

Committee	PLANNING COMMITTEE A	
Report Title	The Lawns, Lee Terrace, London SE3 9TB	
Ward	Blackheath	
Contributors	Karl Fetterplace	
Class	PART 1	3 MAY 2016

Reg. Nos. DC/15/94708

Application dated 4.12.2015

Applicant Mr P Wilson

Proposal The renewal of planning permission dated 30 January 2013 (DC/12/80365) for the alteration and conversion of lower ground floor level store rooms at The Lawns, Lee Terrace SE3, to provide 1 two bedroom self-contained flat, together with the construction of a single storey extension to the north elevation, alterations to the elevation and the provision of an additional car parking space.

Applicant's Plan Nos. 222B 01, 02, 03 REV A, 04 REV A, 20 REV A, 21 REV A, Site Location Plan, Photographs/CGIs, Design & Access Statement/Heritage Statement (November 2015, Geoff Watkins Architects Ltd), Sustainability Statement (November 2015, Geoff Watkins Architects Ltd).

Background Papers

- (1) Case File DE/187/8/TP
- (2) Core Strategy (2011)
- (3) Development Management Local Plan (2014)
- (4) The London Plan (2015)

Designation PTAL 4  
Blackheath Conservation Area  
Not a Listed Building  
Unclassified

Screening N/A

## **1.0 Property/Site Description**

- 1.1 The Lawns consists of two five storey brick apartment buildings containing 60 units, arranged on either side of a central courtyard, set in their own grounds. The grounds include parking areas and planted and grassed garden areas. The buildings date from the inter-war period and feature art deco elements.
- 1.2 Most of the car parking is to the rear of the site, in the form of surface level car parking and parking garages. There are also a number of car parking spaces within the central courtyard, which also provides vehicular access to the garages and rear parking spaces.
- 1.3 The eastern of the two apartment buildings possesses a lower ground floor area in the northern part of the building which is currently used as two storage rooms, with external access via a short flight of steps. The present application relates to this lower ground floor area.
- 1.4 The property lies within Blackheath Conservation Area. There are grade II listed buildings to the east at 47-61 Lee Terrace.

## **2.0 Planning History**

- 2.1 **DC/12/80365:** The alteration and conversion of lower ground floor level store rooms at The Lawns, Lee Terrace SE3, to provide 1 two bedroom self-contained flat, together with the construction of a single storey extension to the north elevation, alterations to the elevation and the provision of an additional car parking space – granted at Committee on 17 January 2013, dispatched 30 January 2013.
- 2.2 The above permission was for the same works as this current application, but this permission was not commenced within the three period specified on the decision notice.
- 2.3 A second flat was originally applied for in DC/12/80365, but removed from the approved application.
- 2.4 There have been a number of other applications approved for minor works at The Lawns, such as replacement windows, but the above application is the only permission relevant to the works proposed in this application.

## **3.0 Current Planning Application**

- 3.1 This application is for the renewal of planning permission dated 30 January 2013 (DC/12/80365) for the alteration and conversion of lower ground floor level store rooms at The Lawns, Lee Terrace SE3, to provide 1 two bedroom self-contained flat, together with the construction of a single storey extension to the north elevation, alterations to the elevation and the provision of an additional car parking space. This has been applied for as a new planning permission and is the same design approved under DC/12/80365.
- 3.2 The proposed flat would be a 2b3p flat and have a total gross internal area of 65sqm. The two lower ground floor storerooms proposed to be converted are located in the eastern block. The ceiling height would be increased from 2.25m to 2.4m by lowering the floor level.
- 3.3 The flat would be accessed down a flight of four stairs directly from the surface car park. The extension would have a footprint of 8.5sqm, and would be 2.5m high when measured from the external ground level. New windows would be inserted into the eastern elevation of the property to provide light to the proposed kitchen/living/dining room and main bedroom.

3.4 The extension would be built in reclaimed stock bricks to match the existing, with a canopy over a hardwood entrance door. There would be an obscure glazed 'link' element connecting the extension to the existing northern wall of the building. The windows would be a modern equivalent of crittal, with the roof to be single ply membrane.

3.5 An additional car parking space is proposed within the existing garden area near the eastern wall of this building, which would be accessed from the existing parking court. Bins for the new flat would be stored within the common facility. It is proposed to add one secure cycle space to the existing Garage 1, to the north of the proposed flat.

#### **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 Council's Highways and conservation teams were consulted. Highways did not provide comment. Conservation officer comments are discussed in the planning considerations section of this report.

4.3 Site notices were displayed and letters were sent to all units in the complex and the relevant ward Councillors. Eight objections, one comment and one letter of support were received from residents at Flats 16, 17, 20, 21 (two separate objections), 27, 29, 31 & 37 (same owner), The Lawns.

4.4 The letters of objection raised the following matters:

- Poor design & visual impact on the existing building
- Loss of amenity during construction due to noise & vibration
- Loss of car parking - the parking layout was updated in September 2015, which resulted in the loss of two parking spaces.
- Impact on the structural integrity of the building due to excavation
- Loss of mature garden space & outdoor privacy from the flat expanding and the creation of a new parking space, as the flat would be able to look onto the communal area and vice-versa
- Loss of outlook from existing flats
- Possible disturbance to wildlife, as there are claimed to be two bird feeder sites close to the proposed construction area
- The computer graphics are mis-leading in terms of ground levels - the proposed picture window to the rear would be below existing ground level, affecting the amount of light the unit receives and also affecting the symmetry with other windows in the building.

4.5 The letter of support was received from Flat 50, The Lawns, stating that the proposal was welcomed as it would create an additional parking space.

4.6 Comments were received from Flat 9, The Lawns on behalf of the Board of the Lawns Management Company. These comments stated that at the AGM it was passed by majority vote to proceed with the development of the basement flat within 2016 and that

although some residents objected to the development, the vote was passed by the majority of the Owners. Therefore, the Board contends that this consent from the owners in favour of the development takes precedent over any individual correspondence that the Council may receive.

- 4.7 Officers comment: Despite these comments made on behalf of the Board, individual objections must still be considered.

#### Amenity Societies Panel

- 4.8 No objections raised.

### **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 3.5 Quality and design of housing developments

Policy 5.2 Minimising Carbon Dioxide Emissions

Policy 5.3 Sustainable Design and Construction

Policy 6.13 Parking

Policy 7.4 Local character

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)

Sustainable Design and Construction (2006)

#### Core Strategy

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

Core Strategy Policy 8 Sustainable design and construction 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 strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

- 5.10 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 29 Car parking

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/ Updated 2012)

- 5.11 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 character appraisal and supplementary planning document March 2007

- 5.12 The Appraisal provides a thorough description of the conservation area, and sets out guidance for development. It defines the conservation area into a series of character areas. The application site falls into Character Area 10: Lee Terrace and The Glebe. This is notable for dwellings of grand scale.

## **6.0 Planning Considerations**

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

- a) Principle of Development
- b) Standard of Residential Accommodation and amenity
- c) Impact on the design and appearance of the existing building and conservation area
- d) Transport and Servicing
- e) Impact on Adjoining Properties
- f) Sustainability & Energy
- g) Ecology

### Principle of Development

The proposed development is for housing in an established urban area within an existing residential complex and would contribute towards the annual dwelling targets for the Borough. Therefore the provision of additional housing is acceptable in principle subject to the other considerations made in this report. It is also considered that the principle of residential development was established through the approval of the previous proposal on this site (DC/12/80365).

### Standard of Residential Accommodation and amenity

- 6.2 Policy 3.5 Quality and design of housing developments of the London Plan states that housing developments should be of the highest quality internally, externally and in relation to their context and states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.
- 6.3 DM Policy 32 states that the standards in the London Plan and the London Plan Housing Supplementary Planning Guidance (2012) will be used to assess whether new housing development including conversions provides an appropriate level of residential quality and amenity in terms of size, a good outlook, with acceptable shape and layout of rooms,

with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. The standards and criteria in this policy, including those of the London Plan and the London Plan Housing Supplementary Guidance, will ensure a reasonable level of residential amenity and quality of accommodation, and that there is sufficient space, privacy and storage facilities in development to ensure the long term sustainability and usability of the homes.

- 6.4 The proposal is for a 2b3p flat at 65sqm, which meets the space standard requirement of 61sqm London Plan and The Technical housing standards – nationally described space standard. It is noted that this would also comply with the relevant draft space standards in the Minor Alterations to the London Plan 2015 and accompanying Draft Interim Housing Supplementary Planning Guidance, which are in line with the national housing standards. The proposal is considered to provide good quality residential accommodation. It is also noted that an identical scheme was considered acceptable previously. The proposed additional flat would have its own independent entrance from the rear parking area and would be double aspect. The rooms would all be accessed from a central corridor and each of the rooms is a practical shape with no awkward corners or areas of unusable space.
- 6.5 The double bedroom would have an area of 13sqm, exceeding the 11.5sqm good practice guidance, although the width of 2.5m would result in a minor non-compliance with the standards. Bedroom 2 measures 7.5sqm, which results in a minor non-compliance with the 8sqm required. However, it is noted that this complies with the draft standard of 7.5sqm. The living/dining/kitchen area measures 23sqm, 2sqm less than the 25sqm required under the current standards, however it is noted that this standard is proposed to be removed when the current draft standards are finalised. The cloak storage area in the hallway would provide 1.7sqm of storage space, marginally less than the required 2sqm. The proposed ceiling height of 2.4m is acceptable as it complies with the National Technical Standards, although it is marginally non-compliant with the draft London Plan standard of 2.5m. On balance, the size of the rooms combined with the practical layout of the flat would ensure that the proposed flat would provide a good quality of accommodation for future occupants. Although the living room and second bedroom floor size would fall marginally short of the relevant standards, the accommodation is considered acceptable in this instance due to the constraints of the existing building envelope.
- 6.6 New windows would be inserted into the eastern elevation of the property to provide light to the proposed kitchen/living/dining room and main bedroom. The western elevation has windows that would light the second bedroom. The size and location of the windows are also considered to provide sufficient light for future occupants. The proposed flat would be at lower ground floor level, however, despite the fact that the adjoining garden area may need to be cut away, the window openings would all be above ground level, and would therefore not require lightwells for sufficient light and outlook to be provided. The proposal is therefore considered acceptable from a daylight and sunlight perspective.
- 6.7 No external amenity space is proposed to be created for the flat, however, this approach is considered acceptable as there is a relatively generous amount of garden space within the complex.
- 6.8 As the flat would be accessed via a flight of steps, it would be designed for limited ambulant mobility, rather than full disabled access. This is considered acceptable in this instance, given the nature of the access to the existing storage space.

#### Impact on the design and appearance of the existing building and conservation area

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

generally in the area'. Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.

- 6.10 London Plan Policy 7.4 states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. High quality design requires that the development, amongst other things, is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area.
- 6.11 London Plan Policy 7.8 states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 6.12 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.13 Core Strategy Policy 16 states that the Council will ensure that the value and significance of the borough's heritage assets and their settings, conservation areas, listed buildings, archaeological remains, registered historic parks and gardens and other non designated assets such as locally listed buildings, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice.
- 6.14 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations and extensions to existing buildings. The retention and refurbishment of existing buildings that make a positive contribution to the environment will be encouraged and should influence the character of new development and a sense of place.
- 6.15 DM Policy 31 Alterations and extensions to existing buildings including residential extensions states that development proposals for alterations and extensions, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.16 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 states that the Council, having paid special attention to the special interest of its Conservation Areas, and the desirability of preserving and or enhancing their character and or appearance, will not grant planning permission where alterations and extensions to existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.
- 6.17 The external alterations consist of the creation of seven new narrow windows in the east elevation, and the construction of a small extension at ground floor level to the north west of the building. Both of these external elements of the proposal were modified in response to advice provided by the Council's urban design and conservation officers in the original proposal. It is also noted that this proposed scheme is identical to the previously



approved scheme. Regarding the proposed objection about misleading drawings and graphics being provided, the proposed drawings are considered accurate and sufficient for the purposes of assessing this application.

- 6.18 The external alterations are considered to be of a high quality design, despite the objections received regarding this. The width of the windows are shown to match the width of the windows on the floor above (in the locations where there are windows above), and the cill detail is also shown to match that found above.
- 6.19 The ground floor extension is considered to successfully relate to the character of the original building through its simple design and modest proportions. In addition the extension would not be seen from the most important viewpoints of the building, i.e. from Lee Terrace or from the central courtyard.
- 6.20 No objection was raised by conservation officers but it was requested that the bricks, bonding & mortar mix match the existing. The previous permission including conditions requested samples of facing brickwork, along with full details (including materials, specifications and depths of reveals) of all windows and doors to be used on the building to be submitted to and approved in writing by the local planning authority. It is not considered necessary to require samples and further details, as the requirement to match the existing materials of the building via the proposed condition would ensure a satisfactory design.
- 6.21 The extension would have a footprint of 8.5sqm, and would be 2.5m high when measured from the external ground level. This is considered subservient to the existing building.
- 6.22 Regarding the objections about the potential impact on the structural integrity of the building due to the proposed excavation. A structural method statement has not been obtained, as structural adequacy is not a material planning consideration

#### Transport and Servicing

##### *a) Cycle Parking*

- 6.23 It is proposed to add one secure cycle space to the existing Garage 1, to the north of the proposed flat. This would result in a non-compliance with the two spaces required, however it is not considered that the application could be refused on these grounds.

##### *b) Car Parking*

- 6.24 One car and one motorcycle space would be lost as a result of the proposed development, however two new car spaces would be provided – one in a reconfigured arrangement to the west of the proposed flat and another in the existing garden area near the eastern wall of this building, which would be accessed from the existing parking court. Regarding the objection about reconfiguration of the parking areas, which appears to be reflected in the proposed parking plan, it is considered that it would be unreasonable to require the present application to resolve the existing parking issues, however the application should also not exacerbate the current problems reported by the objectors. With this in mind, it is considered that the provision of a two bedroom flat coupled with the addition of one parking space would not have a detrimental impact upon parking in this location.
- 6.25 The 3 existing motorcycle spaces are proposed to be relocated from their current location near the proposed new flat to the northern boundary and north-west corner. Further, the site has a PTAL rating of 4, meaning the residents of the proposed flat would have good public transport access. Therefore, despite the objection about loss of car parking, this

proposal is therefore in accordance with Core Strategy Policy 14, DM Policy 29 Car parking and Policy 6.13 Parking of the London Plan.

*c) Refuse*

- 6.26 Residential Development Standards SPD (amended 2012) seeks to ensure that all new developments have adequate facilities for refuse and recycling. Bins for the new flat would be stored within the common facility. Therefore, the proposed refuse arrangement is considered adequate.

Impact on Adjoining Properties

- 6.27 Core Strategy Policy 15 states that extensions and adaptations to existing buildings will need to be designed to protect neighbour amenity.
- 6.28 The proposed car parking space would occupy an area of 11sqm. Whilst this would result in a loss of mature garden space, this is considered acceptable as there is a relatively generous amount of garden space within the complex.
- 6.29 The proposal would not have an adverse impacts with regard to overshadowing or impacts on daylight or sunlight.
- 6.30 There would be the potential for overlooking to occur from the proposed windows on the eastern elevation into the garden area and from the garden area into the proposed flat. However, this is currently the case with all of the existing windows on the eastern elevation and is therefore not considered so unreasonably adverse as to warrant refusal.
- 6.31 It is not considered that the proposed extension would adversely impact on the outlook from the surrounding flats.
- 6.32 A number of objections have been received raising concerns over the potential disruption that could be caused during the construction works. However, these are not considered to be valid planning objections as some disturbance is considered unavoidable during any building scheme. Work should be carried out at reasonable hours, and an informative is proposed to be placed on any permission granted informing the applicant of Lewisham's construction code of conduct, and any work which is carried out beyond at unreasonable hours can be dealt with under environmental health legislation.
- 6.33 Noise transmission between the proposed flat and the existing flats is not a planning consideration and would be controlled by the relevant Building Regulations.

Sustainability and Energy

- 6.34 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be consistent with the Government's zero carbon buildings policy and adopt nationally described standards.
- 6.35 London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 6.36 Since the original application was prepared, the government has announced the intention to cease using the Code for Sustainable Homes policy. At the current time, for schemes of this scale, it is only possible to secure building regulation equivalent standards for water saving and energy efficiency. It was indicated when this proposal was previously approved that it could achieve the Level 4 standards of Code for Sustainable Homes. Proposed energy efficiency measures include the insulation of the new floor to current standards of thermal efficiency, replacement of single glazing and provision of new

thermally broken insulated windows, doors and rooflights. The proposal is therefore considered acceptable from a sustainability perspective.

### Ecology

- 6.37 This proposal has been considered from an ecological and biodiversity perspective. Given the context of the site, it is considered that it is unlikely to be a place for the habitation of wildlife, as it is in an established urban area within an existing residential complex. Further, given that this would be a relatively small extension, it is not considered that the proposal would have any adverse impacts on ecology or biodiversity, despite an objection having been received about the possible disturbance to wildlife. Therefore, the proposal is considered acceptable from an ecological and biodiversity perspective.

## **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 above development is CIL liable.

## **9.0 Equalities Considerations**

- 9.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 9.4 In this matter 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 and officers consider that the scheme is acceptable. It is also noted that an identical scheme was considered acceptable previously and there has been no significant change in policy since that time.

## **11.0 RECOMMENDATION**

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

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

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

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

222B 01, 02, 03 REV A, 04 REV A, 20 REV A, 21 REV A, Site Location Plan, Photographs/CGIs, Design & Access Statement/Heritage Statement (November 2015, Geoff Watkins Architects Ltd), Sustainability Statement (November 2015, Geoff Watkins Architects Ltd).

**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 new external finishes, including works of making good, shall be carried out other than in materials, bonding and pointing to match the existing.

**Reason:** To ensure that the high design quality demonstrated in the plans and submission is delivered so that 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.

- (4) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed extension hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

## **INFORMATIVES**

- (1) Positive and Proactive Statement:

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

- (2) 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>
- (3) 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.