

Committee	PLANNING COMMITTEE A	
Report Title	94 CHINBROOK ROAD, LONDON, SE12 9QW	
Ward	GROVE PARK	
Contributors	LUKE MANNIX	
Class	PART 1	14 JULY 2016

<u>Reg. Nos.</u>	DC/15/94889
<u>Application dated</u>	22.12.15
<u>Applicant</u>	Proun Architects [on behalf of VIKI Homes Ltd]
<u>Proposal</u>	Demolition of existing bungalow and the construction of a four storey block of flats comprising 1, three, 1 two and 3 one bedroom self contained flats at 94 Chinbrook Road SE12, together with the provision of 2 car parking spaces, cycle parking, refuse storage and associated landscaping.
<u>Applicant's Plan Nos.</u>	2958/P/02 Rev A; 2958/P/03 Rev B; 2958/P/12 Rev B; 2958/P/14 Rev A; 2958/P/20 Rev G; 2958/P/20.1; 2958/P/21 Rev G; 2958/P/22 Rev C; 2958/P/23 Rev A; 2958/P/24; 2958/P/25 Rev A; 2958/P/31 Rev C; 2958/P/32 Rev B; 2958/P/33 Rev A; 2958/P/34 Rev B; 2958/P/35 Rev A; 2958/P/45 Rev A; 2958/P/46 Rev A; Design & Access Statement including planning statement; Sustainability Report; Carbon Emissions Calculations (received 21 st December 2015); 2958/P/65; 2958/P/66 (received 2 nd June 2016); Daylight & Sunlight Assessment (received 15 th June 2016).
<u>Background Papers</u>	(1) LE/348/A/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Area of Stability and Managed Change

1.0 Property/Site Description

- 1.1 The application site is located on the southern side of Chinbrook Road in Grove Park. The rectangular site is approximately 328.7sqm and currently accommodates a two bedroom bungalow dwellinghouse with ancillary garage and hardstanding to the front forecourt.
- 1.2 The existing building is single storey with a tiled pitched roof and mock tudor detailing to the facade. However, it is noted that the development either side of the site is free form slab typology formed of post war estate blocks with parking to the front. These buildings are three to four storeys in scale. Other wider typologies includes perimeter block suburban typologies formed of predominately two storey semi-detached Edwardian dwellings.

- 1.3 The site is not located in a Conservation Area and is not a listed building. Furthermore it is not a locally listed building.
- 1.4 The site has a gentle east-to-west slope towards Grove Park centre. There are no significant trees located on the site, however it is noted that there are large mature London Plane trees on the highway owned land along Chinbrook Road.
- 1.5 Chinbrook Road is a classified 'B' road. Chinbrook Road is subject to parking restrictions. The existing development contains a parking space in the garage as well as space for 2-3 vehicles on the hardstanding. The site has a PTAL value of 4 based on a scale of 0-6b, with 6b being the highest.

2.0 Planning History

- 2.1 24th March 1999 – Planning permission was granted for the alteration and conversion of Brookside Bungalow, 97 Chinbrook Road SE12 to provide 2, one bedroom self-contained bungalows together with the erection of a single-storey extension at the side.
- 2.2 7th July 2004 – Planning permission was refused for the construction of a four storey plus roof space building on the site of 94 Chinbrook Road SE12, comprising 4, one bedroom and 5, two bedroom self-contained flats together with the provision of 8 car parking and 2 bicycle spaces to the front (DC/04/56802). The reasons for refusal were as follows:-

- 1) *The proposed residential block, by reason of its siting and excessive height, will impact detrimentally upon the visual amenities of neighbouring occupiers, significantly reducing the level of outlook and natural light intake to some residents of Robins Court, in addition to an unacceptable increase in sense of enclosure, contrary to policies BLT.ENV 1: Urban Design, HSG 18: Residential Environment and HSG 19: Layout and Design of New Residential Development in the Council's adopted Unitary Development Plan and URB 2 Urban Design, HSG 3 Residential Amenity and HSG 4 Layout and Design of New Residential Development in the Revised Deposit Draft Unitary Development Plan (August 2001).*
- 2) *The design, scale and bulk of the proposed building is considered to be unacceptable, appearing as an excessive form of development that fails to relate to the restricted proportions of the site, contrary to policies BLT.ENV 1: Urban Design, HSG 18: Residential Environment and HSG 19: Layout and Design of New Residential Development in the Council's adopted Unitary Development Plan, and URB 2: Urban Design and HSG 4 Layout and Design of New Residential Development in the Revised Deposit Draft Unitary Development Plan (August 2001).*
- 3) *The proposed residential block would represent an over-development of a small plot of land, vastly exceeding the Council's density guidelines for new residential development, appearing excessive in size and resulting in the provision of inadequate private amenity space for future occupiers, contrary to policies HSG 20: Density of New Residential Development and HSG 23: Private Gardens in New Residential Development in the Council's adopted Unitary*

Development Plan and HSG 5 Gardens and HSG 12 Density in the Revised Deposit Draft Unitary Development Plan (August 2001).

- 2.3 The application was taken to appeal and dismissed by the Inspector.
- 2.4 11th January 2006 – Outline planning permission was refused for the construction of a three storey plus roof space building on the site of 94 Chinbrook Road SE12, comprising a studio flat and 6 one bedroom self-contained flats together with the provision of bin storage and 6 car parking spaces to the front (DC/05/63434). The application was refused for the same reasons as the application refused in 2004.
- 2.5 20th September 2006 – Outline planning permission was refused for the construction of a two storey plus roof space building on the site of 94 Chinbrook Road SE12, comprising 5 one bedroom and 2 two bedroom self-contained flats together with the provision of bin storage and 6 car parking spaces to the front (DC/06/62967). The reasons for refusal were similar to the application refused in 2004.
- 2.6 The application was taken to appeal and dismissed by the Inspector.

3.0 Current Planning Applications

The Proposals

- 3.1 Planning permission is sought for the demolition of existing bungalow and the construction of a four storey block of flats comprising 1, three, 1 two and 3 one bedroom self contained flats at 94 Chinbrook Road, together with the provision of 2 car parking spaces, cycle parking, refuse storage and associated landscaping.
- 3.2 The proposed building would be 11.5m in height, 9.9m in width and 13.7m in depth. The building would be 0.8m higher than the adjacent Brooks Court leaving a 2.5m gap between the buildings. On the other side, the building would be 2.4m lower than Robins Court and separated by 11.7m. The front building line would match Brooks Court, whilst the rear line would predominately match Brooks Court, with the exception of the stairwell protruding 2.7m in the centre of the building.
- 3.3 The proposed building would predominately be finished in brick, which would be broken down to a ground floor plinth brick and lighter bricks on the upper floor. The top floor would be finished in zinc cladding. The windows would be composite aluminium as well as glass balustrade to the balconies on the front elevation. The roof would be flat with solar photovoltaic panels.
- 3.4 Proposed amenity space would be provided via balconies with the exception of the ground floor unit, which would have garden space to the front and rear of the building.
- 3.5 The front forecourt would facilitate the car parking spaces, one of which would be for disabled users, together with vehicle manoeuvring space and soft landscaping around the edges. A refuse storage area would be located on the boundary with the highway. Vehicular access would be provided from the existing access.

4.0 Consultation

Pre-Application Consultation

- 4.1 Formal pre-application meetings were held between the applicant and Council planning and design officers. Written responses were issued on 13th October and 20th November 2015.
- 4.2 During these discussions, it was considered that the principle of the demolition of the existing house and construction of a residential block of flats was acceptable. Following that, discussions centred on the density and design of the development as well as amenities for the adjoining properties and future residents.
- 4.3 The final pre-application response from the Council is available to the members within the Design and Access Statement.

Written Responses received from Local Residents and Organisations

- 4.4 Local residents and Ward Councillors were directly notified and a site notice was displayed.
- 4.5 Six letters objecting to the development were received from residents in Chinbrook Road, Park Court Rise, Robins Court and Lincoln Court raising the following concerns:-
- The proposal is too dense and therefore constitutes overdevelopment of the site;
 - The design and scale is obtrusive and out of character. It is considered that the design should be more compatible with the existing bungalow;
 - The standard of light into main living areas and outlook for future residents in the proposed building is not acceptable;
 - The proposed building would adversely impact on amenities of residents in Robins Court in terms of light, sense of enclosure and loss of privacy;
 - Insufficient parking for the development; and,
 - The proposal sets a precedent in terms of flatted development and building height increases.
- 4.6 Letters are available to members.

Highways and Transportation

- 4.7 It is considered that there is likely to be car parking overspill from the proposed development onto the surrounding street network. However, it is considered that the parking proposed is in line with the policy and therefore the scheme is unobjectionable.
- 4.8 Conditions would be required in relation to cycle parking and refuse storage.

Conservation Officer

- 4.9 Verbal confirmation was given by the Conservation Officer that the site is not locally listed as a heritage asset. In addition, it was considered that the building

does not meet the requirements of being locally listed, which is rarity, age and architectural significance.

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 2016)

- 5.6 On 14 March 2016 the London Plan with updates to incorporate the Housing Standards and Parking Standards Minor Alterations 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 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local character
Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2016)

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:

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 5 Areas of Stability and Managed Change
Core Strategy Policy 1 Housing provision, mix and affordability
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

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 2	Prevention of loss of existing housing
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards

Residential Standards Supplementary Planning Document (August 2006)

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.

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) Standard of Residential Accommodation
- d) Highways and Traffic Issues
- e) Impact on Adjoining Properties
- f) Sustainability and Energy
- g) Trees

Principle of Development

6.2 The London Plan recognises the need for housing in the capital and in line with that, Policy 3.3 states that Lewisham shall target the provision of 1,385 new homes annually.

6.3 The Core Strategy seeks to account for this demand through the strategic location of new housing developments. This is mainly centred around the Major Town Centres and areas of regeneration, however it is recognised that areas of stability and change, within which this site is located, is capable of accommodating smaller scale development where appropriate.

6.4 It should be noted that DM Policy 2 aims to protect the loss of existing housing, except where a proposal meets a certain criteria, such as where the it would result in a housing gain.

6.5 The proposed development would demolish the existing two bedroom dwelling. However the proposal would increase the number of units on site to five, including a two bedroom flat on the top floor. Therefore the proposal is considered to comply with DM Policy 2.

6.6 The proposed development would demolish the current bungalow dwelling. It is considered that the building, given its design, does not significantly relate to the remaining semi-detached properties along Chinbrook Road. For this reason, officers consider that the building does not significantly add to the character of the streetscene.

- 6.7 The building has no value in terms of heritage. The current building is also considered to be significantly altered from its original state, including uPVC windows, unsympathetic rear extensions and a large paved front garden. Therefore, if the building was to have any heritage value, it has been significantly detracted from these works. For this reason, officers consider that a requirement to retain the building as a heritage asset would be unreasonable.
- 6.8 Taking the above into account, it is considered that the principle of the loss of the dwelling in terms of heritage impacts and effect on the character of the area is acceptable.
- 6.9 Overall, the principle of the redevelopment of the site for increased housing is considered acceptable.
- 6.10 Nonetheless, development should complement the character of the area and ensure the proposed residential accommodation is suitable. In addition, any adverse impact on neighbouring amenities and highway impacts will need to be addressed. Notwithstanding the above, these matters are discussed below.

Design

b) Density

- 6.11 Policy 3.4 of the London Plan states that, taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. The Council's DM Policy 30 also utilises the density range table of the London Plan.
- 6.12 Appropriate density ranges are related to a site's setting. The applicant has considered within the design and access statement that the urban setting is most appropriate, given its access to Grove Park centre and the arterial nature of Chinbrook Road. Officers consider this to be appropriate.
- 6.13 It is noted that the previous applications for residential development of 7 and 9 units were refused in relation to the development being over the density ranges and therefore constituting over-development of the site. Objections have also been received in relation to this. The current scheme for 5 units is less than that previously refused and it is also worth noting that updated planning policies have introduced new density ranges across London since the previous refusals.
- 6.14 Along with the urban setting, the site has a PTAL of 4. Therefore the density range of the proposed development should be between 200-700 habitable rooms per hectare (hr/ha).
- 6.15 The site has an area of 332sqm, or 0.03ha. The proposed development would include 13 habitable rooms and therefore this equates to 433 hr/ha. Taking this into account, the proposed development is considered to have an appropriate density within the context of the site.
- 6.16 Notwithstanding the above, it is not considered appropriate to apply the density ranges mechanistically. The ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential, such as local context, design and transport capacity.

- 6.17 Officers have considered the proposal's design within its local context below. It is considered that the proposed development is acceptable taking into account the scale and character of the buildings adjoining the site. Furthermore, with good access to public transport, officers consider that the location is capable of providing within the density range outlined in the London Plan.
- 6.18 Overall, officers consider that the proposal is acceptable under the density ranges of the current planning policies.
- a) *Scale, Massing and Appearance*
- 6.19 A core planning principle of the NPPF states that planning decisions should always seek to ensure the highest quality of design.
- 6.20 Core Strategy Policy 15 is in line with the NPPF and states that new development should be of the highest design quality and sensitive to its location and context.
- 6.21 DM Policy 30 sets out the detailed principles to support good urban design in the borough. Part 2 of the policy states that, where relevant, development proposals will need to be compatible with and/or complement the urban typologies.
- 6.22 Part 5 of the policy states that an adequate response to detailed matters will be required in planning applications to demonstrate the required site specific design response. Some of these matters include:-
- the creation of a positive relationship to the existing townscape to preserve and/or create an urban form which contributes to local distinctiveness;
 - height, scale and mass which should relate to the urban typology of the area;
 - how the scheme relates to the scale and alignment of the existing street including its building frontages; and,
 - the quality and durability of building materials and their sensitive use in relation to the context of the development. Materials used should be high quality and either match or complement existing development.
- 6.23 Whilst the site is currently occupied by a detached bungalow dwelling, the adjoining properties include post war slab blocks of flats at Robins Court and Brooks Court. Taking this into account, the predominate urban typology is considered to be free from slab housing as outlined in the Lewisham Character Study (2013). Although it is noted that semi-detached Edwardian dwellings are also located along Chinbrook Road.
- 6.24 The scale of the surrounding development include the three storey with pitched roof Robins Court and the three storey plus mansard roof with living accommodation at Brooks Court. The topography shows a significant slope east to west and therefore Robins Court sits noticeably higher than the subject site and Brooks Court. The topography then slopes down towards Grove Park Centre with the height of the slab blocks of flats following this topography.
- 6.25 The proposed development would involve the construction of a four storey building. The development would involve excavation towards the eastern side of

the site and in total, the building would be 11.5m in height from the finished ground level. The proposed building would be 2.4m lower than Robins Court and 0.8m higher than Brooks Court. As well as this, the building would follow the building lines of the adjoining Brooks Court, with the exception of the stairwell to the rear, which would protrude by 2.7m.

- 6.26 Officers consider that the height of the building follows the adjoining properties as it moves down the slope towards Grove Park and therefore would not necessarily be out of keeping with the scale of the adjoining buildings. It is also considered that the building line would relate to the adjoining properties to allow it to integrate within the pattern of the streetscene.
- 6.27 Therefore the scale and alignment of the building is considered to be appropriate within the context of the adjoining sites.
- 6.28 The proposal would utilise a simple, rectangular massing. This is in contrast to the previously refused applications which proposed a pastiche mansard roof with a large protrusion to the front for stairs and a lift. This design was considered to be of poor design and obtrusive to the character of the area and subsequently was refused.
- 6.29 The use of simple massing has been subject to significant discussions during the pre-application stage, which included a building of slightly greater scale with complex massing resulting in angled roofs and set backs at roof level. The current proposal is considered to be the most appropriate as it would complement the existing urban typology. Furthermore, through the use of appropriate materials, it would ensure that the design would be sympathetic with the character of the buildings adjacent.
- 6.30 The proposed materials include brick, with a red stock brick used on the ground floor as a plinth and stock brick above, whilst the top floor would be clad in zinc. The windows would be aluminium/timber composite and glass balustrade to the front of the balconies.
- 6.31 Officers consider that the use of brick is appropriate in principle as it would relate to the adjoining material palette of Brooks Court. In addition to the brick, it is considered that the articulation between levels would provide a visual interest to the building. Examples of similar detailing can be found in Chinbrook Road and officers consider this is appropriate within the character of the area.
- 6.32 The use of zinc cladding is considered to provide some visual relief to the scale at roof level, whilst remaining complementary to the adjoining roof design at Brooks Court which has a tiled roof level. It was considered by officers during the application process that brick on the roof level may also be used, however it was considered that this would increase the bulk and visual scale of the development along the eastern boundary to the detriment of the adjoining properties. Therefore this was not encouraged.
- 6.33 Finally, the use of aluminium composite windows and balustrades is considered appropriate within the simple modern design of the building.
- 6.34 For these reasons, the materials proposed are considered to be appropriate in principle within the context of the area. However, further detail of the materials would be required to ensure they are of the highest quality and guarantee that

they complement each other. It is considered that this can be secured via condition.

- 6.35 In summary, it is considered that the proposed design of the building in terms of scale, massing and materials and its articulation is appropriate to ensure the building would not significantly deviate from the character of the existing streetscene.

Housing

- 6.36 The NPPF outlines that planning decisions should always seek to ensure appropriate amenities for future residents. In line with this, the Council assesses the proposed amenities against the standards of the London Plan, Housing SPG and DM Policy 32.
- 6.37 In addition, the nationally applied technical housing standards were published in March 2015. This document provides standards of internal floor area and room sizes and floor to ceiling heights. These are also given full weight in assessing amenity.
- 6.38 An assessment of the new internal floor area against the national housing standard minimum is provided in table 1.

Table [1]: Unit Sizes

	Proposed Internal Floor Area (sqm)	Minimum Standards (sqm)
Unit 1 (3b5p)	89.8	86
Unit 2 (1b2p)	50	50
Unit 3 (1b2p)	65.3	58
Unit 4 (1b2p)	50	50
Unit 5 (2b3p)	82.3	61

- 6.39 Taking the above into account, the internal floor area of the proposed units are considered acceptable.
- 6.40 In addition to the above, the housing standards state double bedrooms should be 11.5sq m in area and 2.75m in width and single bedrooms should be 7.5sq m in area and 2.15m in width.
- 6.41 Based on the scale plans provided, the individual rooms proposed meet this standard.
- 6.42 The housing standards require a floor to ceiling height of 2.3m in new development. However, it should be noted that the London Plan Housing SPG outlines that development in London should aim to achieve 2.5m floor to ceiling

height to account for the urban nature and unique heat island effect in providing appropriate sunlight/daylight and ventilation to units.

- 6.43 The proposed development provides a floor to ceiling height of 2.45m. This is considered to provide acceptable amenities.
- 6.44 DM Policy 32 states residential development should provide accommodation of a good size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy.
- 6.45 The London Plan Housing SPG Standard 32 also mentions daylight/sunlight and states that all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchen dining spaces should preferably receive direct sunlight.
- 6.46 The proposed development includes windows in the north and south elevation, as well as translucent windows in the east elevation. Therefore the units would be dual aspect. It is also noted that no windows are directly overlooked by adjoining development. Windows are located on the east elevation, however these are translucent and therefore would allow insignificant views into the rooms. Therefore the level of privacy into the units is considered acceptable.
- 6.47 The main living areas are noted as being on the northern section of the building and therefore would not receive direct sunlight. As such, the habitable rooms to get direct sunlight would be bedrooms. Officers have considered the importance of providing a frontage towards Chinbrook Road. Therefore it was recommended during pre-application discussions that the main living spaces be located towards the northern side of the building.
- 6.48 Taking this into account, it is considered that the room layout and access to sunlight and daylight for main habitable rooms is acceptable.
- 6.49 Finally, pursuant to DM Policy 32 and Policy 3.5 of the London Plan, new housing development will be required to provide a readily accessible, secure, private and usable external space and include space suitable for children's play. The Housing SPG recommends 5sqm of amenity space for one person units and an additional 1 sqm per additional occupant.
- 6.50 The ground floor unit would be provided with amenity space in the form of a garden to the front of the building. In addition, a separate area of amenity space is located to the rear. Overall this is considered to be acceptable for a family unit.
- 6.51 The remaining units on the upper floors would be provided with balconies. These are considered to meet the standards of the London Plan and therefore are considered acceptable.
- 6.52 Overall officers consider that the standard of accommodation is acceptable in providing adequate amenities for future residents.

Highways and Traffic Issues

b) Access

6.53 The site is currently accessed via a vehicle crossover from Chinbrook Road, which also contains pedestrian footpaths along the highway. The Green Chain Walk is also located close by along Quaggy River.

6.54 The proposed development intends to utilise the existing vehicle crossover for both vehicle and pedestrian users. This is considered to be appropriate in providing suitable access.

b) Car Parking

6.55 The London Plan Policy 6.13 states that a balance should be sought between promoting new development and preventing excessive car parking provision. Core Strategy Policy 14 is in line with this aim and states that a managed and restrained approach to car parking provision will be adopted to contribute to the objectives of traffic reduction. The car parking standards of the London Plan will be used as a basis for assessment.

6.56 Maximum standards for car parking are set out in Table 6.2 of the London Plan. This requires 1-1.5 parking spaces per 3 bed unit and less than 1 parking space per 1-2 bed unit is provided. However, it is noted that the site has a PTAL value of 4, which is considered to equate to good access to public transport. In line with the London Plan, sites within good PTAL should aim for significantly less than 1 space per unit.

6.57 The proposal intends to provide two car parking spaces for the proposed 5 dwellings. It is noted that the objections raise the issue of parking, specifically stating that the amount proposed is insufficient. Whilst the objections are noted, the amount of parking provided is considered to be in line with the London Plan and therefore is acceptable.

6.58 Residents have also queried additional parking and where residential cars would park. It is worth noting that, in the 2011 census 48.1% of households within the Borough do not own private vehicles.

6.59 Officers consider family units would be more likely to be in car ownership as families have greater reliance on private transport. It is noted that one proposed car parking space is reserved for the three bedroom unit to account for this.

6.60 Taking this into account, officers consider that the amount of parking generated off site would not be significant enough to warrant refusal. In order to ensure parking is secured for the larger dwellings, a condition is recommended to tie the parking space to the three bedroom and two bedroom unit.

6.61 It is also noted that the majority of the streets in the area are subject to on street parking restrictions. Overall there is no on street parking available within 200m of the site. Taking this into account, it is considered that the proposed development would not be enticing for occupiers with vehicles due to the difficulty of parking vehicles. In addition to this, officers note the relatively good pedestrian and bus connections to Grove Park station 600m from the site. Therefore officers consider that this is likely to promote less car ownership amongst future residents.

6.62 Residents have raised concerns over unlawful parking within neighbouring development with off street parking. These areas of parking lay outside of the site boundary and are therefore under the management of the respective owner.

Therefore any issue of unmanaged parking is a matter for the landowners and not within the Council's area of control.

- 6.63 Whilst the objections to the number of parking spaces have been taken into account, it is considered that the level of parking is in line with planning policies and any off site parking generated would not be significant enough to warrant a refusal.
- 6.64 It is also worth considering that the provision of additional parking spaces on the relatively small site would require a substantial re-design, which would significantly detract from the quality of the design. Furthermore any additional parking would be contrary to the Council's transport policies on promoting sustainable transport modes.
- 6.65 Therefore it is considered that the proposed development would not have adverse impacts on the highway network in terms of parking.

c) Cycle Parking

- 6.66 Table 6.3 of the London Plan provides the minimum cycle parking spaces required for new development. One space should be provided for 1 bedroom units and two spaces for other dwellings.
- 6.67 Taking the above standards into account, the proposed development should provide 7 cycle parking spaces. The drawings indicate that seven cycle parking spaces would be provided beside the communal entrance. Therefore the development is considered to be acceptable with this respect. These spaces should be dry and secure and this can be secured through condition.

d) Refuse

- 6.68 The proposed development indicates a refuse store is located to the front of the site providing for 3x360L waste storage containers. Officers consider that the location is sufficient for collection by Council contractors and the size of the storage is considered to be appropriate for the number of residents.
- 6.69 Therefore the development is considered acceptable in terms of refuse management. A condition is recommended to ensure this is secured.

Impact on Adjoining Properties

- 6.70 DM Policy 32 requires all new residential development to be neighbourly and provide a satisfactory level of privacy, outlook and natural lighting for adjoining properties. In addition, DM Policy 33 requires infill development to result in no significant overshadowing or overlooking, and no loss of security or amenity to adjacent properties.
- 6.71 The Council's Residential Standards Planning Supplementary Guidance is used to provide guidance on residential development. The SPD states that the minimum distance between habitable rooms on the main rear elevation and the rear boundary, or flank wall of adjoining development, should normally be 9 metres or more. These guidelines will be interpreted flexibly depending on the context of the development.

- 6.72 In addition to the above guidance, the Council also uses the standards of BRE *'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice'* in relation to daylight/sunlight and access to visible sky for outlook. The guidance states that, as a result of development, the Vertical Sky Component (VSC) measured at the centre of adjoining windows should be no less than 80% of its current value.
- 6.73 The site is situated between Robins Court to the east and Brooks Court to the west. The topography slopes from east to west, and as such Robins Court is 2.4m above the ground level of the subject site and Brooks Court is 1.6m below the ground level. The residential units in Robins Court contain habitable windows in the west elevation facing the site, whilst Brooks Court contains windows on the side elevation which appear to be non-habitable.
- 6.74 The proposed building would be 11.7m from the rear elevation of Robins Court and 2.5m from the side elevation of Brooks Court. The building would be lowered into the ground level. However, at four storeys in height, the top of the proposed building would be 7.5m higher than the ground floor level of Robins Court. The proposed ground floor level would match that of Brooks Court.
- 6.75 The applicant has provided a daylight and sunlight assessment in support of the application. The document assesses the proposed development against the BRE good practice standards. The design and access statement also includes drawings showing the existing and proposed lines of sight from the windows at Robins Court.
- 6.76 The documents considers that the most impacted windows in terms of sunlight/daylight would be the ground floor windows. Based on the calculations, the report concludes that the adjoining windows would retain between 82.7%-95.6% of VSC. Therefore it is concluded that the availability of daylight/sunlight within adjoining development would be within acceptable limits as outlined in the BRE guide.
- 6.77 Following consultation with officers, further clarification on the impact to the side facing windows of Robins Court was provided by the applicant. This included clarification within the Daylight/Sunlight Assessment and overshadowing diagrams.
- 6.78 On the basis of the evidence provided, officers consider that whilst the development would impact on the access to daylight for adjoining properties, this impact would be acceptable in line with the appropriate guidance.
- 6.79 Officers have also noted whilst on site visit the established impact on visual amenities from the significant vegetation between the site and the windows at Robins Court. It is considered that, on account of the level of intervening screening, the proposed increase in the built form on the site would not have a significant impact in terms of reduction of outlook or reduction of visual amenities through sense of enclosure or overbearing.
- 6.80 The proposed building includes windows on the east elevation facing the habitable windows of Robins Court. However it should be noted that these windows are translucent, providing obscuring of views towards the adjoining property. Therefore it is considered that the proposed development would not result in adverse impacts in terms of overlooking.

- 6.81 Officers consider that the proposed development, being located within close proximity to sensitive residential development, has the potential to adversely impact on neighbouring amenities during the construction period. However, it is considered that a condition for the submission of a Construction Management Plan detailing measures to negate noise, dust, construction traffic, safety etc. would be appropriate in overcoming this impact.
- 6.82 Overall, the proposed development is considered to be acceptable in terms of impact on adjoining properties.

Sustainability and Energy

- 6.83 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes from planning to be absorbed into Building Regulation requirements which will be introduced following an amendment to the Planning and Energy Act 2008. This is expected to take place later in 2016.
- 6.84 However, as an interim measure to require sustainability improvements on small scale schemes, Local Government Authority has the benefit of enforcing a Code for Sustainable Homes equivalent in terms of water and energy reduction. Specifically, these are:-
- a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and,
 - water efficiency measures to achieve a target of maximum 110 litres per person per day which includes a 5 litre allowance for external water use.
- 6.85 The supporting sustainability report concludes that through the use of the solar panels, together with internal design and materials, the proposed development would achieve a reduction of 40.96% across the site. Therefore it is considered that the proposal meets the appropriate sustainability policies.
- 6.86 Officers consider a condition securing the energy savings should be added to ensure this is implemented.

Trees

- 6.87 Surrounding the site are a number of trees, including trees of moderate value. A tree survey was included with the proposed development and outlines that no trees would be removed as part of the proposed development.
- 6.88 Taking this into account the proposed development is considered to be acceptable in terms of impacts to trees.
- 6.89 A tree protection plan was included within the supporting documents. Given this would be added as an approved document, which the development must be constructed in accordance with, it is considered that this is sufficient to ensure trees would be protected during construction.

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, as is the Lewisham local CIL. CIL is payable on this application and the applicant has completed the relevant form.

8.0 Equalities Considerations

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

9.0 Conclusion

- 9.1 The proposal involves the demolition of the existing detached bungalow dwelling and the construction of a four storey building incorporating 5 residential units. The application has been considered in the light of policies set out in the development plan and other material considerations.
- 9.2 The proposed loss of the dwelling is considered to be in line with DM Policy 2 and the London Plan regarding the loss of existing housing. Furthermore, the existing building is not considered to significantly add to the character of the streetscene nor is it of any significant heritage value. As such the loss of the building is considered acceptable.
- 9.3 Whilst larger proposals have been refused in 2004 and 2006, the current scheme is proposed to have an acceptable scale within the character of the slab form

buildings. In addition, the simple massing and appropriate use of materials in the design is considered to be complementary and an appropriate response to the character of the surrounding area.

- 9.4 The density of the development is considered to be in line with the current density range. Furthermore, officers consider the proposed mix, which includes a family dwelling, to be appropriate in meeting the housing need of the Borough. The proposed residential units are considered to provide acceptable amenities for future residents.
- 9.5 The proposal would utilise the existing car access point for car parking. Two parking spaces are provided and would be reserved for the three bedroom dwelling and disabled user, if required. It is considered that the amount of on site parking is compliant with policy and the off site parking generated by the development would not be significant to warrant refusal. Overall, the impacts on the highway network are considered to be acceptable.
- 9.6 The proposal would be separated from the nearest residential window by 11.7m. It is considered that the impact on these properties are acceptable in terms of loss of outlook, sunlight/daylight and sense of enclosure. In addition, there is not considered to be any overlooking into neighbouring properties.
- 9.7 Therefore officers consider that the scheme is acceptable.

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.

Reasons: 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:

2958/P/02 Rev A; 2958/P/03 Rev B; 2958/P/12 Rev B; 2958/P/14 Rev A; 2958/P/20 Rev G; 2958/P/20.1; 2958/P/21 Rev G; 2958/P/22 Rev C; 2958/P/23 Rev A; 2958/P/24; 2958/P/25 Rev A; 2958/P/31 Rev C; 2958/P/32 Rev B; 2958/P/33 Rev A; 2958/P/34 Rev B; 2958/P/35 Rev A; 2958/P/45 Rev A; 2958/P/46 Rev A; Design & Access Statement including planning statement; Sustainability Report; Carbon Emissions Calculations (received 21st December 2015); 2958/P/65; 2958/P/66 (received 2nd June 2016); Daylight & Sunlight Assessment (received 15th June 2016).

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

- (3) No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
- (a) Dust mitigation measures.
 - (b) The location and operation of plant and wheel washing facilities
 - (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
 - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) 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).

Reasons: 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 (2011).

- (4) No development shall commence on site until a detailed schedule and specification/samples of all external materials, including decorative patterns and finishes/windows/balconies 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.

Reasons: 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 DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (5) (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.

Reasons: 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).

- (6) (a) A minimum of 7 secure and dry cycle parking spaces shall be provided within the development as indicated on plan no. 2958/P/12 hereby approved
- (b) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

- (7) (a) The refuse and recycling facilities shall be provided in accordance with the details shown on plan no. 2958/P/12 hereby approved.
- (b) The facilities shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

Reasons: 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 Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (8) The buildings hereby approved shall be constructed in accordance with the approved Sustainability Statement in order to achieve the following requirements:
- a minimum 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and
 - a reduction in potable water demand to a maximum of 110 litres per person per day

Reason: To comply with Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (9) Each of the dwellings hereby approved shall meet the required standard of the Approved Document M4(2) of the Building Regulations (2015).

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

- (10) No satellite dishes shall be installed on the front elevation the building.

Reasons: 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).

- (11) No plumbing or pipes, including rainwater pipes, shall be fixed on the front elevation of the building.

Reasons: It is considered that such plumbing or pipes would seriously detract from the appearance of the building 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).

- (12) The new windows to be installed in the east elevation of the building hereby approved shall be fitted with translucent glazing and retained in perpetuity.

Reasons: 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).

- (13) The use of the flat roof on the building 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.

Reasons: 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 of the Development Management Local Plan (November 2014).

- (14) (a) The whole of the car parking accommodation shown on drawing nos. 2958/P/12 hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter.
- (b) One parking space shall be reserved for the use of the three bedroom dwelling and one parking space shall be reserved for the two bedroom unit hereby approved.

Reasons: To ensure the permanent retention of the space(s) for parking purposes, to ensure that the use of the building(s) 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).

INFORMATIVES

- (A) **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 and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. As the proposal was in accordance with these discussions and was in accordance with the Development Plan, no contact was made with the applicant prior to determination.
- (B) The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- (C) 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>
- (D) 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.
- (E) Condition 3, 4 and 5 requires details to be submitted prior to the commencement of works due to the importance of protecting residential amenity, securing high quality materials and appropriate boundary treatment prior to the commencement of development.