conservation Area Appraisal and Supplementary Planning Document (2007)

5.15 This document sets out the history and spatial character of the area, identifying areas of distinct character, advises on the content of planning applications, and gives advice on external alterations to properties within the Blackheath Conservation Area. The document provides advice on repairs and maintenance and specifically advises on windows, satellite dishes, chimney stacks, doors, porches, canopies, walls, front gardens, development in rear gardens, shop fronts and architectural and other details.

## **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 Adjoining Properties

Principle of Development

6.2 Guidance for determining s73 applications is set out in the NPPG which states that a minor material amendment is one “whose scale and nature results in a development which is not substantially different from the one which has been approved”. This is not a statutory definition but the Department for Communities and Local Government agree with this statement.

6.3 It is further stated that the development which the application under s.73 seeks to amend will by definition have been judged to be acceptable in principle at an earlier date. Consequently the extent of the material planning considerations are somewhat restricted and only the amendments being applied for should be considered at this stage. Having

said that, when determining the application the LPA will have to consider the application in the light of current policy. The local planning authority therefore has to make a decision focusing on national or local policies which may have changed significantly since the original grant of planning permission as well as the merits of the changes sought.

- 6.4 The proposed amendments includes the provision of a full basement beneath the approved ground floor to provide additional accommodation. These external changes are limited to the introduction of a flush glazed rooflight on the front elevation and southern flank elevation. The changes both individually and cumulatively, are minor when judged against the scheme in its entirety and do not change the nature or general scale of the approved scheme. It is therefore considered to be appropriate to deal with these alterations as a minor material amendment. Although there would be a large increase of habitable floorspace, this would not be visible from the street, and does not increase the number of bedrooms. The overall occupancy of the property would therefore be the same as approved and the dwelling therefore not materially different to that which has consent. It is therefore considered appropriate to deal with this application by way of s73 minor-material amendment.
- 6.5 It is noted that within the objection received from the Blackheath Society there is an in principle objection to basements and policy documents (from London Borough of Camden) have been cited as good practice. However, the Council currently does not have a basements policy, and there are therefore no objections in principle to the excavation beneath the house, provided that the applicant can demonstrate no adverse impact upon neighbouring properties including All Saints School. The original permission is subject to conditions which include a construction management plan and it is noted that party-wall agreements regarding the retaining wall are not a planning issue. It is therefore considered appropriate to deal with this application by way of s73 minor-material amendment.

#### Design

- 6.6 The main two storey dwelling has previously been granted planning permission and the external changes that are proposed with the introduction of the basement include a lightwell to the front and flank southern elevation. Drawings of these lightwells submitted as part of this application show them to be glazed and fitted flush with the ground level.
- 6.7 Officers consider the introduction of the light wells to be acceptable in this instance, due to their modest size and detailing flush with the ground level. The southern flank lightwell would not be visible from the public realm due to its location in the private courtyard, whilst the front facing lightwell is unlikely to be visible due to the set back position of the dwelling from Goffers Road, behind planting and screening. As such, the external changes are considered to be of an acceptable nature which would not adversely impact upon either the design integrity of the approved dwelling, nor the surrounding Blackheath Conservation Area.

#### Standard of Residential Accommodation

- 6.8 The proposed basement is to comprise a swimming pool, gym, w/c, cinema/ games room and an office. The cinema and office are lit by lightwells dug into the front and southern flank elevations, given that these are ancillary spaces to the main dwelling, there is no objection to them being lit by lightwell. There would be a floor to ceiling height of 2.7m in the basement level which would exceed minimum standards of 2.3m and is therefore supported.
- 6.9 There is no objection to the swimming pool and gym, being windowless as these are not habitable rooms and would be used for leisure purposes by future occupiers.

6.10 The main living spaces for the dwelling at ground and first floor remain unchanged.

Highways and Traffic Issues

6.11 The introduction of the basement is not considered to have any highways impacts. The main permission is condition upon the submission of a Construction Management Plan which is considered appropriate.

Impact on Adjoining Properties

6.12 It is not considered that the introduction of a basement with associated lightwells would result in any adverse impact with regards to noise/ overlooking or loss of amenity for neighbouring occupiers.

6.13 The structural stability of the retaining wall which divides Sergison Cottage with All Saints School to the south has been a concern of the school and forms part of the objection received from the Blackheath Society. The applicant had provided details of consultation with All Saints School and a method statement from a structural engineer. This accompanied the original planning application for the demolition of the existing property.

6.14 At the request of officers to provide a more specific report as to how the addition to the basement would impact upon the structural integrity of the wall a revised statement was submitted from structural engineers Packmanlucas. This provides a an outlined method of construction which broadly proposes:

- Demolition of the existing property and clearance of the site, the material behind the retaining wall is to be excavated to foundation level of the basement.
- The wall would be propped to ensure structural integrity. At this stage the wall can be repaired/ re-rendered.
- The basement floor slab can be laid with ties back into the retaining wall, the basement walls can then be constructed. Permanent new ties would tie the basement wall to the retaining wall for maximum structural stability.
- The space between the basement wall and retaining wall would be filled with a layer of topsoil for landscaping.

6.15 The structural report states that this outlined method of constructing would reduce the overall pressure on the retaining wall and that any works would be subject to a Party Wall Agreement.

6.16 Officers consider the structural report to be acceptable in principle and would demonstrate that the applicant has sought to address concerns regarding the stability of the structural wall.

6.17 Within the representations received, concern has been levied at the need for a Party Wall Agreement. Whilst this is not a planning matter, the applicant has provided details of communication between them and the surveyor for All Saints School which clearly make reference to a Party Wall Agreement. This dialogue is welcomed and is a sign of proactive steps taken by the applicant to ensure the stability of the retaining wall is upheld, and an informative is recommended to be attached to any permission which draws the requirements of a Party Wall Agreement to the applicants attention.

## **7.0 Local Finance Considerations**

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
  - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

## **8.0 Equalities Considerations**

- 8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality. In this matter, there is no impact on equality.

## **9.0 Conclusion**

- 9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 9.2 Officers consider that the introduction of the basement would not adversely impact upon the design of the main dwelling, and that the introduction of lightwells would not adversely impact upon the Blackheath conservation area. The below ground works are not considered to have an adverse impact upon residential amenity and through the submission of a structural report, that no adverse impacts would arise upon the retaining wall with All Saints School.

## **10.0 RECOMMENDATION**

**GRANT PERMISSION** subject to the following conditions:-

### **1. Time Limit**

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



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

## **2. Accordance with approved plans**

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

### **Still relevant original drawings/ documents previously approved under reference DC/14/89117:**

00, 01, 02, 03, 04, 05, 06, 15, 22, 24, 50, 51, 110, Building Survey Report, Code for Sustainable Homes, Design and Access Statement, Extended Phase 1 Habitat Survey Report, Heritage Statement, Planning Statement, Sustainability Monitoring Form, CIL

### **Documents submitted with DC/15/94940:**

10, 11, 12, 13, 20, 21 rev A, 31, 32, 40, 100, 101, 102, 103, 200, 201, 202, 203, 302, 303, Groundworks Design Statement & Design & Access Statement; Structural Statement (Packmanlucas) received 4 March 2016.

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

## **3. Construction Environment Management Plan**

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

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

#### **4. Architectural Details**

- (a) Notwithstanding the details hereby approved, no development other than demolition, shall commence for any phase of the development until detailed plans at a scale of 1:5 showing all junctions on the building where contrasting materials meet, roof junctions and balconies have been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved details.

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

#### **5. Soft Landscaping**

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

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

#### **6. Boundary Treatments**

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

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

#### **7. Bird and Bat Boxes**

Details of the number and location of the bird/bat boxes to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the 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).

## **8. Plumbing and Pipes**

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

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

## **9. Satellite Dishes**

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

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

## **10. Removal of Permitted Development rights (Extensions)**

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

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

## **11. Removal of Permitted Development Rights (Windows)**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in any elevation of the building other than those expressly authorised by this permission.

**Reason:** To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties in accordance with DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

## **12. Construction Deliveries and Hours**

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

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

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

### **13. Materials/ Design Quality**

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

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

### **14. Obscure Glazed Windows**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the first floor flank elevation of the building hereby approved shall be fitted as obscure glazed in accordance with plan 21A 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 of the Development Management Local Plan (November 2014).

### **15. Develop in Accordance with Bat Survey**

All demolition and construction works shall be carried out in complete accordance with the approved Bat Survey Report dated June 2015 by furesfen received 19<sup>th</sup> June 2015.

**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).

## **INFORMATIVES**

### **Positive and Proactive Statement**

The Council seeks to engage 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, discussions took place at a pre-application stage and further information was submitted during the application process.

### **Community Infrastructure Levy**

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>

### **Construction Practice**

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.

### **Construction Management**

The applicant is advised that Condition 3 can be part discharged for the demolition stage only in order to enable demolition works to commence in advance of the wider construction works.

### **Bat Survey**

For the avoidance of doubt, the requirement to comply with the Bat Survey Report dated June 2015 by furesfen received 19th June 2015 does not require the building hereby approved to be redesigned.

### **Party Wall Agreement**

The applicant is informed that works to the boundary/party wall to All Saints School will require a Party Wall Agreement.

Details can be found at the following link:

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>