

Committee	PLANNING COMMITTEE B	
Report Title	Haulage Yard, Hereford Place, London, SE14	
Ward	New Cross	
Contributors	David Robinson	
Class	PART 1	28 th September 2017

Reg. Nos. DC/17/101332

Application dated 05.05.2017

Applicant Savills on behalf of Kingsmere Homes Limited

Proposal Change of use of haulage yard at Hereford Place SE14 to residential use, comprising erection of a new building to create part 1, part 4, part 7 and part 8 storeys (including part basement) to provide 26 residential units, together with landscaping, cycle parking and associated public realm works.

Applicant's Plan Nos. Air Quality Assessment by Hawkins Environmental dated 5th April 2017; Arboricultural Site Walkover letter (reference number 550898nf30Mar17FV02_Arb) dated 3rd April 2017; Archaeological Desk Based Assessment dated March 2017; Bat Scoping Survey letter (reference number 550898mtApr17FV01_Bat_Scoping) dated 20th April 2017; Draft Construction Logistics Plan; Daylight and Sunlight Study dated 11th April 2017; Desk Study and Risk Assessment Report (reference number J13021) dated 6th April 2017; Energy Strategy Report revision v1 dated 7th April 2017; Flood Risk Assessment version 01 dated 7th April 2017; HM Land Registry Title Map; Noise Assessment by Hawkins Environmental dated 5th April 2017; Preliminary Ecological Appraisal dated March 2017; Statement of Community Involvement dated March 2017; Sustainability Statement dated 7th April 2017; Transport Statement version 003 dated April 2017; Travel Plan version 02 dated April 2017; Vibration Assessment by Hawkins Environmental dated 5th April 2017; HPL-P001-S2-P0; HPL-P002-S2-P0; HPL-P020-S2-P0; HPL-P030-S2-P0; HPL-P031-S2-P0; HPL-P099-S2-P0; HPL-P100-S2-P0; HPL-P101-S2-P0; HPL-P102-S2-P0; HPL-P103-S2-P0; HPL-P104-S2-P0; HPL-P105-S2-P0; HPL-P106-S2-P0; HPL-P107-S2-P0; HPL-P108-S2-P0; HPL-P200-S2-P0; HPL-P201-S2-P0; HPL-P202-S2-P0; HPL-P203-S2-P0; HPL-P300-S2-P0; HPL-P301-

S2-P0; HPL-P302-S2-P0; HPL-P303-S2-P0; HPL-P500-S2-P0; HPL-P501-S2-P0; HPL-P510;-S2-P0; HPL-P520-S2-P0; HPL-P521-S2-P0; HPL-P522-S2-P0; HPL-P523-S2-P0; HPL-P530-S2-P0; HPL-SA-P600-S2-P0; HPL-SA-P610-S2-P0; HPL-P601-Housing SPG Checklist; HPL-P010-S2-P0 received 26th April 2017

Viability Study dated April 2017; Viability Study Appendix 1 (Site Layout Plan); Viability Study Appendix 2 (Turner Morum Appraisal Analysis); Viability Study Appendix 3 (Market Revenues Supporting Evidence); Viability Study Appendix 4 (Cox Drew Neale Cost Plan); Viability Study Appendix 5 (TM Recent Case Experience); Viability Study Appendix 6 (Strettons EUV Report) received 2nd May 2017

Living Roof Species Mix; Planning Obligations Statement (Part A); HPL-P611-S2-P0; HPL-P531-S2-P0 received 8th May 2017

HPL-P900-S2-P0; HPL-P910-S2-P0 received 31st August 2017

Background Papers

- (1) Case File DE/207/A/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation

Flood Risk Zone 2, Area of Archaeological Priority

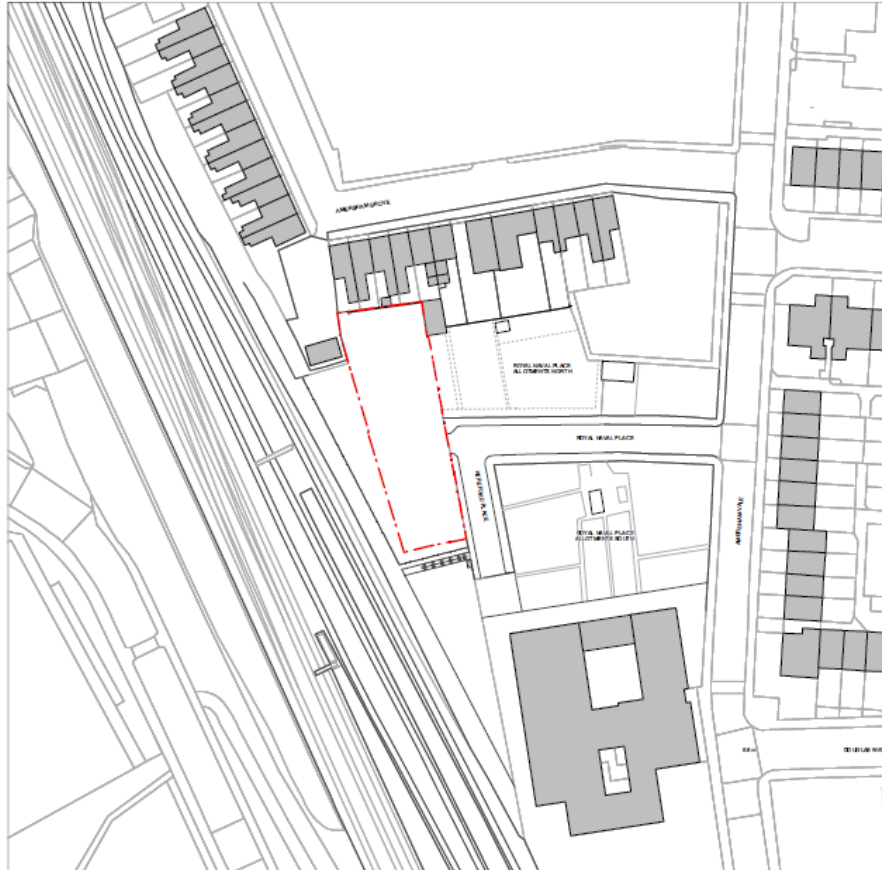
Screening

N/A

1.0 Property / Site Description

Existing Site and Location

- 1.1 The application site is located at, and accessed from Hereford Place located at the western end of Royal Naval Place, a dead-end road that is accessed from the western side of Amersham Vale. It is bordered to the north by a terrace of residential properties located along Amersham Grove, to the east by allotments, to the south by the Mulberry Education Centre, and to the west by a railway line.
- 1.2 The site is currently in use as a haulage yard. There are a number of storage containers located on the site perimeter, with two Portakabin offices located atop storage containers along the eastern boundary. The total site area is approximately 0.09 hectares.



Surrounding Context

- 1.3 The surrounding built context is mixed in nature. To the north and west of the site, the area is characterised by residential properties ranging from two-storey terraced properties to larger blocks of residential development on Arklow Street (7 to 22 storeys).
- 1.4 To the west of the site, lies Fordham Park which has recently been regenerated, and Deptford Green School which sits at 5 storeys in height, with the Batavia and Achilles Street residential areas located to the south and further west of the Fordham Park green space ranging from 5 to 11 storeys in height.
- 1.5 With regard to green space, to the west of the site lies Fordham Park that has recently been regenerated and to the north of the site lies the newly formed Amersham Vale Park, which occupies half of the old Deptford Green School site.
- 1.6 The site is located directly adjacent to New Cross Station with both Deptford and New Cross town centres being located 10-15 minutes walk from the site.

Site Designations and Constraints

- 1.7 Along the railway, on the site western boundary, the site is bounded by vegetated rail sidings that fall within the New Cross and New Cross Gate railsides Site of Importance for Nature Conservation (SINC); these are currently overrun with Japanese knotweed, but also provides a maintenance access for Network Rail to New Cross overground station.
- 1.8 The site is located within the Deptford and New Cross / New Cross Gate Regeneration and Growth Area, Flood Zone 2 and an Area of Archaeological

Priority. The site straddles two PTAL ratings of of 6a and 4. The site is not located within a Conservation Area or in the vicinity of any listed buildings.

2.0 Planning History

2.1 No relevant planning history

3.0 Current Planning Application

3.1 The application seeks permission for the change of use of haulage yard at Hereford Place SE14 to residential use, comprising erection of a new building to create part 1, part 4, part 7 and part 8 storeys (including part basement) to provide 26 residential units, together with landscaping, cycle parking and associated public realm works

3.2 The proposed building would be linear in arrangement, running from north to south along the length of the site. The main portion of the building would be 7 storeys tall with three 8th storey projections. Towards the north of the application site and the boundary with Amersham Grove, the massing would step down to a 4 storey block and eventually to a 1 storey unit adjacent to the rear garden boundaries of the terrace on Amersham Grove. The proposed building would also feature a basement, which would accommodate cycle parking.

3.3 The scheme would feature external gallery access for residential units located at second floor and above. Ground floor units would have private amenity space provided in the form of gardens. Upper floor units would all have individual private balcony spaces.

3.4 The proposed building would be finished in ribbed terracotta cladding with laser cut aluminium sheeting proposed to the lift shaft at the north of the site.

3.5 The proposed mix is 12 no 1 bed units, 7 no 2 bed units and 7 no 3 bed units; of these, 1 no. are wheelchair units.

3.6 The scheme is proposed as car-free.

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, an advert was placed in the local press and letters were sent to residents and businesses in the surrounding area, as well as the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

4.3 Representations were received from 10 parties in objection to the proposed development. These were largely from residents of Amersham Grove. A petition, signed by 24 people, was also received from the residents of Amersham Grove and the Royal Naval Place Allotment Association. The representations are summarised as follows:

- The Design and Access Statement makes a comparison to the nearby Batavia Road development as a means of justifying the height and density of the proposed scheme; however, this is a false comparison.
- The Site at Hereford Place does not fall within any specifically defined area of Lewisham Policy and it should therefore not be acceptable to ignore LBL sustainable density policies.
- It seems excessive – particularly on a Backland Site that is also adjacent to allotments – that the current proposed scheme has a density 21-23% greater than the highest guidance, at 851hr/ha and 277 u/ha.
- The submitted document ‘Daylight and Sunlight Study (Neighbouring Properties)’ fails to provide a full study throughout the year demonstrating the likely impact of the development on the allotments, and instead only presents a study showing that the allotments will receive at least two hours of sunlight on 21st March.
- The Daylight and Sunlight study clearly shows that the proposed scheme’s massing will have a large impact on the neighbouring gardens. No. 28 Amersham Grove will lose 100% of the area receiving at least two hours of sunlight on 21st March (the worst possible result for the study), whilst No. 30 loses 70%, No. 32 loses 60%, and No. 26 loses 40%.
- The development should be limited to 5 storeys
- Concerns over loss of light, privacy and overshadowing to properties on Amersham Grove
- The proposal is visually unacceptable
- Concerns over increase on parking pressure
- The submitted Daylight and Sunlight study fails to provide a comprehensive study throughout the year
- The perforated metal clad staircase not in keeping with any of the surrounding two story Victorian terraces
- Noise during construction
- No provision of any affordable housing in an area that is in desperate need of such units

4.4 Given the application received 10 objections and a petition against the proposed development, a Local Meeting was carried out in the form of a drop-in session in accordance with Lewisham’s Statement of Community Involvement.

4.5 Ten representees attended the drop-in session, which was held at The Albany, in close proximity to the application site, on 8th August 2017. The main issues raised at the local meeting are summarised as follows:

- Concerns relating to overlooking from galley access – could this be screened?
- No provision of any affordable housing
- Building should be reduced in height
- Concerns relating to light pollution
- No disabled parking
- Loss of daylight and sunlight to allotments and neighbouring residential houses

4.6 Three additional written representations were made during the drop-in session. These reiterated previous concerns raised around parking, overhshadowing, height and appearance and noise during construction.

Written Responses received from External Statutory Agencies

Environment Agency

4.7 No objection subject to conditions

Historic England

4.8 No objection

Metropolitan Police (Designing out crime)

4.9 No objection in principle – comments made to applicant on meeting dated 20th March 2017

Network Rail

4.10 The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

4.11 *Thames Water*

No objection subject to informative regarding waste water and piling

4.12 Copies of all representations are available to Members to view.

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 In March 2016, the London Plan (as amended) was adopted. The policies relevant to this application are:

- Policy 2.9 Inner London
- Policy 2.13 Opportunity areas and intensification areas
- Policy 2.14 Areas for regeneration
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 Affordable housing thresholds
- Policy 4.1 Developing London's economy
- Policy 4.4 Managing industrial land and premises
- Policy 5.3 Sustainable design and construction
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.4 Enhancing London's transport connectivity
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing traffic flow and tackling congestion
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.14 Improving air quality

- Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

- Accessible London: Achieving an Inclusive Environment (2004)
- Affordable Housing and Viability (2017)
- Housing (2012)
- Sustainable Design and Construction (2006)
- Shaping Neighbourhoods: Play and Informal Recreation (2012)

London Plan Best Practice Guidance

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

- Development Plan Policies for Biodiversity (2005)
- Control of dust and emissions from construction and demolition (2006)
- Wheelchair Accessible Housing (2007)
- London Housing Design Guide (Interim Edition, 2010)

Core Strategy

5.9 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 2 Regeneration and Growth Areas
- Core Strategy Policy 1 Housing provision, mix and affordability
- Core Strategy Policy 5 Other employment locations
- Core Strategy Policy 8 Sustainable design and construction and energy efficiency
- Core Strategy Policy 9 Improving local air quality
- Core Strategy Policy 10 Managing and reducing the risk of flooding
- Core Strategy Policy 14 Sustainable movement and transport
- Core Strategy Policy 15 High quality design for Lewisham
- Core Strategy Policy 21 Planning obligations

Development Management Local Plan

5.10 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:

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

- DM Policy 1 Presumption in favour of sustainable development
- DM Policy 2 Prevention of loss of existing housing
- DM Policy 7 Affordable rented housing
- DM Policy 11 Other employment locations
- DM Policy 22 Sustainable design and construction
- DM Policy 23 Air quality
- DM Policy 24 Biodiversity, living roofs and artificial playing pitches
- 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 35 Public realm

Residential Standards Supplementary Planning Document (August 2006, Updated 2012)

5.12 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.

Planning Obligations Supplementary Planning Document (February 2015)

5.13 This document sets out guidance and standards relating to the provision of affordable housing within the Borough and provides detailed guidance on the likely type and quantum of financial obligations necessary to mitigate the impacts of different types of development.

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) Housing
- d) Highways and Traffic Issues

- e) Impact on Adjoining Properties
- f) Sustainability and Energy
- g) Ecology and Landscaping
- h) Other considerations
- i) Planning Obligations

Principle of Development

- 6.2 The site is currently in use as a haulage yard. It is not located within the town centre of a designated shopping frontage nor within any of the defined Strategic Industrial Locations, Local Employment Locations or Mixed Use Locations as defined by Core Strategy. The site is therefore classed as an “other employment location”.
- 6.3 The National Planning Policy Framework (NPPF), within paragraph 17, states that Planning ‘should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’. Policy 3.4 of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.
- 6.4 Core Strategy Policy 5 seeks to protect non-designated employment sites which are located outside of Town and Local Centres. The Policy states that other uses, including retail, community and residential will be supported if it can be demonstrated that site specific conditions including site accessibility, restrictions from adjacent land uses, building age, business viability, and viability of redevelopment show that the site should no longer be retained in employment use.
- 6.5 DM Policy 11 seeks to retain employment uses, where possible, on smaller sites in office, industrial and warehouse/storage use, and builders and scaffolding yards, in and around town centres, district and local hubs and also embedded in residential areas on backland sites, and sometimes on otherwise residential streets. These sites lie outside the formally designated employment sites.

Loss of Employment

- 6.6 With reference to DM Policy 11, the application site is considered to have elements of both being located within a “Town Centre, Local Hub and other clusters of commercial and/or retail uses” and “Sites in Residential Areas”.
- 6.7 The existing use on site is classified as being ‘Sui Generis’ use class. The use of the site as a haulage yard involves large vehicles / Heavy Goods Vehicles being stored on site with movements on/off the site to work elsewhere. It is also noted that there is a small element of administration work associated with the haulage use, which is carried out within the modular unit on site.
- 6.8 The access to the site is constrained on account of the narrow access from Hereford Place / Royal Naval Place and the residential nature of the surrounding area, albeit the site has been in use as a haulage yard. There is little development on the site with existing buildings existing as modular units and the remaining space used for storage.

- 6.9 The existing use onsite, whilst occupied, is not considered to make best use of the site's location or to be the most appropriate use of the land. The condition of the existing site and associated parking of vehicles on Hereford Place and Royal Naval Place appears unsightly, and it is considered that movements of large vehicles to and from the site through a residential area are undesirable. In addition to this the employment on site does not fall within the B Use Class, as outlined for retention by DM Policy 11.
- 6.10 Residential use is a priority in London and the borough and it is considered that an additional 26 (including 7 family units) units would make a valuable contribution towards meeting housing need, which is set by the London Plan as 1,385 unit per year for the borough or 13,847 as a minimum ten year target. The application site is located within the "Deptford, Deptford Creekside, New Cross/New Cross Gate " Regeneration and Growth Area which should accommodate up to 2,300 additional new homes by 2016 and a further additional 8,325 new homes by 2026.
- 6.11 Given the above, and by virtue of its high public transport accessibility, proximity to the Deptford and New Cross town centres and location within an area with a high proportion of residential use, it is considered that the site would be more appropriately used for residential. The application site is located within a sustainable urban location and would optimise the use of previously developed land.
- 6.12 To mitigate the loss of employment land, in accordance with DM11 the applicant would provide a financial contribution towards the loss of employment floorspace, which the Council will put towards employment and training programmes across the borough to promote the local economy and job creation. It has been determined that the site itself currently supports two full time jobs and one part time job meaning that the financial contribution made by the applicant will total £25,000 (2.5 jobs x £10,000 each), in accordance with the Planning Obligations SPD (2015).
- 6.13 Furthermore, the applicant would also make a financial contribution to support both capital and revenue costs of a range of services provided by the Local Labour and Business Scheme for residents and small and medium-sized businesses in the borough. This contribution would total £13,870.
- 6.14 Taking the above into account, and given the site's location outside the town centre and designated shopping frontages within a largely residential location, on balance it is considered that the principle of residential use on the site is acceptable. This is subject to achieving a high quality scheme in response to the other policies of the Development Plan, as discussed below.

Density

- 6.15 Core Strategy Policy 15 seeks to ensure a high quality of development in Lewisham, including residential schemes and that densities should be those set out in the London Plan. Policy 3.4 of the London Plan 2016 seeks to ensure that development proposals achieve the maximum intensity of use compatible with local context. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a sites setting (assessed in terms of its location, existing building form and massing) and public transport accessibility level (PTAL).

- 6.16 The site is located within a Regeneration and Growth Area, just outside Deptford and New Cross Centres and has a PTAL of 6a/4, indicating very good accessibility to public transport connections. The scheme proposes 26 dwellings on a 0.09 hectare site which equates to a density of 277 dwellings (851 habitable rooms) per hectare, just above the density range of 70-260 dwellings per hectare (200-700 hr/ha) for the 'Urban' setting density ranges set out in the London Plan. Whilst the proposed development is above the guideline density range, these are a guideline and must be considered in the local (existing and emerging) context. The density is considered by officers to be acceptable given the site's proximity to New Cross Station, public amenity spaces and major town centres of Deptford and New Cross.
- 6.17 Notwithstanding the density of the proposals, the scheme should provide a high quality and well designed standard of residential accommodation and good urban design. The quality of the residential accommodation is discussed further below.

Design

- 6.18 Paragraph 63 of the National Planning Policy Framework states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 64 states that 'permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions'.
- 6.19 Urban design is a key consideration in the planning process. Part 7 of the NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.20 London Plan Policies 7.1-7.7 (inclusive) and Core Strategy Policy 15 reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.

Layout

- 6.21 The proposed building would run as a linear block, north to south along the length of the site. The main portion of the proposed building would be 7 storeys tall with three 8th storey projections. Towards the north of the application site and the boundary with Amersham Grove, the massing would step down to a 4 storey block and eventually to a 1 storey unit adjacent to the rear garden boundaries of the terrace on Amersham Grove.
- 6.22 The proposed block would run parallel to the railway which is typical of development of this nature and reflects the layout of similar existing development along the railway corridor in this area of the borough; such as the new residential development along Arklow Road to the north of the site.
- 6.23 In response to the layout of the site, a deck / gallery access walkway has been selected as the most appropriate access solution to the proposed residential units. The access way will be situated on the railway side at the lower levels, affording

private balconies a view over the allotment areas as well as avoiding disturbance and overlooking of the private amenity space by passing trains. As the building rises, this will reverse, affording private balconies views over Fordham Park.

- 6.24 It is considered that the proposed layout of the development is an appropriate and successful response to the constrained nature of the site in terms of size, shape and location.

Height and massing

- 6.25 In terms of the impact upon the urban environment, Core Strategy Policy 15 states that for all development the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.26 The Regeneration and Growth Areas have the potential to deliver 14,975 additional new homes within the period of the Core Strategy. This accounts for approximately 82% of the borough's forecast housing growth. This will primarily be achieved through the development of higher density housing as part of a mixed-use scheme within the town centres of Lewisham and Catford and on land previously allocated solely for employment uses within Deptford and New Cross.
- 6.27 As stated above, the main portion of the proposed building would be 7 storeys tall with three 8th storey projections. Towards the north of the application site and the boundary with Amersham Grove, the massing would step down to a 4 storey block and eventually to a 1 storey unit adjacent to the rear garden boundaries of the terrace on Amersham Grove. A lift shaft / core which sits independent to the main 7 storey portion of the building assists in breaking up the massing further.
- 6.28 Whilst taller than immediately adjacent buildings, the scheme is not considered to represent a 'tall building' as defined by Core Strategy Policy 18 which states that 'tall buildings are defined as (i) *buildings that are significantly taller than the predominant height of buildings in the surrounding area* ii) *buildings which have a notable impact on the skyline of the borough* iii) *are more than 25m high adjacent to the River Thames or 30m high elsewhere in the borough*'.
- 6.29 Officers consider that the height proposed, and the stepped approach downwards towards the north of the site acknowledges the finer scale and lower height of the terraces to the north of the site. Whilst the main portion of the building will be taller than buildings immediately adjacent to the application site, the proposed mass and height will be focused towards the south of the site enabling greater separation from the lower terraces to the north. It is considered that this is an effective approach in enabling additional height over that of the existing adjacent adjacent terraces.
- 6.30 When considering the wider context, it is important to acknowledge mid-rise and taller buildings existing and emerging in the area. The most notable of such include Deptford Green School which sits at 5 storeys in height, Batavia Road development rising up to 11 storeys in height and the Arklow Road development to the north of the site, which is largely 7 storeys in height but also features tower of 22 storeys. Developments along the railway are typically linear in nature rising

to 7 storeys. At Deptford High Street, the Octavius Street building (Station House and Tinderbox House) rises up to 8 storeys adjacent to two storey terraces.

- 6.31 Given the above, it is apparent that there is an emerging mid rise scale of development in this area to the north of New Cross and west of Deptford town centres. The proposed development would sit comfortably in between such and would not appear incongruous against the scale of buildings in the wider context, but suitably accord with the emerging local skyline.
- 6.32 Overall, officers consider that the scale, massing and layout of the proposed building are successful in responding to the existing built context, particularly in mediating the immediate transition from the residential terrace to the north and bridging the mid-rise scale of development which exists to the north of New Cross and west of Deptford town centres, whilst also providing a marker element for New Cross Station.

Detailed design

- 6.33 In terms of materials, the elevations are formed of a mix of three different profiles of terracotta panelling, finished in a natural colour. To the north of the site, glazed and perforated aluminium panels will be used to clad the lift shaft, this treatment will also be apparent down the western elevation of the proposed lift shaft. The proposed windows and doors will be constructed from aluminium, coloured 'traffic grey' (RAL 7043). The balustrade and panels to the deck access will be finished in the same colour.
- 6.34 Officers consider the proposed terracotta panelling to be a high quality material which would add a textured finish to the elevations of the proposed building. The proposed colour is considered to be appropriate and would lend itself to a softer and less overbearing appearance over darker colours which were previously explored by the applicant. The visual quality embodied by the panelling is paramount to the success of the scheme visually, and the use of lower quality or cheaper products would result in a scheme which may not be considered acceptable with regard to design.
- 6.35 The contrast of the proposed aluminium and glazed panels against the terracotta panelling assists in breaking up the massing of the proposed structure and is supported. Considered as a whole, the proposed materiality and detailed design would give rise to a striking and impressive form of development, enhancing the character and appearance of the area.

Deliverability

- 6.36 The deliverability of a scheme is a consideration within the NPPF and the viability and deliverability of development should be considered in plan making. The NPPF states that to ensure viability, the cost of requirements should, when taking into account the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable.
- 6.37 The proposed development involves the use of high quality materials that are considered to be integral to the acceptability of the scheme, especially given the prominence of the building in relation to its location within this important regeneration area together with its close proximity to the station. The application

submission provides detailed drawings, CGIs and material samples that demonstrate the buildability of the development and the inherent quality of the design approach.

- 6.38 Officers requested that a Viability Assessment be incorporated in the application submission in order to demonstrate the viability and deliverability of the development in the context of the costly nature of the high quality materials proposed and likely return for a development of the proposed calibre in this location.
- 6.39 Based on the accepted Viability Assessment, which has been reviewed independently on behalf of the Council, the scheme as proposed is considered to be viable and deliverable.
- 6.40 As discussed, the proposed materials have been reviewed by officers, supported by the high level of detail submitted, and are considered to be of a high quality. It has also been outlined that the design quality of the proposal is inherent to the acceptability of the scheme and it has been proven by the Viability Assessment that a viable scheme can be delivered to the proposed standard of design. It is therefore proposed that the materials and architectural details are secured by condition.
- 6.41 It should also be noted at this stage, that given how integral the design quality is to the acceptability of the scheme, any future attempt to alter or reduce the quality of design or materials would not be acceptable as a minor material amendment. Instead, it would require the principles of the proposal to be reconsidered including a reappraisal of the viability.

Summary

- 6.42 The success of the design and therefore its acceptability will depend entirely on securing the high quality of the materials and detailing proposed to ensure that the simplicity of the proposal does not lead to a scheme that is bland and fails to respond to the surrounding context.
- 6.43 The detailed plans that have been submitted demonstrate that a quality design is achievable and are therefore considered to be sufficient to justify the scale and height of the proposal. Officers consider that the proposed development has maximised the potential of the site and the scale of building achievable in this location and, subject to the quality of the detailing and design being adequately secured through conditions, it is considered that the development would be a high quality addition to the area.

Housing

a) Size and Tenure of Residential Accommodation

- 6.44 Policy 3.12 of the London Plan (Negotiating Affordable Housing on individual private residential and mixed use schemes) states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential mixed use schemes, having regard to:
- a) current and future requirements of affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11.

- b) affordable housing targets adopted in line with Policy 3.11
- c) the need to encourage rather than restrain residential development
- d) the need to promote mixed and balanced communities
- e) the size and type of affordable housing needed in particular locations
- f) the specific circumstances of individual sites.

- 6.45 The Policy goes on to state that 'negotiations on sites should take account of individual circumstances including development viability'.
- 6.46 Core Strategy Policy 1 states that contributions to affordable housing will be sought on sites capable of providing 10 or more dwellings. Core Strategy Policy 1 confirms that the maximum level of affordable housing would be sought by the Council, with a strategic target of 50%, as a starting point for negotiations and subject to an assessment of viability. The policy seeks provision at 70% social rented and 30% intermediate housing (based on total unit numbers) and family housing (three+ bedrooms) in development of more than 10 units. Where existing areas have a high concentration of social rented housing, different proportions of affordable housing could be sought.
- 6.47 The Strategic Housing Market Assessment (SHMA) supports the Core Strategy and states that a net 6,777 dwellings should be provided over the current 5-year period to meet current identified need. This is equivalent to the provision of 1,345 dwellings per annum. Table 3A.1 of the London Plan sets out a target of 11,050 additional homes to be built in Lewisham in the 10 years from 2011 - 2021, which is reflected in a monitoring target of 1,105 additional homes per year.
- 6.48 The council's Annual Monitoring Report (AMR) for 2015-2016 states that Affordable housing represents 14% of the net dwellings that were completed during 2015-16, below the Core Strategy's target of 50%. Of the 18 wards within Lewisham, new affordable housing was completed in four wards. 72% were provided in the Regeneration and Growth Areas, in the wards of Lewisham Central (51%), Evelyn (11%) and New Cross (10%). The remaining 28% in Downham represents the extra care residential facility at Hazelhurst Court. The Council through its 'New Homes Better Places' programme, which will provides affordable housing across the borough in a mixture of dwelling types, this is partly funded through s106 off-site affordable housing contributions.
- 6.49 The proposed development would provide 26 residential units. No affordable housing has been proposed on-site. Due to site constraints and the scale of the overall development, with a single core, it would prove difficult to find a Registered Provider for a single or small number of units. Thus, the applicant has offered an off-site contribution in lieu of such, which would fund the Councils ongoing house-building 'New Homes Better Place' programme to provide affordable accommodation across the borough.
- 6.50 The London Plan Affordable Housing and Viability SPG states that all schemes which propose off-site affordable housing or cash in lieu payments are required to provide a detailed viability assessment as part of the justification that off-site or cash in lieu is acceptable, in-line with the London Plan and relevant local policies. Viability alone is insufficient justification for off-site affordable housing provision or a cash in lieu payment.

- 6.51 As no affordable housing has been proposed on-site and the application this fails to meet the percentage of affordable housing required by Core Strategy Policy 1, and a financial viability assessment has been submitted by the applicant. This has been the subject of independent review by specialist consultants instructed by the Council to assess the overall viability of the scheme and its ability, in financial terms, to meet policy relating to affordable housing provision. Further consideration of financial viability is discussed below. However, in summary, the financial appraisal demonstrates that the proposed development exceeds the maximum technically viable amount of affordable housing at this time.
- 6.52 Further to the above, it is also important to consider CIL (£158,270 local and £79,135 Mayoral) and S106 obligations (total of £315,733 – including affordable housing) secured. Such mitigation has an impact on the viability of the scheme.
- 6.53 The result of the independent review of the applicant's financial viability assessment is that the scheme shows a deficit based on policy compliant affordable housing provision. The report prepared by the Council's viability consultant, which is attached as Appendix A.
- 6.54 Whilst the report found that a policy compliant affordable housing provision would result in a deficit, the report concluded that the proposed development would generate a surplus of £99,000. It was agreed with the applicant that this payment would be made in the form of an off-site financial contribution towards affordable housing provision.
- 6.55 Following further discussions between Planning Officers and the applicant, it was agreed that this financial contribution would be increased to £200,000, meaning that the applicant has accepted a lower return from the scheme in order to provide a larger off-site contribution. It is considered by officers that given the site constraints, it would not be practical or feasible to provide affordable housing on-site and that an off-site payment is the most appropriate form of provision.
- 6.56 For the reasons set out above, the proposals have been shown to exceed the amount of affordable housing that can be supported by the scheme, based on financial viability assessment and additional financial contribution. It is therefore considered that this tenure mix is acceptable.
- 6.57 The proposed size mix includes 7 family sized units (3 bed) which equates to 27%. Although the overall number of family sized units is lower than the 42% sought by Core Strategy Policy 1, given the site's highly accessible location adjacent to a New Cross Rail Station and constrained nature of the site, it is considered that the provision is acceptable in relation to the Policy.

b) Wheelchair units

- 6.58 Core Strategy Policy 1 and London Plan Policy 3.8 state that all new housing should be built to Lifetime Homes standards and that 10% of the new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. As such, the application is required to provide 2-3 wheelchair units.
- 6.59 The proposed provision is 3no. units. The first of which will be located at ground floor level (unit G04) will be a 3B5P, and another two at first and second floor level (101 and 206) which would be 2B4P. The location and size of the wheelchair units

are identified in the Schedule of Accommodation and ground and first floor plans. The level of wheelchair unit provision is considered to accord with the requirements of Core Strategy 1.

- 6.60 A condition is recommended to secure the provision of the wheelchair units to Building Regulations Part M4(3)(2) and the remaining 90% of units to Building Regulations Part M4(2), equivalent to Lifetime Homes.

c) Standard of Residential Accommodation

- 6.61 Policy 3.5 ‘Quality and design of housing developments’ of the London Plan requires housing developments to be of the highest quality internally, externally and in relation to their context. This policy sets out the minimum floor space standards for new houses relative to the number of occupants and taking into account commonly required furniture and spaces needed for differing activities and circulation, in line with Lifetime Home Standards.
- 6.62 Core Strategy Policy 1, Development Local Plan Policy 32, London Plan Policy 3.5 and the London Plan Housing SPG seek to ensure that all new residential development meets minimum size standards.
- 6.63 Nationally prescribed space standards were released in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation and remains solely within the planning system as a new form of technical planning standard.
- 6.64 The national housing standards largely reflect the space standards of the London Plan. However, there are differences in the spacing of individual rooms as well as floor to ceiling heights. In the instance of conflict, the national housing standards take precedent. For reference, the London Plan recommends a floor to ceiling height of 2.5m and the national housing standards prescribe a floor to ceiling height of 2.3m.
- 6.65 All units would meet these standards with regard to minimum floor space and floor to ceiling heights (London Plan standard of 2.5m). Furthermore, all units will be dual aspect with several units providing triple aspect outlook.

Table [1]: Dwelling Sizes

Unit Size	National Technical Standard	Proposed minimum area
1 bed, 2 person	50 sqm	50 sqm
2 bed, 3 person	61 sqm	65 sqm
2 bed, 4 person	70 sqm	73 sqm
3 bed 5 person	93 sqm (2 storey)	100 sqm
3 bed 6 person	102 sqm (2 storey)	113 sqm

- 6.66 Standard 4.10.1 of the Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. The minimum depth for all external space is 1500mm. All units within this development would have private amenity space in the form of balconies and gardens (at ground floor) which meet and exceed the aforementioned standard. All units would also meet the minimum internal storage standards.

Highways and Traffic Issues

a) Access

- 6.67 The site is located in close proximity to New Cross and Deptford town centres, and close to train and overground services from Lewisham Station. It has a Public Transport Accessibility Level (PTAL) of 6a/4, where '1' is rated as Poor and '6' is rated as Excellent. The Council's Core Strategy Policy 15 'High quality design for London' encourages relatively dense development to be located in areas such as Lewisham where the PTAL is Good or Excellent. The site is considered to be highly accessible.

b) Servicing

- 6.68 Refuse stores are located internally at ground floor level. It is proposed that refuse will be collected via Hereford Place and that refuse vehicles would turn in the double height undercroft access. This is considered to be an acceptable arrangement given the scale of the development. This is proposed to be secured through a Delivery and Servicing Plan by condition.

c) Cycle Parking

- 6.69 Cycle parking is provided within an internal store at basement level, accessed via the lift at the communal entrance; this arrangement is considered acceptable. A total of 60 spaces is provided, which is in excess of the requirements of the London Plan. The storage at basement level is considered to be safe and secure.

d) Car Parking

- 6.70 No car parking is proposed on site. Given site constraints, it has not been possible to provide disabled parking within the existing site. This is considered acceptable in this instance as the provision of such could be included as part of a section 278 agreement to secure highway improvement works to Hereford Place/ Royal Naval Place, as well as the fact that New Cross station and local buses have step free access.
- 6.71 A car-free approach is supported in this location which benefits from a PTAL of 6a/4. However, there is concern that additional vehicles could add parking stress to surrounding streets, especially in the absence of a Controlled Parking Zone (CPZ). Therefore, in discussions with Highways officers, it is recommended that a financial contribution of £30,000 is made towards the implementation of a CPZ, which would exclude residents of the developments from being able to apply for a permit in the future. This is considered an appropriate towards mitigating the development.

- 6.72 Discussions with the Council's Highways Officer have also recommended works to Hereford Place and Royal Naval Place to improve the pedestrian environment immediately adjacent the site between the development and the allotments. The works would include but not be limited to surface treatments to the footway and road on Hereford Place.
- 6.73 In summary, the site is highly accessible, with a PTAL of 6a/4, and New Cross National Rail and overground stations several minutes walk away. A car-free development is considered acceptable on the basis of the site's public transport accessibility rating and mitigation measures proposed, including improvements to Hereford Place, high cycle parking provision and travel plan.

Impact on Adjoining Properties

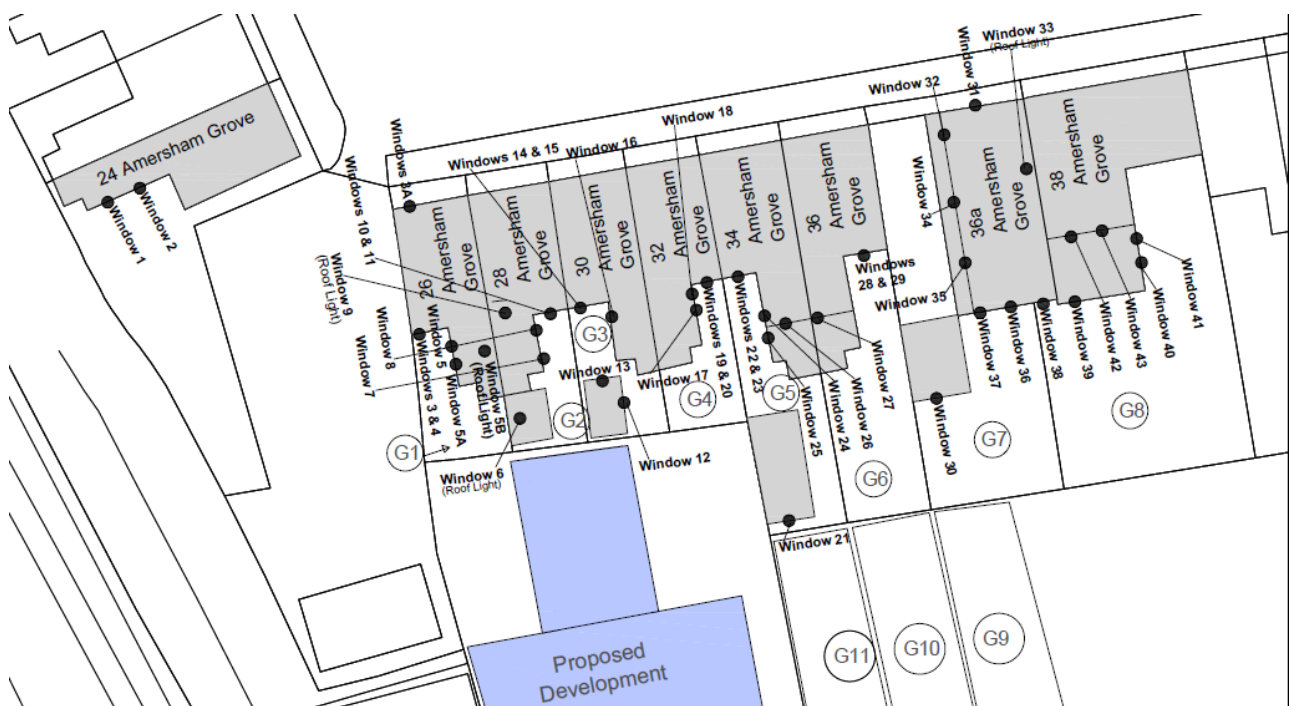
- 6.74 Development Management Policy 32 requires the siting and layout of all new-build housing to respond positively to the site specific constraints and opportunities, as well as being attractive, neighbourly, provide a satisfactory level of outlook and natural lighting for both future and existing residents and meet the functional needs of future residents. All new-build housing will be required to be sited to minimise disturbance from incompatible uses and be well located in relation to public transport with a high quality pedestrian environment.

Daylight / Sunlight / Overshadowing

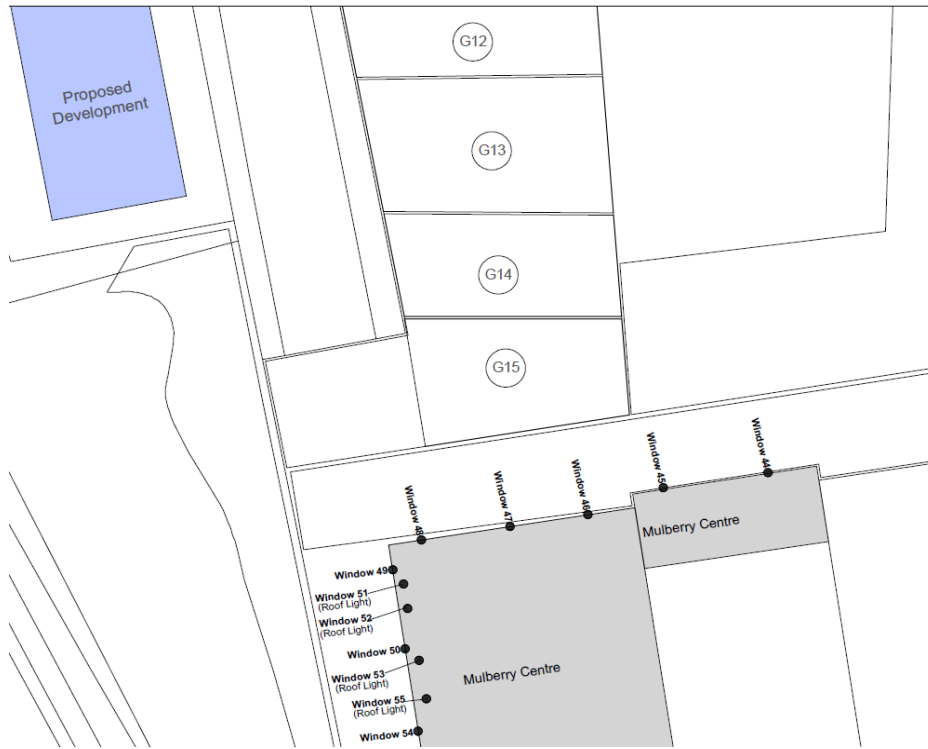
- 6.75 An assessment of daylight and sunlight has been carried out for the development in accordance with the Building Research Establishment's good practice guide "Site Layout planning for daylight and sunlight". This report assesses the daylight, sunlight and overshadowing impacts that the proposed development may have on the existing properties surrounding the site as well as within the proposed development itself.
- 6.76 It is important to note that the BRE guidance includes a degree of flexibility within its application and for instance, developments in urban areas are treated differently to suburban areas because expectations of daylight and sunlight into properties differ in such locations. Consequently, it is often necessary to aim for different 'target values' of daylight and sunlight into rooms according to the location of the development.
- 6.77 The assessment of daylight is based on the calculation of the vertical sky component (VSC) to an affected window in both the existing and proposed condition. The VSC, simply put, is the amount of light received at the centre of a window. There is a further assessment that assesses the distribution of daylight within a room. This is called the average daylight factor (ADF). Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced by the room area, the area of room surfaces, the reflectance of room surfaces and the transmittance of the glazing with the size of the obstruction being a smaller influence. A further measure of daylight distribution within a room is no sky line (NSL). This divides those areas that can see direct daylight from those which cannot and helps to indicate how good the distribution of daylight is in a room.
- 6.78 The extent, to which the effect of a proposal on surrounding properties is considered significant, is dependent on the use of the room to which the window relates. The significance of any impact of proposals on non-habitable or less well-used rooms such as bedrooms therefore varies. In this case, the relevant tests are

essentially whether less than 0.8 times the existing level of daylight and sunlight is retained within a room and whether more than half of any one garden space is overshadowed.

- 6.79 The existing site buildings are modest in scale and footprint. As a result it is considered that surrounding residential buildings enjoy a level of daylight and sunlight across the site in excess of what is found in a typical urban location such as this. For this reason, it is expected that there would be impact upon daylight and sunlight.
- 6.80 The relevant properties tested are residential buildings with windows that face onto the site. These includes: no's 24-38 Amersham Grove, the Mulberry Centre and the allotments to the east of the site. The windows and gardens tested are indicated below:



Top: Amersham Grove residential windows tested



Top: Mulberry Centre windows tested

6.81 The results of the assessment are summarised below:

Daylight to windows

6.82 All habitable room windows pass the Vertical Sky Component test. The proposed development therefore satisfies the BRE daylight recommendations.

Sunlight to windows

6.83 All windows pass both the total annual sunlight hours test and the winter sunlight hours test with the exception of window 6 at 28 Amersham Grove.

6.84 This “window” at number 28 Amersham Grove is in actuality a roof light which serves an extension. It is unlikely that this rooflight serves a main habitable room or living room, and would be a secondary light source, and thus would not be required to be tested under BRE guidelines. The proposed development therefore satisfies the BRE direct sunlight to windows recommendations.

Overshadowing to gardens and allotments

6.85 All gardens and amenity areas meet the BRE recommendations with the exception of gardens 1 to 4 at 26 to 30 Amersham Grove. This includes the allotment areas, labelled as gardens 9 to 15, which incur no loss in sunlight availability as a result of the proposed development.

6.86 Whilst there are additional allotment areas further to the east of the site, these have not been assessed, since the closest allotment areas meet the BRE recommendations and those further away will only achieve better levels of sunlight availability.

6.87 With regard to gardens 1 to 4, these achieve lower before/after ratios, because the sunlight availability to the gardens is already low and therefore even a small reduction in absolute terms results in a lower than normal before/after ratio. The results for these gardens are outlined below:

Reference	Total Area	Area receiving at least two hours of sunlight on 21st March						Ratio
		Before		After		Loss		
<u>26 Amersham Grove</u>								
Garden 1	23.4 m ²	7.85 m ²	34%	4.78 m ²	20%	3.07 m ²	14%	0.59
<u>28 Amersham Grove</u>								
Garden 2	11.98 m ²	1.33 m ²	11%	0.0 m ²	0%	1.33 m ²	11%	0.0
<u>30 Amersham Grove</u>								
Garden 3	7.54 m ²	3.01 m ²	40%	0.82 m ²	11%	2.19 m ²	29%	0.28
<u>32 Amersham Grove</u>								
Garden 4	18.02 m ²	7.3 m ²	41%	2.8 m ²	16%	4.51 m ²	25%	0.39

6.88 Whilst the ratio of light lost to these gardens seems high, it is important to note the very low levels of light which are currently being received. For example, the worst loss experienced is at Garden 2 at 28 Amersham Grove which loses 100% of the total amount of area currently receiving light for 2 hours on the 21st March. However, the existing area receiving light for 2 hours on this date is only 1.33 square metres. Considered in this context, the amount of light actually lost is in actuality very low and considered in this instance to not adversely impact upon quality of life and amenity.

6.89 Whilst it is acknowledged that there will be some overshadowing to gardens serving properties at Amersham Grove, notably numbers, 26-32; since the levels of overshadowing are relatively small in absolute area terms to isolated gardens, it is considered that the proposed development will not have an unreasonable impact on the occupants of these properties.

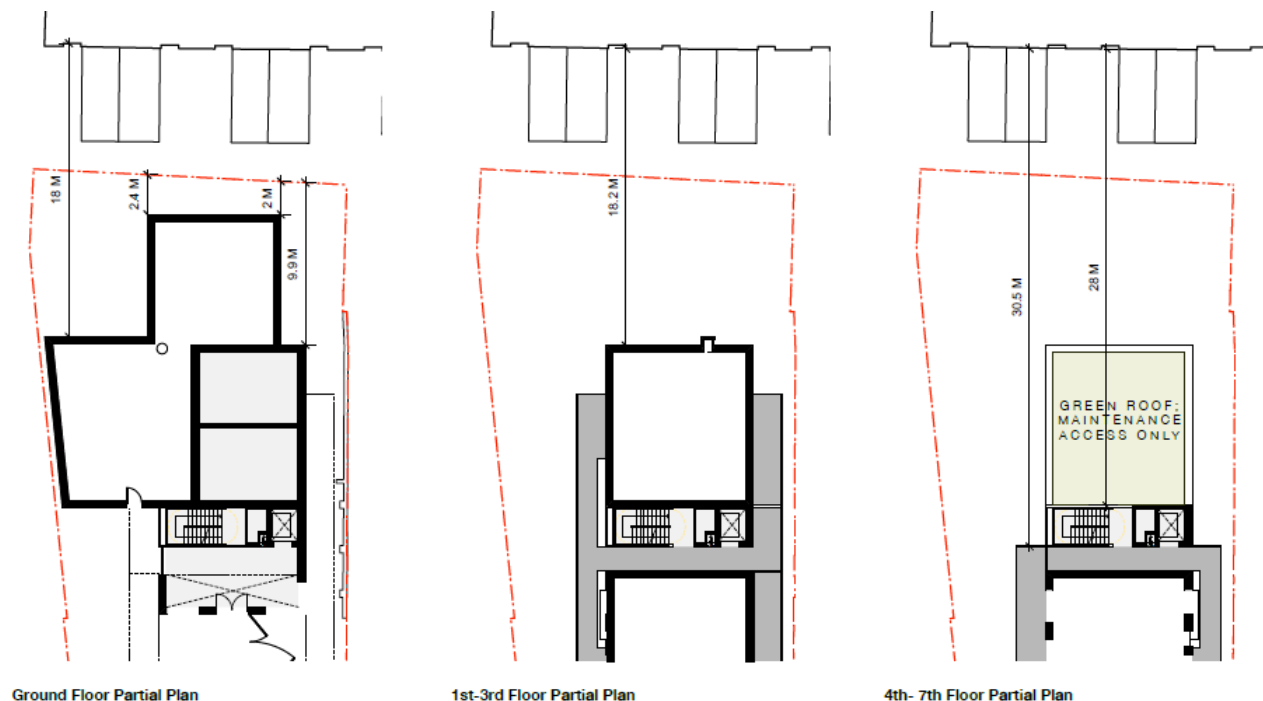
6.90 In light of the above, on balance, Officers have concluded that the impact of the proposals on adjoining properties in terms of daylight, sunlight and overshadowing would be acceptable.

Outlook

6.91 With regard to outlook, an important consideration is the impact of the development from neighbouring properties and whether the development would have an overbearing impact by virtue of its scale and mass. Whilst it is evident that the view of the site from surrounding sites would change, it is not considered that there would be an adverse impact in this respect.

6.92 The Council does not have guidance in respect of separation distances for flank to flank relationships, instead reference is made to the requirement of Policy DM 32 for new development to be neighbourly and provide adequate outlook.

- 6.93 The impact in terms of outlook from the Mulberry Centre is considered negligible given the separation distance and the location of the proposed development in relation to the Mulberry Centre.
- 6.94 The closest dwellings to the proposed development and therefore the most likely to be impacted by loss of outlook are numbers 24-38 Amersham Grove.
- 6.95 The largest 7 storey portion of the proposed building is concentrated towards the south of the site, away from the terrace located along Amersham Grove. The proposed development responds to the location of these dwellings by stepping down in height towards the north of the site to 4 storeys, and then to a single storey adjacent the rear gardens serving these properties on Amersham Grove. The separation distances of the proposed development to these dwellings is indicated in the diagram below:



- 6.96 This diagram indicates that the 4 storey element will be located 18m away from the rear elevation of these properties with the 7/8 storey element being located 30.5m from such. Given this separation distance, and the relatively slender nature of the proposed building, being only 8m in width, it is considered that the proposed development would not result in an unreasonable loss of outlook to the occupants of these dwellings, as an open aspect would remain either side of the building.
- 6.97 It is considered that the design of the proposed building, through its siting, width and the distribution of massing achieves a comfortable relationship with the neighbouring dwellings, whilst also making efficient use of the site.

Privacy

- 6.98 The Council's Residential Development Standards SPD (updated 2012) states that developers will be expected to demonstrate how the form and layout of their proposals will provide residents with a quality living environment, and how privacy

will be provided both for the neighbours and the occupiers of the proposed development.

- 6.99 It states that a minimum separation distance of 21 metres should be maintained between directly facing habitable room windows on main rear elevations, unless mitigated through design. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development. A greater separation distance will be required where taller buildings are involved.
- 6.100 The acceptable distance between front elevations should normally be determined by the character of road widths in the area. The use of mews, courtyard, and other similar forms of development may entail relatively small front to front distances.
- 6.101 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.
- 6.102 The separation distances between the proposed building and adjacent properties shown in the diagram above.
- 6.103 No windows would directly face northwards towards the dwellinghouses along Amersham Grove. There would be oriel windows apparent on this elevation; however, these would only present restricted views to the east and the west, towards the railway and highway.
- 6.104 Of concern is the potential for overlooking from balconies and galley access towards the north of the site on both the east and west elevations of the proposed building, adjacent to the residential dwellings on Amersham Grove. The balconies proposed here at first, second, third and fourth storeys could give rise to overlooking to gardens and habitable room space of the dwellings on Amersham Grove and consequent loss of privacy. In order to address this, it is recommended that a condition is added requiring screening to the northern elevation of these balconies.
- 6.105 In terms of privacy, therefore, it is accepted in urban environments that there would be an element of mutual overlooking as is common in high density schemes. However, with the imposition of the condition identified above, it is considered that the proposals would not give rise to a significant adverse impact upon neighbouring occupiers in this regard.
- 6.106 Officers recommend that if this application is approved conditions are imposed to remove certain permitted development rights in respect of the site. Paragraph 017 of that part of the Planning Practice Guidance that is concerned with the use of planning conditions states that “conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances”. Officers in this case consider that exceptional circumstances exist to justify the limited removal of the permitted development rights set out in proposed conditions 22, 23, 24 and 25 because of the arrangement of the proposed building and relationship to existing neighbouring properties and the need to manage amenity considerations.

Sustainability and Energy

- 6.107 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.
- 6.108 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
1. Be lean: use less energy
 2. Be clean: supply energy efficiently
 3. Be green: use renewable energy
- 6.109 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policy 8 requires all new residential development to meet a minimum of Code for Sustainable Home Level 4.
- 6.110 From 1st October 2016, the London Plan requires new major development to provide 'zero carbon' housing. The London Plan Housing SPG defines zero carbon homes as "homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on-site (in line with policy 2.5B). The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere.
- 6.111 The applicant's energy statement shows that through a combination of insulation, low energy lighting, insulation to pipework, high efficiency boilers and efficient ventilation, energy efficiency measures of 22% will be achieved.
- 6.112 With regard to renewable energy, the applicant's energy statement states that ground source heat pumps, air source heat pumps, wind turbines and biomass heating have been discounted due to the difficulties in integrating this technology within a scheme of this size.
- 6.113 The energy assessment confirms that 36 solar photovoltaic panels are to be used at roof level. Taken together, the energy efficiency measures and renewable technologies will achieve a total carbon reduction of 35%.
- 6.114 In accordance with the London Plan, the remaining regulated carbon dioxide emissions, to 100 per cent, would be off-set through a cash in lieu contribution of £38,953.

Living Roofs and Ecology

- 6.115 London Plan Policy 5.11 confirms that development proposals should include 'green' roofs. Core Strategy Policy 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which compromise deeper substrates and a more

diverse range of planting than plug-planted sedum roofs, providing greater opportunity bio-diversity.

- 6.116 In this instance, the scheme proposes three living roofs over the 1 storey element, 4 storey element and each of the three 8 storey elements. A section has been provided which shows that, in terms of substrate depth and planting methodology, the specification meets the Council's requirements. A condition would be required to enable species composition to be agreed.
- 6.117 A Preliminary Ecological Report has been submitted with the application. The report includes the following mitigation measures and proposed site enhancements.
- 6.118 The mitigation actions proposed are as follows:
- Dust and pollutant spillage controls
 - Endoscope survey of cracks and crevices within boundary walls to determine the presence/likely-absence of any roosting bats if direct impacts upon these features are proposed;
 - Seasonal vegetation clearance of overhanging scrub, if proposed, to be undertaken outside of nesting bird season or following confirmation of nesting bird absence by a suitably qualified ecologist; and
 - Provision of an improved lighting regime at the site
- 6.119 The proposed site enhancements proposed are as follows:
- Wildlife friendly planting;
 - Integrated bat boxes and bird nest boxes targeting notable species including house sparrow and swift; and
 - Solitary bee houses.
- 6.120 The Council's Ecological Regeneration Manager has no objection to the proposed development subject to compliance with the mitigation and enhancement measures outlined in the Preliminary Ecological Appraisal. This is considered acceptable and it is recommended that these details are reserved by condition.
- 6.121 Taking into account the existing site condition, and lack of natural habitat it is considered that the proposals, through provision of a good quality living roofs and bird and bat boxes, achieves an enhancement of biodiversity habitat on site. The living roofs proposed in this instance would assist in attenuating and reducing the amount of run-off actually leaving the site. Overall, the proposal is considered to be acceptable when judged against sustainability policies and other site considerations.

Other Considerations

Construction

- 6.122 Concern has been raised about disruption to local residents arising from construction works. A condition requiring a Construction Management Plan, in line

with the Council's Code of Construction Practice, will enable to Council to limit working hours to reasonable times and require appropriate dust mitigation measures in order to address these concerns, although it is inevitable that some disruption would occur during the demolition and construction phase. Nonetheless, this is not a material planning consideration and the application could not be refused on this basis.

- 6.123 Further to the above, the applicant will make a financial contribution to the Allotment Association of £8,000 to mitigate against the impacts of the proposed development, particularly during construction, to include items such as, but not limited to water and plumbing. This is considered necessary given the community benefits of the allotment to the locality.

Flood Risk

- 6.124 The application is supported by a Flood Risk Assessment, which identifies through a site specific flood risk assessment that the site is located within Flood Zone 2.
- 6.125 Technical Guidance to the National Planning Policy Framework Table 3, "Flood Risk Vulnerability and Flood Zone Compatibility", confirms that 'more vulnerable' developments situated in Zones 1 and 2 are appropriate and an exception test is not required.
- 6.126 The Environment Agency were consulted on this application and confirmed no objection as follows:
- 6.127 "We consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application."
- 6.128 The conditions recommended by the Environment Agency relate to ground water, land contamination and piling. These conditions are endorsed by planning officers and will be recommended should the application be otherwise acceptable.

Employment and Training

- 6.129 As London's economy grows the number of jobs and careers available to Lewisham's citizens will increase. Many of these jobs will require specific skills. Lewisham's citizens should feel equipped to compete for the best jobs and fulfil their aspirations.
- 6.130 The Lewisham Local Labour and Business Scheme is a local initiative that helps local businesses and residents to access the opportunities generated by regeneration and development activity in Lewisham.
- 6.131 This particular policy objective provides the basis of the Government's commitment to reducing the environmental impact of new developments.
- 6.132 The use of local labour can also limit the environmental impact of new development due to people commuting shorter distances to travel to work.

- 6.133 The approach set out in the Council's Planning Obligations SPD is to split the contributions required equally between residential and commercial development. The contribution sought reflects the current training and operation costs of running the programme to the end date of this document (2025).
- 6.134 A threshold for residential developments of 10 dwellings or more, including mixed-use schemes and live-work units, is set. Applied to the application scheme, this gives a contribution of £13,780.

Loss of Employment Floorspace

- 6.135 The Planning Obligations SPD states that the Council will resist the loss of employment floorspace in accordance with the policy framework in place. However, in exceptional circumstances and at the Council's discretion, the Council may take the view that the loss of employment floorspace is acceptable. Where this is the case, the Council will seek a financial contribution.
- 6.136 The cost of a job has been calculated as the equivalent of the cost of supporting a trainee for one year, in order to provide an opportunity to secure long term employment, which is £10,000.
- 6.137 In this instance, discussions with the applicant indicate that there would be a loss of 2.5 jobs as a result of the proposed development, and thus a contribution of £25,500 would be required.

Planning Obligations

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

- 6.138 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 6.139 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development.
- 6.140 The following obligations are proposed to be secured by S106 agreement:

Housing

- An off-site payment towards in lieu of affordable housing provision of £200,000 payable upon commencement

Transport

- £30,000 towards the implementation of a CPZ payable upon commencement
- Enter into a S278 agreement to secure the following:
 - Enhanced lighting and associated improvements to the public realm
 - New surfacing (footway and carriageway) on Hereford Place and Royal Naval Place
 - Provision of disabled parking bays on Royal Naval Place

Employment & Training

- Local labour and business contribution of £13,780
- Loss of employment floorspace contribution of £25,000

Carbon Offset Payment

- Financial contribution of £38,953

Allotments

- Financial contribution of £8,000 towards the Royal Naval Place Allotment Association to mitigate against the impacts of the proposed development, particularly during construction, to include items such as, but not limited to water, plumbing

Monitoring and Costs

- Meeting the Council's reasonable costs in preparing and monitoring the legal obligations
- The monitoring costs in this instance would equate to £3,000 as per the Planning Obligations SPD.

6.141 Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

7.0 Local Finance Considerations

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
 - (b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Viability

- 7.4 The Applicant has submitted a confidential financial appraisal for the scheme that has enabled the Council, advised by specialist consultants, to assess the overall viability of the scheme and its ability, in financial terms, to meet policy in terms of affordable housing provision. As discussed above, the offer of £200,000 off-site payment is considered acceptable.
- 7.5 The financial viability assessment has been independently tested in terms of its methodology for assessment. The content has been found to be robust in terms of development opportunity, and viable against a number of land and profit benchmarks. The scheme assumptions and build costs have been tested and consideration has been given to sensitivity tests, s106 and CIL requirements in seeking to ascertain whether the development is viable and what level of affordable housing can be provided.
- 7.6 The financial appraisal demonstrates that, when taken with other policy requirements and the regeneration benefits of the scheme, the proposed development provides the maximum viable amount of affordable housing at the current time. There are also a range of transport and public realm improvements that would be undertaken to enhance the public realm around the site, namely the surfacing upgrades which the applicant has committed to providing. These parts of the scheme require substantial investment and offer significant benefits the area.
- 7.7 An independent Quantity Surveyor has confirmed that the stated build costs are appropriate for the quality of scheme shown in the planning application.
- 7.8 The scheme is considered to be viable in its current form. Given the size of the scheme (26 units), which would be delivered in a single construction phase, it is not considered appropriate to use a 'review mechanism' within a S106. National Planning Practice Guidance on Viability states that *'Viability assessment in decision-taking should be based on current costs and values. Planning applications should be considered in today's circumstances. However, where a scheme required phased delivery over the medium and longer term, changes in the value of development and costs of delivery may be considered. Forecasts based on relevant market data, should be agreed between the applicant and local planning authority wherever possible'*.
- 7.9 Core Strategy Policy 1 sets a strategic target of 50% affordable housing from all sources and that this is the starting point for negotiations. The policy also notes that the level of affordable housing on sites will be subject to a financial viability assessment and the Council's SPD on planning obligations provides further guidance. Accordingly, the application scheme has been tested in respect of the level of affordable housing that can be provided, through financial viability review. The proposed level of affordable housing is considered to be the maximum that can be required and is therefore acceptable in relation to Core Strategy 1.

- 7.10 The scheme in its current form has been reduced considerably in terms of height and massing from the iteration originally proposed at pre-application stage. The original proposal was for a tower reaching up to 14 storeys in height and 41 residential units in total. Officers appreciate that this reduction in accommodation has hampered upon the ability to provide on-site affordable housing. However, officers do not consider that a larger building than what is proposed would sit comfortably on this site for the reasons identified within this report.
- 7.11 The development proposed in this application is only considered acceptable at this scale given the high quality design and materials, which have been proposed by the applicant. It is acknowledged that a larger off-site affordable housing element could be made, or affordable housing potentially provided on-site if the quality of materials were diminished however, this would result in a scheme, which would be unacceptable with regard to design. It is therefore considered that on balance, the proposed affordable housing contribution is acceptable. It is recommended however, that in accordance with the Affordable Housing and Viability SPG (2017) that an early review mechanism is secured by s106 agreement for a viability review within 18 months of the permission (if the scheme is not implemented) and one late stage review upon the 20th unit to be sold or let. Any identified surplus within a review mechanism that would be independently assessed for the Council would result in a further financial payment to be made to support the Council's ongoing house building programme.

8.0 Community Infrastructure Levy

- 8.1 The proposed development is CIL liable.

9.0 Equalities Considerations

- 9.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 9.4 Equality issues have been duly considered as part of the assessment of this application. It is not considered that the application would have any direct or indirect impact on the protected characteristics.

10.0 Conclusion

- 10.1 This report has considered the proposals in the light of adopted development plan policies and other material considerations including information or representations relevant to the environmental effects of the proposals.
- 10.2 It is considered that the scale of the development is acceptable, that the building has been designed to respond to the context, constraints and potential of the site and that the development will provide a high standard of accommodation.
- 10.3 The NPPF is underpinned by a presumption in favour of sustainable development. Officers consider that with the recommended mitigation, planning conditions and obligations in place the scheme accords with local and national policies.
- 10.4 The proposals are considered to accord with the development plan. Officers have also had regard to other material considerations, including guidance set out in adopted supplementary planning documents and in other policy and guidance documents and the responses from consultees, which lead to the conclusions that have been reached in this case. Such material considerations are not considered to outweigh a determination in accordance with the development plan and the application is accordingly recommended for approval.

11.0 RECOMMENDATION (A)

To agree the proposals and authorise the Head of Law to negotiate and complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters:-

Housing

- An off-site payment towards in lieu of affordable housing provision of £200,000 payable upon commencement
- A viability review mechanism to be triggered if no development commences within 18 months from the date of the permission.
- A viability review mechanism to be triggered upon the 20th unit to be sold or let.

Transport

- Restriction on residents permits and notification of restriction to future occupiers
- £30,000 towards the implementation of a CPZ payable upon commencement
- Enter into a S278 agreement to secure the following:
 - Enhanced lighting and associated improvements to the public realm
 - New surfacing (footway and carriageway) on Hereford Place and Royal Naval Place
 - Provision of disabled parking bays on Royal Naval Place

Employment & Training

- Local labour and business contribution of £13,780
- Loss of employment floorspace contribution of £25,000

Carbon Offset Payment

- Financial contribution of £38,953

Allotments

- Financial contribution of £8,000 towards the Royal Naval Place Allotment Association to mitigate against the impacts of the proposed development, particularly during construction, to include items such as, but not limited to water, plumbing

Monitoring and Costs

- Meeting the Council's reasonable costs in preparing and monitoring the legal obligations
- The monitoring costs in this instance would equate to £3,000 as per the Planning Obligations SPD.

RECOMMENDATION (B)

Upon the completion of a satisfactory Section 106 in relation to the matters set out above, authorise the Head of Planning to Grant Planning 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:

HPL-P001-S2-P0; HPL-P002-S2-P0; HPL-P020-S2-P0; HPL-P030-S2-P0;
HPL-P031-S2-P0; HPL-P099-S2-P0; HPL-P100-S2-P0; HPL-P101-S2-P0;
HPL-P102-S2-P0; HPL-P103-S2-P0; HPL-P104-S2-P0; HPL-P105-S2-P0;
HPL-P106-S2-P0; HPL-P107-S2-P0; HPL-P108-S2-P0; HPL-P200-S2-P0;
HPL-P201-S2-P0; HPL-P202-S2-P0; HPL-P203-S2-P0; HPL-P300-S2-P0;
HPL-P301-S2-P0; HPL-P302-S2-P0; HPL-P303-S2-P0; HPL-P500-S2-P0;
HPL-P501-S2-P0; HPL-P510-S2-P0; HPL-P520-S2-P0; HPL-P521-S2-P0;
HPL-P522-S2-P0; HPL-P523-S2-P0; HPL-P530-S2-P0; HPL-SA-P600-S2-P0;
HPL-SA-P610-S2-P0; HPL-P010-S2-P0 received 26th April 2017

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

3. No development 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.

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

- 4. (a) No development (including demolition of existing buildings and structures, except where prior agreement with the Council for site investigation enabling works has been received) 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 (including subsequent correspondences as being necessary or desirable for the remediation of the site) to and approved in writing by the Council.
- (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).

5. (a) The buildings hereby approved shall be constructed in accordance with the approved Energy Assessment (Price and Myers, 7th April 2017) in order to achieve the following requirements:
- a minimum of 35% improvement in the Target Emission Rate (TER) over the 2013 Building Regulations Part L1A minimum requirement to accord with current (April 2015) GLA requirements for carbon reduction; and
 - provide a whole house assessment of the efficiency of internal water fittings of a maximum of 105L per person per day

(b) Within 3 months of occupation of any of the residential units hereby approved, evidence (prepared by a suitably qualified assessor) shall be submitted to the Local Planning Authority and approved in writing to demonstrate full compliance with part (a) for each unit.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

7. (a) No development (other than demolition of above ground structures) shall commence on site until a scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.

- (b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2011) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

8. (a) No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority.
- (b) Details of the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) any such operations must be submitted to and approved in writing by the local planning authority in consultation with Thames Water prior to commencement of development (excluding above ground demolition) on site and shall be accompanied by details of the relevant penetrative methods.
- (c) Any such work shall be carried out only in accordance with the details approved under part (b).

Reason: To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network and Development Management Local Plan (November 2014) DM Policy 28 Contaminated land.

9. Prior to any above ground works a detailed schedule and sample panel of all external materials, including surface treatments, and finishes/windows and external doors/roof coverings to be used on the buildings have been submitted to and approved in writing by the local planning authority. The external cladding samples shall be provided on site at a minimum 1m x 1m panel. The development shall be carried out in accordance with the approved details.

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

10. The refuse storage and recycling facilities shown on drawing HPL-P100-S2-P0 hereby approved, 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 Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Core Strategy Policy 13

Addressing Lewisham waste management requirements (2011).

11. (a) A minimum of 60 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) No development shall commence above ground level on site until the full details 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).

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

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

14. Details of the specification of bird and bat boxes to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

15. (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. HPL-P101-S2-P0, HPL-P104-S2-P0 and HPL-P108-S2-P0 hereby approved and maintained thereafter. Prior to

commencement of the above ground works, a planting specification shall have been submitted to and approved in writing by the local planning authority.

- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015) , Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

- 17. (a) The development shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.
- (b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.
- (c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

- 18. (a) Notwithstanding the details approved, no part of the development hereby approved shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.
- (b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.
- (c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

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

19. Prior to the occupation of the building hereby approved, details of screening to the balconies on the north elevation to prevent overlooking of residential properties on Amersham Grove shall be submitted to and approved in writing by the local planning authority. The screening as approved shall be retained in perpetuity.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

21. (a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified below:

(i) Units G04, 101, 206 shall meet standard M4(3)(2)

(ii) All other units shall meet standard M4(2)

(b) No development shall commence above ground level until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a) of this condition.

(c) The development shall be carried out in accordance with the requirements of part (b) of this condition.

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

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

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

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

building.

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

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

Reason: To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties in accordance with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

25. The whole of the amenity space (including roof terraces and balconies) as shown on the approved plans hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

Reason: In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards of the Development Management Local Plan (November 2014).

26. 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 building hereby approved shall be as set out in the application and no development or the formation of any door providing access to additional areas of 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).

27. Development shall not begin until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent pollution of groundwater in the underlying aquifers associated with a Source Protection Zone for a public water supply.

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. 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>
- 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. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater. Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system.
- E. With respect to any proposals for piling through made ground, you are referred to the EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" (NGWCL Centre Project NC/99/73). We suggest that approval of piling methodology is further discussed with the EA when the guidance has been utilised to design appropriate piling regimes at the site.
- F. *Future maintenance*

The development must ensure that any future maintenance can be conducted solely on the applicant's land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space, and

therefore all/any building should be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. The reason for the 2m (3m for overhead lines and third rail) stand off requirement is to allow for construction and future maintenance of a building and without requirement for access to the operational railway environment which may not necessarily be granted or if granted subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from the Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land. No structure/building should be built hard-against Network Rail's boundary as in this case there is an even higher probability of access to Network Rail land being required to undertake any construction/maintenance works. Equally any structure/building erected hard against the boundary with Network Rail will impact adversely upon our maintenance teams' ability to maintain our boundary fencing and boundary treatments.

Drainage

No Storm/surface water or effluent should be discharged from the site or operations on the site into Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 –20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Plant & Materials

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway

boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary

these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway, it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Permitted: Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

Vehicle Incursion

Where a proposal calls for hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing. As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts Asset Protection Kent AssetProtectionKent@networkrail.co.uk prior to any works commencing on site. Network Rail strongly recommends the developer agrees an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx.

- G. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via

www.thameswater.co.uk/wastewaterquality.”

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.