

Committee	PLANNING COMMITTEE B	
Report Title	1 Dacre Place, SE13 5DJ	
Ward	Blackheath	
Contributors	Monique Wallace	
Class	PART 1	06 JULY 2017

Reg. Nos. (A) DC/16/95938

Application dated 10.03.2016

Applicant Mr Boobyer of the Brunton Boobyer Partnership Ltd on behalf of Mrs Catchpole & Mr Powell

Proposal Demolition of the existing building at 1 Dacre Place, SE13, together with change of use from a car hire premises (use class Sui Generis) and the construction of a two-storey four-bedroom dwelling (use class C3) with associated landscaping, bin storage and cycle storage.

Applicant's Plan Nos. 956/07, MSL11196-E1 C, MSL11196-E2 C, MSL11196-E3 C, MSL11196-E4 C, MSL11196-FPG A, MSL11196-FP1 A MSL11196-T A, DP/TPP/998-02, VMZINC Facades brochure (October 2015), Sarnafil TS 77-12 roofing product data sheet (09.2011), Terca Wall solutions brick schedule, oko skin Farbtafel (Reider, oko skin colour chart), Phase 1 habitat survey (23/7/15), Ecological bat activity survey and report by Fellgrove Ecology (12.08.16) received 17/3/16; 956/23 Rev B; 956/24 Rev A received 13/12/16; 956/21 Rev B received 30/5/17; 956/25 received 1/6/17

Background Papers

- (1) Case File LE/474/121/TP
- (2) The London Plan (2017), Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)

Designation Area of stability and managed change - Existing Use

1.0 Property/Site Description

1.1 The application site comprises a pitched roof, two storey commercial building at the end of the gardens of properties fronting Dacre Park with a frontage and main entrance onto Dacre Place.

- 1.2 The building comprises an integral garage with vehicular access directly onto Dacre Place. It has windows at first floor level on all four elevations. There is external access to the first floor via steps leading into a courtyard area.
- 1.3 The last known use for the site was as a car hire premises, Use Class Sui-Generis, meaning that the use does not fall within any particular use class within the Use Class Order 2015.
- 1.4 The site has a Public Transport Accessibility Level (PTAL) of 4, is within an area of Local Open Space Deficiency is within the Blackheath Conservation Area.
- 1.5 The proposal site itself is not a Listed Building, however, 115 and 117 Dacre Park, which share a common boundary to the east, are both Grade II Listed buildings. The Listing entry refers to the details on the elevations of the two buildings, but no there is no reference to their grounds or boundary treatments.

2.0 Planning History

- 2.1 An application was submitted and subsequently withdrawn in 2015 on the advice of officers given that the then design could not be supported.
- 2.2 A duty planner, pre-application enquiry was sought in February 2016 in respect of the proposed redevelopment of the site. Officer's response was that the principle of development was acceptable, but that the drawings submitted required further refinement. Objections were raised to the retained height of the vehicular boundary treatment, and the expanses of brick wall.
- 2.3 In 1983, enforcement notices were issued in respect of the storage of vehicles on the site.

3.0 Current Planning Applications

The Proposals

- 3.1 The current proposal is for the demolition of the existing building, together with change of use from a car hire premises (use class Sui Generis) and the construction of a two-storey four-bedroom dwelling (use class C3), associated landscaping, bin storage and cycle storage.
- 3.2 During the course of the application, the design of the proposals were amended from a curved fenestration design to a linear orientated one.
- 3.3 The building is to be predominantly brick built, with cedar and zinc cladding, punctuated by metal framed windows. It would have a flat roof and amenity space to the side and rear. Off-street parking is proposed to the side for one car.
- 3.4 The new dwelling would comprise living, dining and kitchen and a study and w/c at ground floor level. The open plan space would lead onto a south facing courtyard. Four bedrooms and a family bathroom would be located at first floor level.
- 3.5 The existing cross over in front of gates to the west of the site would be retained, as would the parking area within the site to provide off-street parking for the new dwelling.

Supporting Documents

BdR Civil and structural engineering report (12/06/15)
VMZINC Facades brochure (October 2015)
Sustainability Statement (30th July 2015),
Sarnafil TS 77-12 roofing product data sheet (09.2011),
Ground and Environmental Services Limited and Appendix 2 Historical maps (11443, 05/2015)
Phase 1 habitat survey (23/7/15)
Terca Wall solutions brick schedule
Arboricultural report
Sylvan Arb (25/6/15)
Environment Agency map
Sustainability/Energy Efficiency statement
oko skin Farbtafel (Reider, oko skin colour chart)

4.0 Consultation

4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

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

Written Responses received from Local Residents and Organisations

4.3 Objections were raised by two nearby occupiers. The representations received are summarised below:

117 and 121 Dacre Park

- The principle of residential development is acceptable
- Loss of privacy to 117 Dacre Park
- The proposed building would be incompatible with the Conservation Area
- The Design and Access Statement and plans show evergreen trees where they do not exist
- The closest Listed Building is 117 Dacre park which has not been fully considered in the proposals.
- The new building would be closer to its shared boundary with 117 Dacre Park
- The proposal would result in a loss of light to our property
- Making the house so large renders it unaffordable, contrary to Council policies.
- The existing use is not a mini-cab nor car sales; it's used by a fishing company

Blackheath Society

4.4 The Blackheath Society made the following representations about the proposal:

- The principle of developing the site is acceptable

- The existing building should be retained
- If a structural report confirms that the existing structure is not suitable for conversion, a replacement building should have a matching footprint and scale to the existing
- The design is incoherent and not of a high enough quality
- The proposal does not reflect the characteristics of the wider setting
- Green screening is an unacceptable way to mitigate overlooking

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.
- 5.6 Technical housing standards – nationally described space standards

London Plan (2017)

Policy 3.3 Increasing housing supply
Policy 3.5 Quality and design of housing developments
Policy 4.1 Developing London's economy
Policy 4.4 Managing industrial land and premises
Policy 5.3 Sustainable design and construction
Policy 5.13 Sustainable drainage
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2016)
Character and Context (2014)

Core Strategy

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

Spatial Policy 5 Areas of Stability and Managed Change
Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 5 Other employment locations
Core Strategy Policy 7 Climate change and adapting to the effects
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 4	Conversions of office space and other B Use Class space into flats
DM Policy 11	Other employment locations
DM Policy 22	Sustainable design and construction
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

Residential Standards Supplementary Planning Document (August 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

5.12 This document advises on the character and era of the differing building typologies in the Blackheath Conservation Area. Dacre Place is mentioned in the context of it being a dead end, formed from speculative developments in this section of the Conservation Area.

6.0 Planning Considerations

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

- a) Principle of Development, including impact on heritage assets
- b) Layout, scale and Design
- c)d) Housing
- e) Highways and Traffic Issues
- f) Impact on Adjoining Properties
- g) Sustainability and Energy
- h) Ecology and Landscaping

Principle of Development

Loss of existing buildings:

6.2 This commercial building is the anomaly in a predominantly residential area.

6.3 The existing building is functional in appearance, which lends itself to commercial use. The white rendered facades are crudely interrupted by thick, black pipework and irregular apertures which highlight the building's commercial and functional status, having limited regard to aesthetics. The areas to the rear and side are covered in hardstanding.

6.4 At present, officers consider that the building in its current form, even if it were to be renovated, would not contribute to the appearance of the Conservation Area and is an incongruous form of development in its immediate environs. While this part of the conservation area does not comprise the housing typologies typical of the area, the design of the buildings within 1 Dacre Place are more considered and more in keeping with the residential environment.

6.5 The application was submitted with a structural report carried out by BdR Civil and Structural Engineering consultants which concludes that the building would be financially prohibitive to refurbish and bring up to the required Building regulations standards for residential development.

6.6 Therefore no objection is raised to the principle of a comprehensive redevelopment of the site, subject to the proposed use and the details of the scheme achieving the necessary standards of design and meeting the relevant planning policy requirements.

6.7 The demolition of the buildings on site would make way for new architecture, which would result in an improvement to the street scene generally which is in accordance with policy ambitions of Core Strategy Spatial Policy 5.

Loss of B1 floorspace

6.8 The overarching policy position is to clearly use land efficiently, and where it can be demonstrated to be surplus, to release commercial land in order to achieve other policy objectives. In this case, Core Strategy Policy 5 is directly applicable which requires evidence that the commercial use is no longer viable and therefore the site should be released for an alternative use.

6.9 The application was submitted with marketing evidence from Harpers & Co, estate agents who confirms that the site was marketed by them between August 2014

and June 2016 (for more than a year). Within that time, the property was viewed 14 times, with no uptake. Officers are satisfied that the number of viewings is a good reflection of the active marketing and appropriate pricing strategy applied, but that after viewing, the site was deemed unsuitable for an alternative employment use.

- 6.10 In accordance with the requirements of Core Strategy Policy 5, officers are satisfied with the marketing efforts undertaken and that the loss of commercial floor space is acceptable in this instance.

The provision of C3 (residential) floorspace

- 6.11 The site has a PTAL of 4 which means that it benefits from good access to public transport links. This area is currently supported by a network of local services and facilities such as schools, medical facilities and parks/areas of open space. Such locations are entirely appropriate for the provision of new homes. Taking into account the clear need at the present time for housing, and having regard to the significant weight which should be attached to the objectives of the Core Strategy and Development Management Local Plan, Officers consider the principle of providing a new dwelling on the application is in line with planning policies.
- 6.12 To conclude, the principle of the loss of the employment use, the demolition of the existing buildings and the change of use to residential is supported.

Layout, scale and design

- 6.13 London Plan Policy 7.6 Architecture requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design. Core Strategy Policy 15 (High quality design for Lewisham) repeats the necessity to achieve high quality design but also confirms a requirement for new developments to minimise crime and the fear of crime. Development Management Policy 30, (Urban design and local character) states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. Policy 33 Development on infill sites, backland sites, back gardens and amenity areas states that developments within street frontages will only be permitted where they are sensitive to their context and result in no loss of amenity for existing surrounding dwellings. In particular DM 33 (a) states that 'developments within street frontages will only be permitted where they 'make a high quality positive contribution to an area, provide a positive response to the 'special distinctiveness of any relevant conservation area', would not unduly compromise the amenities of nearby occupiers, retain sufficient garden space for adjacent dwellings, provide good standards of accommodation and respect the character, proportions and spacing of existing houses.
- 6.14 The proposed development largely follows the footprint of the existing building, with the proposed two storey mass being located to the west of the site. The parking area, which is currently open courtyard, would remain at the east end of the site, abutting the houses of the gardens fronting Dacre Park, while the amenity space would be located to the rear (south of the site) as per the existing arrangement. The existing building covers 75m² of the site, while the proposed would measure 84m².

- 6.15 The existing building is two storeys in height, as per the proposed. The proposed height would be 0.2m higher than the existing as seen in drawing 956/24 Rev A and as partially shown below:



Figure 1

- 6.16 Given that the proposal largely follows the footprint and massing of the existing building, and would result in the land being arranged in a similar way, officers consider the proposed layout and scale would be acceptable in the context of Dacre Place.
- 6.17 In terms of the house's detailed design, the originally submitted scheme had a design strategy formed from a square brick box, with a chamfered corner, leading to an eastern flank which tapered off into a curved overhang. Officers considered the originally proposed design to be overly fussy, and out of context with the adjacent traditionally built Victorian buildings fronting Dacre Park and the 1970s buildings accessed from Dacre Place.
- 6.18 The revised scheme has been simplified by the omission of the curved element to the east, even though the overhang has been retained. The design is now more simple and elegant; the main structure would be punctuated by large, apertures at ground and first floor levels, with a cubed eastern wing, separated from the main mass by the chamfered set back from the front elevation. A pop-up glazed box would protrude above the parapet of the front façade to increase light into the staircase which would create visual interest.
- 6.19 The blank façade to the west has been articulated with a recessed brick detail, while the first floor projecting section to the east would form a visually subordinate wing.
- 6.20 Collectively, the individual elements of the proposal would result in a contemporary building, which officers consider would result in a suitable juxtaposition between the Grade II Listed Buildings being 115 and 117 Dacre Park, and the remainder of the Victorian Terraces fronting Dacre Park and the more modern properties within Dacre Place.
- 6.21 Materials schedules and brochures were submitted with the application documents, which demonstrate that the materials proposed are the quality finish that is needed for such a building within the Conservation Area. To secure the theme of quality, the materials schedules will be secured by condition.

- 6.22 In accordance with the pre-application advice, the boundary treatment fronting Dacre place has been reduced in height, visually opening up the site, while also providing a visual indication of the new residential use.
- 6.23 For the reasons set out above, officers consider that the proposed layout, scale and design are acceptable.

Housing and standards of accommodation

- 6.24 Policy 3.5 in the London Plan requires new housing developments to be of the highest quality in terms of making new dwellings 'a place of retreat' by ensuring safe access, adequate room sizes and practical layouts. Further detail about what is necessary in order to create the high standards of accommodation are found in the Technical housing standards – nationally described space standard, the London Plan Housing SPG and Lewisham's Residential Standards SPD.
- 6.25 The proposal is for a 4 bed, 6 person house and has a total floor area of 150.5m².
- 6.26 The new dwelling exceeds the minimum overall floor area of 106m² for a 2 storey, 4 bedroomed, 6 person dwelling as required by the National space standards, which is acceptable. All rooms within the dwelling also exceed the required space standards. Essential furniture layouts have been annotated on the drawings, which show an acceptable layout and circulation. Standards compliant storage has also been provided.
- 6.27 London Plan Housing SPG baseline Standard 4.10.1 requires a minimum of 5m² of private amenity space per dwelling, with an extra 1m² per additional occupier. The amenity space afforded to the proposed unit comfortably exceeds this requirement, measuring 105m². Outlook from the proposed house would face the street to the north and gardens to the rear, comprising a good outlook. Officers are therefore satisfied that the proposed dwelling would benefit from satisfactory levels of outlook and privacy.
- 6.28 Given the previous commercial use of site and the proposed residential use, the application was submitted with a Phase 1 contamination risk assessment by Ground and Environmental Services Limited which advises that the site was used as an aluminium foundry between c.1949 and 1962, and that potential industrial use was present on the site since 1896. For this reason, the report concludes that further ground testing should take place, prior to the commence of any works on site.
- 6.29 In accordance with DM Policy 28 Contaminated Land, officers consider it prudent to add a condition requesting site contamination investigations as recommended by the risk assessment.
- 6.30 To conclude, officers consider that the proposed standards of accommodation for future occupiers would be acceptable.

Highways and Traffic Issues

- 6.31 The proposed development would have one off-street car parking space within a site which has a PTAL rating of 4, which indicates good access to public transport. The provision of 1 space for the 4 bedroomed dwelling is in accordance with Policy 6.13 of the London Plan and therefore is acceptable.

- 6.32 London Plan Policy 6.9 as reinforced by the Housing SPG requires that all residential developments should provide dedicated storage space for cycles 2 per unit for all units larger than 1 bed. Cycle parking would be located in the front garden and can accommodate at least 5 cycle spaces officers are satisfied that there is ample room in the front courtyard/parking area and rear garden for the storage facilities which would be readily accessible, safe, secure and dry and therefore in accordance with policies.
- 6.33 Refuse storage would be stored at the front of the proposed dwelling which is also acceptable.
- 6.34 Officers do not consider that the uplift in one, 4 bedroom dwelling, would result in any appreciable increase in visitor parking or deliveries to the immediate area and therefore would not have any impact upon the highway generally.

Impact on Adjoining Properties

- 6.35 Core Strategy Policy 15 states that new development should be designed in a way that is sensitive to the local context. More specific to this, DM Policy 32 Housing design, layout and space standards and 33 Development on Infill sites, backland sites, back gardens and amenity areas seek to ensure that new residential development should not result in significant loss of privacy and amenity to adjoining houses and their back gardens. The Council's residential Standards SPD advises that as a general rule 'unless it can be demonstrated that privacy can be maintained through design, there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations.' It goes further to state that habitable rooms within new dwellings should be a minimum of 9m from the rear boundary or the flank wall of any adjoining plot. The policy allows for deviation from the minimum distances where the design of the buildings can mitigate overlooking issues.
- 6.36 Objections have been raised to the proposals on the grounds of a loss of privacy and outlook.

Loss of privacy

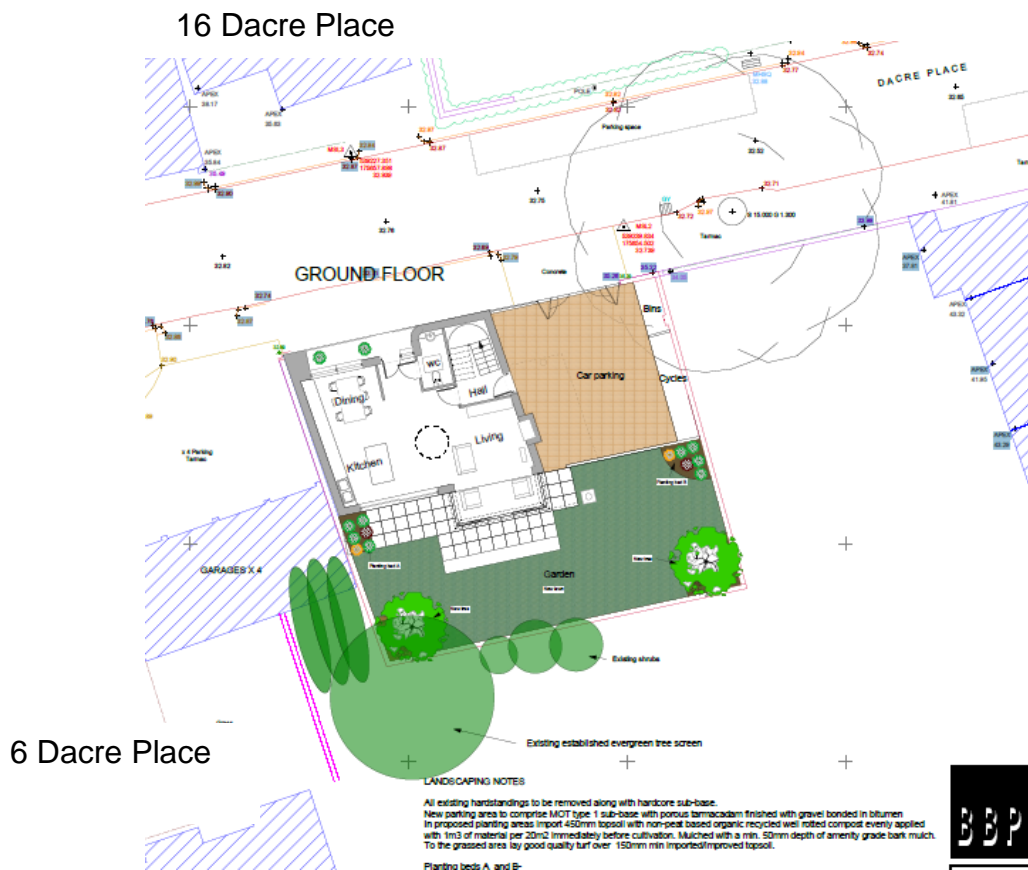


Figure 2

- 6.37 The rear elevation of the proposed development would be 14m away at a 70 degree angle from 2-6 Dacre Place which is shown at the south west (bottom left corner of Figure 2). 16 Dacre Place would be 11.3m immediately north (top of Figure 2) from the proposal site.
- 6.38 Officers are satisfied that the distance and relationship between the existing property at 2-6 Dacre Place and the proposed dwelling would sufficiently protect existing privacy levels given that the proposed house would be at an oblique angle to this property. The 11.3m distance between the proposed and 16 Dacre Place to the north is typical of development occupying 'mews' type streetscapes.
- 6.39 Officers are satisfied that any loss of privacy from neighbours would be of an acceptable level given the typical frontage to frontage arrangement, which is similar to a Mews or Victorian street formation.
- 6.40 Windows are proposed in the eastern flank which would face the rear garden of 121 Dacre Park which would be 17m away. The windows are secondary and the two sites are separated by dense foliage, which again would minimise/reduce any instances of loss of privacy to an acceptable level.
- 6.41 Officers do not consider that there would be any impact in terms of a loss of daylight, sunlight or views of the sky given that the proposed building would largely match the footprint and scale of the existing.
- 6.42 Officers consider that the layout and scale, which would be similar to the existing arrangement, and the design features such as the layout and use of rooms and the positioning of windows serving them would satisfactorily minimise any sense of enclosure and loss of sunlight and outlook and therefore is acceptable.

- 6.43 To ensure that the amenities of neighbouring properties is maintained, a condition withdrawing permitted development rights would ensure that no alterations or extensions to the proposed dwelling can take place without prior assessment and subsequent permission from the Council.

Sustainability and Energy

- 6.44 Point 3 of Core Strategy Policy 8 Sustainable design and construction and energy efficiency requires all new residential development to achieve a minimum of Level 4, Code for Sustainable Homes (CfSH), while point 2 requires all major developments to adhere to the London Plan energy policy, but to also (c) connect to an existing or approved decentralised energy network, safeguard potential network routes, and make provision to allow future connection to a network or contribute to its development. However, following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes, though residential development is still expected to meet code level concerning energy performance and water efficiency.
- 6.45 The application was submitted with a sustainability statement which advises that the scheme is capable of achieving CfSH Level 4. The attainment of Level 4 confirms that the proposed new dwelling would be capable of achieving the necessary energy savings and water management which are to be confirmed at building regulations stage whilst the statement also confirms all of the 16 Lifetime Homes criteria would also be achieved. In accordance with the ambition of the updated Technical guidance relieving the planning authority from assessing such technical requirements, from a planning perspective, the information provided is sufficient.

Ecology and Landscaping

- 6.46 London Plan policy 5.10 Urban Greening states that new developments should integrate forms of urban greening into proposals, such as soft landscaping. London Plan Policy 5.11 requires all major development to include green roofs where feasible. Core Strategy Policy 7 requires developments to be in accordance with the London Plan requirements with regard to green roofs. Development Management Local Plan Policy 24 states that the Council will require all new development to take full account of biodiversity during the design of proposals. Policy 25 requires a landscaping strategy to be submitted with schemes where appropriate.

Ecology

- 6.47 The application was submitted with a Phase 1 Habitat Survey, by Envirocology which concluded that there are bat roosts within 2km of the site, and that there was evidence of the existing habitat supporting ,nesting birds and bat foraging. The report recommends that no demolition works, tree or shrub clearance should take place on site until a bat survey has been carried out and that any site clearance should take place outside of the bird breeding season. It also recommends the protection of trees during works, and the replanting of native species.
- 6.48 A bat survey compiled by Fellgrove Ecology was submitted with the application documents which confirms that there is a low chance of bats roosting at the site, but that it is likely to be within their commuter path.

- 6.49 No trees are to be felled as a result of the proposed development, but in accordance with the findings of the Habitat and bat surveys, a condition should be placed on the decision notice requesting bat boxes and the removal of the existing, albeit limited habitat, outside of the bird breeding season.

Sustainable Urban Drainage Systems

- 6.50 The landscaping strategy proposes soft landscaping in the rear gardens, typical of the existing and surrounding arrangements which is acceptable.

Trees

- 6.51 DM Policy 25 Landscaping and trees requires proposals where Tree Preservation Orders are in place and where appropriate, such as Conservation areas to retain trees where possible and to be submitted with an arboriculture report.
- 6.52 Given that the site is within the Blackheath Conservation area, the application was initially submitted with a tree survey, to which objections were raised to contradictions between the survey and the proposed site plan. The site plan has been revised during the course of the application to change the design of the scheme, but also to remove reference to trees along the southern boundary which were not reflected in the tree survey. The plan now refers to existing shrubs along the boundary.
- 6.53 Officers are satisfied that the existing trees surrounding the site would provide adequate screening between sensitive rooms. Given that these trees are protected by virtue of their conservation area location, officers are satisfied that the trees would remain in place to maintain privacy levels between existing and proposed dwellings.
- 6.54 To ensure that the trees are protected during construction works, a condition necessitating a tree protection plan to be submitted prior to the commencement of above ground works should be applied.
- 6.55 The remainder of the landscaping strategy includes soft landscaping which would significantly improve the current hardstanding surrounding the site.
- 6.56 With the above in mind, officers are satisfied planning permission should be granted, subject to a condition regarding tree protection.

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:
- 7.2 (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
- 7.3 (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 7.4 The weight to be attached to a local finance consideration remains a matter for the decision maker.

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

8.0 Equalities Considerations [delete if not relevant]

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 Officers do not consider the current proposal to have any equal opportunities implications.

9.0 Conclusion

9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.

9.2 Officers consider that demolition of the existing building and the construction of a 4 bedrooed single-family dwelling house would be in accordance with local and regional policies and the scheme is therefore considered acceptable.

10.0 RECOMMENDATION

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

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:

956/07, MSL11196-E1 C, MSL11196-E2 C, MSL11196-E3 C, MSL11196-E4 C, MSL11196-FPG A, MSL11196-FP1 A MSL11196-T A, DP/TPP/998-02, VMZINC Facades brochure (October 2015), Sarnafil TS 77-12 roofing product data sheet

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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. (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-

(i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.

(ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.

(iii) The required remediation scheme implemented in full.

(b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.

(c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

This shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

Reason: To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply

with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

4. 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.

The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2017).

5. No above ground works shall commence on site until a detailed schedule and specification including samples of all external materials and finishes/windows and external doors to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the buildings 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 and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens and of the Development Management Local Plan (2014).

6. (a) No above ground works shall commence on site until details of the appearance of the storage of refuse and recycling facilities for the residential unit hereby approved, has been submitted to and approved in writing by the local planning authority.

(b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011) and Development Management Local Plan DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens (November 2014).

7. (a) A minimum of 2 secure and dry cycle parking spaces shall be provided within the development hereby approved.

(b) No above ground works shall commence on site until the full details of the appearance of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.

(c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

Reason: In order to ensure adequate provision for cycle parking and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (2011) and DM Policy 30 Urban design and local character, and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (2014).

8. (a) Details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(b) The approved boundary treatments shall be implemented prior to occupation of the buildings and retained in perpetuity.

Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014).

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

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2017), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

10. The recommendations as set out in the Phase 1 habitat survey (23/7/15), Ecological bat activity survey and report by Fellgrove Ecology (12.08.16) here shall be adhered to prior to commencement of the development hereby approved, such as the site clearance, and during construction, no night time works or burning of fires shall take place, and the post development recommendations including the implantation of bat, bird and beetle boxes shall be implemented in full prior to occupation.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2017), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

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

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014).

12. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no flues, plumbing or pipes, other than rainwater pipes, shall be fixed on the front elevation of the buildings hereby approved.

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014).

13. No extensions or alterations to the buildings hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country

Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (2014).

14 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 roofs on the buildings 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).

15 (a) Notwithstanding the drawings and documents hereby approved, a scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and which shall include a minimum of 2 semi-mature trees, and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

16. No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council. The TPP should follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a

dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

Reason: To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

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 discussions took place which resulted in further information being submitted.
- B. 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.
- C. 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.
- D. Condition 4 is a pre-commencement condition as any contaminants found to be present at the site may have detrimental implications to human health during the construction phase of the development.