

Committee	PLANNING COMMITTEE B	
Report Title	81 Canonbie Road, London, SE23.	
Ward	Forest Hill	
Contributors	Shikha Dasani	
Q18	PART 1	21 December 2017

<u>Reg. Nos.</u>	DC/17/103509
<u>Application dated</u>	07/09/2017
<u>Applicant</u>	WEA (Agent) on behalf of Mrs Sarah Dyce (Applicant)
<u>Proposal</u>	Demolition of the existing dwelling for the construction of a two storey dwelling including a roof terrace, together with a single storey side extension, construction of a garage (with an internal mezzanine floor level) to front and associated external alterations at 81 Canonbie Road, SE23.
<u>Applicant's Plan Nos.</u>	1006-07_EX_002; 1408-04_PL_001; 1408-04_PL_003; 1408-04_PL_004; 1408-04_PL_005; 1408-04_PL_006; 1408-04_PL_007; 1408-04_PL_008; 1408-04_PL_101 Rev G; 1408-04_PL_102 Rev F; 1408-04_PL_103 Rev F; 1408-04_PL_104 Rev E; 1408-04_PL_105 Rev F; 1408-04_PL_106 Rev F; 1408-04_PL_107 Rev G; 1408-04_PL_108 Rev E; 1408-04_PL_109 Rev D; Design and Access Statement; Planning Statement (Received on 8 th September 2017); 1708-04_PL_000 Rev A (Received on 20 th November 2017); 1408-04_PL100_Rev A (Received on 22 nd November 2017); Email from agent dated 22 nd November 2017.
<u>Background Papers</u>	(1) Case File LE/50/81/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	None
<u>Screening</u>	N/A

1.0 Property/Site Description

1.1 The subject site contains a single storey detached bungalow situated on the north-eastern side of Canonbie Road, SE23. The property sits amongst two storey

dwellinghouses, which form part of a varied streetscape including changes in land levels between each property.

- 1.2 There is a considerable variety of property styles along Canonbie Road, including pairs of inter-war semis, detached houses and bungalows.
- 1.3 Immediately to the south-east of the application site is an access driveway (named Manor Way) which leads into the flatted development on the site of 'The Manor'. The road gradient declines going from west to east of the site and from south to north across the site the gradient declines. The adjoining property to the south east, 83 Canonbie Road, is sited on higher ground and is separated from the application property by Manor Way. The adjoining property to the north west is 79 Canonbie Road, which is sited on lower ground.
- 1.4 The proposed site has a site area of approximately 600 m² with the dwellinghouse being proposed of approximately 264 m² gross floor area.
- 1.5 The area is not a Conservation Area and the property is not listed, nor is it within the setting of any listed buildings. There is no Article 4 Direction on the site.
- 1.6 The PTAL for the site is 1b, which indicates a low level of transport accessibility (0 being the worst, and 6b being the best).

2.0 Planning History

- 2.1 There has been some relevant planning history already on this site, where planning permission for a first floor extension to the existing bungalow has been granted and subsequently a minor material amendment in connection with this planning permission was also approved. Below is a list of the site's history in date order.
- 2.2 DC/11/78561 - The construction of an additional storey at the first floor level including a roof terrace, together with the construction of a new garage in the front garden of 81 Canonbie Road SE23. Granted on 23 January 2012. (This permission has had work commenced with a letter to the applicant from the Council confirming this.)
- 2.3 DC/13/082430 - Certificate of Lawful Development (Proposed) in respect of the construction of a single storey timber building in the rear garden of 81 Canonbie Road SE23, to provide a garden office. Granted on 25 March 2013 and has been implemented.
- 2.4 DC/15/093340 - An application submitted under S73 of the Town and Country Planning Act 1990 for a minor material amendment to vary standard Condition (2) in connection with the planning permission (DC/11/78561) dated 23 January 2012 for the construction of an additional storey at the first floor level including a roof terrace, together with the construction of a new garage in the front garden of 81 Canonbie Road SE23, in order to allow the following changes:-
 1. An extension between the garage and house;
 2. The ground floor infill extension of the south-east corner;
 3. Alterations to the south-eastern elevation at first floor level;
 4. The relocation of the front entrance;
 5. New door to the north-east elevation and alterations to the approved north-east elevation doors at ground floor level;

6. New windows in the south-west elevation, the side of the south-west elevation and the south-east elevation of the garage, together with an alteration to the opening style of the approved window in the south-west elevation, at ground floor level;
7. Retention of the existing ground floor window in the north-west elevation;
8. Reduction in obscure glazing to the south-east side elevation;
9. Alterations to the glazing panel on the south-west elevation at first floor level;
10. New rooflight in the single storey section and roof window to the side roofslope of the garage;
11. Addition of an external staircase to the roof terrace to the rear; and,
12. Alterations to the front landscaping to allow vehicle maneuvering.

This was granted on 05 November 2015.

3.0 Current Planning Application

3.1 The Proposal

- 3.2 The application seeks approval for the demolition of the existing single storey bungalow and for the construction of a replacement, two-storey detached dwelling, together with first floor terrace and associated enclosed bin storage. A separate garage with an internal mezzanine floor is proposed to be sited to the front of the application site.
- 3.3 The applicant has confirmed in writing that the mezzanine floor within the garage would be used for storage.
- 3.4 The scheme is a revision of the existing planning permission DC/11/78561 (as amended by DC/15/093340). As DC/15/093340 had been granted by the Council under s73 of the 1990 Act, a wholly new planning permission was created and which is the benchmark planning permission against which the current application must be considered. Planning permission DC/11/78561 still exists and could still be implemented.
- 3.5 The general scale and massing of the scheme has not changed from the previously approved s73 planning permission DC/15/093340. The aspects of the current application, which have been altered from the previously approved submissions are as follows:
 - The full demolition of the property itself.
 - The installation of a painted steel rather than glazed balustrade to the first floor terrace area.
 - The addition of an external staircase to be used for accessing the terrace area sited on the south eastern corner. (Previously a spiral staircase sited within the footprint of the dwellinghouse at the south eastern corner)
 - Material changes to the front elevation of the garage and dwelling house, including smaller glass windows on the front elevation of the garage and an additional rooflight. Larger windows on the front of the dwellinghouse with a different mix of materials.
 - Minor alterations to the position and scale of the windows and doors.

3.6 All proposed materials include render, fibre cement roof tiles, laminated timber frames, opaque glass, glass, fibre cement cladding panels, timber cladding, timber decking, powder coated aluminium profile for the roof and painted steel balustrade.

3.7 Supporting Documents:

- Design & Access Statement
- Planning Statement

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.

External

4.2 Adjoining occupiers, Ward Councillors and the Forest Hill Society were notified. In addition, a site notice was displayed at the property boundary. Three objections were received within the statutory 21-day consultation period. Objections were received from one adjoining occupier and two from local nearby residents.

4.3 Grounds of objection are as follows:

- Size/height of some of the elevations.
- Due to the positioning of the balcony, concerns over overlooking to the garden/property.
- This site is near the top of the hill, with houses set back behind generous front gardens giving a sense of openness appreciated by residents, and the visitors coming to see the city views. This scheme is too bulky and out of keeping with its surroundings.
- The garage wing is 2-storeys tall, as large as a separate house, and projects from the building line almost to the pavement. The sense of openness will be lost. This sets a dangerous precedent for other forward extensions aimed at claiming the view. Looks completely out of proportion with the rest of the buildings on the street. Creates a sense of enclosure to the neighbouring properties, as the garage will transgress the current building line of the street.
- The garage looks bulky and large with dimensions of a second home on the property.
- Neighbours will also lose the proportionate sense of space if the two-storey construction on both the home and the garage go ahead. The construction of the garage should be largely limited to the current footprint without a second storey.
- Whilst the applicant has suggested that the mezzanine floor will be used as storage, this space can be used as whatever the applicant wants, once permission is granted.
- Too much glazing to front resulting to overlooking from those passers-by.

4.4 In summary neighbours have raised concerns with the size of the proposed dwellinghouse, overlooking issues as a result of the proposed balcony, the scale and siting of the garage causing harm to the existing streetscene coupled with potential overlooking onto the public highway and internally changing the use of the garage.

Internal

4.4 The Council's Highways Officer provided the following comments:

Highways: Whilst there are no objections from the highways department, the applicant should be advised that it is not best practice for the vehicle to be reversing out on to the highway. There could be an informative to ensure the applicants reverse on to the site. No cycle parking has been provided. The proposal would require at least 2 covered, secure and fully enclosed cycle parking spaces. As the crossover will be widened from roughly 2.8m to 4m, the applicant will have to contact highways.

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 not an issue of 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 The DCLG launched the National Planning Practice Guidance (NPPG) resource on the 6th March 2014. This replaced a number of planning practice guidance documents.

London Plan (March 2016)

- 5.6 The London Plan policies relevant to this application are:

- Policy 3.14 Existing Housing
- Policy 3.5 Quality and design of housing developments
- Policy 5.3 Sustainable design and construction
- Policy 6.9 Cycling
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

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

- Housing (2016)

Other National Guidance

- 5.8 Technical Housing Standards (March 2015)

Core Strategy (2011)

- 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 5 Areas of Stability and Managed Change
- Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan (2014)

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 22 Sustainable design and construction
- DM Policy 30 Urban design and local character
- DM Policy 32 Housing design, layout and space standards

Residential Standards Supplementary Planning Document (May 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.

6.0 Planning Considerations

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

- Principle
- Design
- Standard of accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy

Principle

Loss of the existing dwelling

6.1 The proposal is for the demolition of the existing bungalow and its replacement with a two storey detached dwelling. The existing is a three bed 4 person house. The proposed would be a five bed 9 person house.

6.2 Whilst DM Policy 2 resists the loss of housing, considering that the replacement of a new dwellinghouse would not result in the net loss of new housing and the existing property is not under any particular designation the loss in this instance is considered acceptable. Moreover, there would be no loss of a family unit. The design and scale of the new dwelling has been established under planning permission DC/11/078561/FT. The s73 planning permission DC/15/093340 has had works commenced and therefore is partially implemented, consequently making this a material planning consideration against which the current application should be assessed.

Design, Scale and Impact on the streetscene

Proposed dwelling

- 6.3 Urban design is a key consideration in the planning process. The NPPF (paragraph 56) 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 (paragraph 57) 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.
- 6.4 Paragraph 63 of the NPPF states that in determining applications, great weight should be given to outstanding or innovative designs, which help raise the standard of design more generally in the area. In addition to this, 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.
- 6.5 In relation to Lewisham, Core Strategy Policy 15 outlines how 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, is sensitive to the local context, and responds to local character.
- 6.6 DM Policy 30 supports the Core Strategy, as it requires planning applications to demonstrate a site-specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area and requires developments to be of a high design quality.
- 6.7 Notwithstanding the proposed alterations set out under paragraph 3.5 of this report, the design and scale of the dwelling has been established under planning permission DC/11/078561/FT and the subsequent s73 permission DC/15/093340. The layout and proportions of the original property would effectively be the same as the previous approvals.
- 6.8 The proposed building would appear as a modern two-storey dwelling of similar scale and massing to the neighbouring properties.
- 6.9 On the front elevation, the proposed building would be constructed in render and glass panels with large windows surrounded with timber and cladding panels. The roof would be constructed from fibre cement material with the insertion of two rooflights. High-quality materials including laminated timber for the new framework and fibre cement tiles on the exterior of the dwellinghouse have been proposed. Planting boxes have been proposed to be sited either side of the dwelling at first floor level. An enclosed bin storage area would be sited at the front sited within the dwellinghouse.
- 6.10 Although the proposed roof design is unusual, considering the variation of styles within the streetscene, it is considered that it would be an interesting architectural feature which would not result in detrimental harm to the character and appearance of the host property or the street scene.

- 6.11 The proposal includes a terrace at first floor on the south eastern side elevation adjacent to Manor Way, which would be accessed by an external staircase. The previous application included a glass balustrade around the terrace on the south eastern side with a spiral staircase sited within the footprint of the dwellinghouse. This application includes a painted vertical steel balustrade which would be a more visually prominent material to the previously approved glass balustrade. However, the siting of the balustrade on the roof terrace would be towards the rear of the house, sited approximately 9 metres away from the front elevation and 16 metres from the front boundary, with a width of 2.39 metres. These distances would be sufficient to prevent this part of the scheme appearing visually prominent and intrusive when viewed from the streetscene (Canonbie Road). These distances are identical to those in planning permission DC/15/093340.
- 6.12 The siting of the staircase would be external to the footprint of the property. It would not be visible from Canonbie Road as it would be located to the south east (rear) of the dwellinghouse. The spiral staircase would have a height of 4.1 metres and would be at least 9 metres away from the boundaries of neighbouring properties namely Fairlawn Primary School and The Manor. Therefore, there are no concerns regarding the visual amenity impact of this spiral staircase.
- 6.13 The scheme demonstrates an innovative design of a contemporary dwellinghouse, which is surrounded by a varied mix of different styled properties. High quality materials have been proposed which are consistent with the previous approved planning permissions for the property. It has also been noted that the scale and massing of the proposal (and that of the previous approved planning permissions for the property) is similar to the adjoining properties. Taking into account all material considerations, the proposal is acceptable in terms of terms of design and scale and the impact it would have upon the character and appearance of the area.
- 6.14 With regards to the comments raised by the objectors on the scale and siting of the garage and its subsequent harm to the existing built form of the streetscene, it is noted that this element is consistent with the previous planning permissions DC/11/07861/FT and s73 DC/15/093340. The proposed garage would sit forward of the building line, however, it has an asymmetrical roof which slopes down on the right-hand side to be not much higher than the adjoining boundary wall. In fact, this lower right-hand side of the garage would be the same height as the brick pier on the right of the Manor Way access road. The garage roof slopes up from 3 metres high on the lower side (west), to just over five metres on the higher side. In design terms, the garage would be constructed using similar materials to the main house. Because of the change in angle of the road at the brow of the hill, the proposed garage will be seen against the larger bulk of the two-storey house at 79 Canonbie Road, rather than blocking distant views, when seen from most angles and other properties on the south-west side of the road, e.g. Barr Beacon.
- 6.15 The garage in this proposal is the same as the previously approved by the s73 planning permission DC/15/093340 scheme, in terms of siting, scale and massing. The changes subsequent to this previous approval only relate to smaller glass panels on the front elevation, side windows facing into the site and an additional rooflight. These changes are considered to be of a minor nature, which would not result in visual harm to the character and appearance of the area. Therefore, overall, the design is considered acceptable.

- 6.16 An objector has raised concerns regarding the storage area (in the garage) being converted in the future to a residential use. It is proposed that a condition be attached requiring the use of the garage remains ancillary to the dwelling. Overall the proposed dwellinghouse and garage are considered to be of a high quality design.

Standard of Residential Accommodation

- 6.17 DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of London Plan (March 2016) set out the requirements with regards to housing design, seeking to ensure that new residential units are designed to a high quality, ensuring the long term sustainability of the new housing provision. The London Mayors Housing SPG (March 2016) provides guidance on how to implement the housing policies in the 2016 London Plan and further internal standards.
- 6.18 The proposed dwelling would have a larger floor area when compared to the existing single bungalow (going from 127 m² to 264 m²). By virtue of the proposal maintaining the approved scale and form of planning permissions DC/11/07856/FT and DC/15/093340, the proposal comfortably exceeds the required standards for a 5-bedroom dwelling in terms of gross internal area, (124m² for a two storey 5 bed 9 person unit) bedroom sizes and dimensions, floor to ceiling height and other elements such as outlook, daylight/sunlight, privacy and amenity space.

Highways and Transport

- 6.19 The NPPF (paragraph 29) recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site. Safe and suitable access to the site should be achieved for all people. The NPPF (paragraph 32) clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.20 Core Strategy Policy 14 'Sustainable movement and transport' supports this policy approach and promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans. Core Strategy Policy 7 'Climate change and adapting to the effects' and Core Strategy Policy 9 'Improving local air quality' further promote sustainable transport.
- 6.21 Policy 6.9 'Cycling' of the London Plan states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3. Table 6.3 outlines that all new dwellings that have two or more bedrooms must provide two cycle parking spaces each.
- 6.22 The Council's Highways Officer has been consulted, and has no objection to the application, subject to two fully enclosed and secure cycling spaces being provided. Given the size of the garage is 25 m², there is ample provision to have two cycle spaces sited inside of the garage, ensuring they are secure and dry as well.
- 6.23 The applicant was requested to show a visibility splay for the access so that an assessment could be made on highway and pedestrian safety. The applicant

subsequently submitted a plan outlining the visibility splay. The details have now overcome highway safety concerns associated with the siting of the garage and access coming in and out of the site. The Council's Highways Officer is satisfied that the details provided do not result in highway or pedestrian safety concerns.

- 6.24 In light of the above, the proposal is considered acceptable with regards to highways and traffic impacts.

Impact on Adjoining Properties

- 6.25 Core Strategy Policy 15 'High quality design for Lewisham' seeks to ensure that proposed development is sensitive to the local context. Officers therefore expect proposed developments to be designed in a way that will not give rise to significant impacts upon the amenities of existing neighbours and future occupiers. Development Management Policy 32 'Housing design, layout and space standards' supports CS Core Strategy policy 15, and requires that proposals provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours.
- 6.26 The changes proposed with this application include the addition of an external staircase to the roof terrace to the south east (rear) of the building. In the previous approvals, the staircase was within the footprint of the dwellinghouse, however, it has been proposed to be sited on the south-eastern corner of the dwelling in this application
- 6.27 The material of the balustrade has changed from glass panels to painted steel railings with associated first floor side vents allowing access onto the terrace floor area.
- 6.28 The siting of the south eastern side terrace area with railings would not be visible to the occupiers living at 79 Canonbie Road, therefore this change would not cause harm to this neighbours residential amenity. Whilst the siting of the staircase is now external, it is considered that with there being a 10 metre distance to the shared boundary with this neighbour and the staircase only being one storey in height, any loss of privacy due to overlooking would be negligible.
- 6.29 Manor Way forms an access to the flats at The Manor. The access road (Manor Way) is sited between 81 and 83 Canonbie Road and was excavated to reduce land levels when the new housing block on the site of The Manor was constructed. This resulted in the construction of new brick retaining walls either side of Manor Way, so that this roadway in itself is sunken in relation to the side garden of 81 Canonbie Road. Manor Way has been being excavated so the brick retaining walls result to a height of 4.6 metres in total.
- 6.30 The neighbour at 83 Canonbie Road is sited 10 metres away to the east from the side-shared boundary closest to the proposed south eastern side terrace area and which is separated from 79 Canonbie Road by Manor Way. 83 Canonbie Road is situated on higher ground than 79 Canonbie Road.
- 6.31 Due to the level changes on site the south eastern side terrace and railings would sit lower than the boundary wall of 83 Canonbie Road. The closest part of the side terrace is 10 metres from the boundary wall of 83 Canonbie Road. This would avoid any overlooking and prevent loss of privacy to this neighbour's amenity. As a result of

the distance, land levels and boundary treatment, harm to this neighbour's residential amenity would be avoided.

6.32 Flats at The Manor (sited east) and Fairlawn Primary School (sited north-west) lie at a considerable distance (over 50 metres) to the site therefore there would be no overlooking concerns for these properties.

6.33 Taking into account these considerations, the proposal is acceptable in terms of amenity of adjoining occupiers.

Sustainability and Energy

6.34 The NPPF (paragraph 95) requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be consistent with the Government's zero carbon buildings policy and adopt nationally described standards.

6.35 The London Plan and the Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

6.36 For schemes of this scale, sustainability requirements have been absorbed into Building Regulations.

7.0 Removal of permitted development rights

7.1 Officers recommend that if this application is approved conditions be imposed to remove certain permitted development rights in respect of the site. Paragraph 0.17 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 certain permitted development rights as set out in draft conditions 3, 5 and 6 for the reasons stated therein.

8.0 Prevention of Crime and Disorder

8.1 S.17 of the Crime and Disorder Act 1998 provides that it shall be the duty of the Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and need to do all that it reasonably can to prevent (in summary) crime and disorder in its area. It is not considered that this application will result in any crime and disorder issues.

9.0 Human Rights Act

9.1 Under the Human Rights Act 1998, the Council must not act in any way which is incompatible with the rights referred to in the Act. Officers do not consider there to be any Human Rights Act implications arising from this application.

10.0 Local Finance Considerations

10.1 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)

10.2 The weight to be attached to a local finance consideration remains a matter for the decision maker. 10.3 London Borough Lewisham CIL and The Mayor of London's CIL are therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

11.0 Community Infrastructure Levy

11.1 On 1st April 2015 the Council introduced its Local CIL to be implemented along with the existing Mayoral CIL. The charge will replace a number of financial contributions previously required through Section 106 Agreements.

11.2 CIL is chargeable on the net additional floorspace (gross internal area) of all new development. Under the CIL charging schedule, the amount of CIL payable for the SE26 postcode is £70/m² of new development. The Mayoral CIL is charged at £35/m² of new development. It is the Local Planning Authority's responsibility to collect CIL payments from new development.

12.0 Conclusion

12.1 This application has been considered in the light of the policies set out in the development plan and other material considerations including the previous permissions granted.

12.2 The principle of the demolition of the existing dwelling and proposed redevelopment of the site is considered acceptable, as there is no net loss of housing.

12.3 It is considered that the proposal would exhibit high quality design, whilst also avoiding harm to neighbouring amenities. Therefore in light of the above, the proposed development is considered acceptable and is recommended for approval.

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

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

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

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

1006-07_EX_002; 1408-04_PL_001; 1408-04_PL_003; 1408-04_PL_004; 1408-04_PL_005; 1408-04_PL_006; 1408-04_PL_007; 1408-04_PL_008; 1408-04_PL_101 Rev G; 1408-04_PL_102 Rev F; 1408-04_PL_103 Rev F; 1408-04_PL_104 Rev E; 1408-04_PL_105 Rev F; 1408-04_PL_106 Rev F; 1408-04_PL_107 Rev G; 1408-04_PL_108 Rev E; 1408-04_PL_109 Rev D (Received on 8th September 2017); 1708-04_PL_000 Rev A (Received on 20th November 2017);

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

3. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the front elevation 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).

4. No development (with the exception of demolition) shall commence on site until samples and a detailed schedule/ specification of all external materials and finishes have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

5. 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 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 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

6. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the north and west elevations 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).

7. (a) No above ground level works shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details

of the permeability of hard surfaces) have been submitted to and approved in writing by the local planning authority.

(b) All hard landscaping works, which form part of the approved scheme under part (a), shall be completed prior to occupation of the development.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2016), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

8. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the garage(s) shall be used for the garaging or storage of private motor vehicles only or for purposes ancillary to the residential use of the dwelling known as 81 Canonbie Road and shall not be used as living accommodation and no trade or business shall be carried on therefrom.

Reason: To ensure the garage is for domestic use for the dwellinghouse only. The application has been assessed only in terms of this restricted use and any other use may have an adverse affect on the character and amenity of the area and amenity for future occupiers contrary to relevant Polices in the London Plan (2015), Core Strategy (2011) and the Development Management Local Plan (November 2014).

Informatives:

- (a) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (b) 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) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.