

Committee	PLANNING COMMITTEE B	
Report Title	Proposed School Extension Building, Ashmead School, London SE8 4DX	
Ward	Brockley	
Contributors	Vincent Murphy	
Class	PART 1	11 October 2018

<u>Reg. Nos.</u>	DC/17/104714
<u>Application dated</u>	24.11.17 [revised 15.06.18]
<u>Applicant</u>	Mr Russell Edwards, London Borough of Lewisham C/- Pick Everard
<u>Proposal</u>	Construction of a three storey school building (use class D1) at Lewisham Way frontage of Ashmead Primary School, Ashmead Road SE8, to facilitate an increase from 1 to 2 forms of entry, together with removal of existing front boundary wall, creation of new entrance from Lewisham Way and associated landscaping and fencing and alterations to external play space (revised plans and associated reports received 15/06/18).
<u>Background Papers</u>	(1) Case File DE/110/279/TP (2) Local Development Framework Documents (3) The London Plan (2016 as amended) (4) NPPF (2018)
<u>Designation</u>	Core Strategy – Areas for Stability and Managed Change St Johns Conservation Area Air Quality Management Area 2 – Lewisham Air Quality Management Plan Thames Gateway Area Lewisham Way is a Class A ‘Red Route’ road

## 1.0 Summary

This report sets out officer’s recommendation in regard to the above proposal. The report has been brought before members for a decision as:

- Permission is recommended to be approved and:
  - there are 3 or more valid planning objections;
  - there are objections from recognised residents’ association or community/amenity groups; and
  - the application is for development which is not in accordance with some provisions of the approved development plan documents or other approved planning policies.

## 2.0 Property/Site Description

2.1 The subject site of the planning application is Ashmead Primary School, Ashmead Road, Saint Johns, SE8 4DX. The site lies north-east of Lewisham Way and south-west of Ashmead Road. The subject site also includes land outside of the school site, to the south-west, being road reserve land also owned by Lewisham Council. This is currently formed as

flat green space with public infrastructure such as seats and a temporary public WI-FI/mobile-device charging point.

- 2.2 The subject site is 0.61ha in area, however the proposed development is to occur on the south-western approximate third of the application site – the location of the existing hard court area serving the school. The existing school buildings and other play areas are to the north-east of the proposed development site within the school site boundary. A wall approximately 3m high currently runs along the south-western boundary of the site with Lewisham Way.
- 2.3 To the north-west of the site is three-storey terrace housing fronting Lewisham Way. To the north and north-east is two and three-storey terrace and detached housing fronting Friendly Street Mews, Ashmead Mews and the south-western side of Ashmead Road. East across Ashmead Road, and to the south-east, is two storey terrace housing. South of the site is the Grade II\* statutorily-listed Stone House (the forecourt walls, piers and gates to Lewisham Way of this property are also separately listed). The A20 road (Lewisham Way) is to the south-west of the site.
- 2.4 It is noted that ground levels NE-SW through the site (i.e. from Ashmead Road to Lewisham Way) gently rise, with the exception of the abrupt increase in height on the roadside of the wall, which effectively screens the school from Lewisham Way. Ground levels also immediately rise relatively steeply between the edge of the subject site towards Stone House to the south. Lewisham Way is generally flat in the vicinity of the subject site.
- 2.5 The site is located within the St Johns Conservation Area. There is no related Article 4 direction (which removes permitted development rights) applying to the site.
- 2.6 The site has a Public Transport Accessibility Rating by Transport for London between four and five, where one is the lowest level of accessibility and six is the highest. A bus stop is located directly adjacent to the Lewisham Way frontage of the site, serving southeast bound bus passengers heading towards Lewisham centre.

### **3.0 Planning History**

- 3.1 There is an extensive planning history at the school site relating to felling/pruning of trees at the site given their location within the St John's Conservation Area, as well as for alterations to the existing school building. This is typical of a school in a conservation area context.
- 3.2 A temporary modular 'bulge' classroom to accommodate additional student demand was approved at the school site in August 2010, under planning permission reference number DC/10/074742/X.
- 3.3 The principle of a building to accommodate two forms of entry at the school has been the subject of a pre-application meeting in early 2017. As a design progressed at pre-application stage, the scheme was presented for independent design quality review to the Lewisham Design Review Panel, in July 2017.

### **4.0 Current Planning Applications**

#### The Proposal

- 4.1 The current application was lodged as an application for planning permission in December 2017. As a result of consultation, and concerns held by Council officers with respect to the design of the building as lodged with the planning application, the design was revised. The revised design was received in June 2018, and a second round of public consultation was initiated by Council officers.

- 4.2 The proposal is for the construction of a three-storey building in the location of the existing hard court area at the school. This building would facilitate an increase of one form of entry, to two forms of entry overall. In practice, this is an additional 180 pupils as the existing bulge class is being reused to deliver 30 places, taking the total roll of the school to 420. There would be an increase in 15 staff members (from 40 to 55).
- 4.3 The building would front Lewisham Way, with a new entrance point to the building from Lewisham Way (at the southern end of the proposed building). This is expected by the school to operate as a secondary access, with the primary entrance remaining at the existing entrance from Ashmead Road. The reason for this expectation is based on analysis of postcode data held by the school, approximately one third of pupils travel to the school from the south/south-east where using the proposed entrance/exit would be most convenient.
- 4.4 The access from Lewisham Way would result in changes to the public realm outside the site, to create an Equality Act 2010-compliant access as well as steps down into the school building. New hard and soft landscaping, comprising hedges, new trees, concrete pavers and grass lawn is proposed to be implemented along the frontage of the site, including the creation of a community 'pocket-park' with outdoor seating.
- 4.5 A new hard-court Multi-Use Games Area (MUGA) play area would be located to the east of the proposed three-storey building. In front of this would be a boundary wall, which partially replaces the existing boundary wall to the site. The top of this wall would be a minimum of 3.65m above the finished surface level of the play area.
- 4.6 There are no expected changes in terms of deliveries and servicing of the school (in terms of service access point, frequency and number of trips), which is currently carried out from the existing Ashmead Road vehicular entrance. There would be no vehicular access to the new school building from Lewisham Way. Plant servicing the building would be located on the roof.
- 4.7 The proposed ventilation strategy for the building is mechanically provided ventilation. The building has been designed so that the windows facing Lewisham Way do not need to be opened whilst the building is occupied, as recognition of the fact that the location of the site has had recently-recorded air pollution levels (in particular nitrogen dioxide, from 2013) which exceed EU-set limits.

## **5.0 Consultation**

- 5.1 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 statutory requirements and those required by the Council's adopted Statement of Community Involvement, in terms of extent of consultation and the minimum time periods for considering consultation responses.
- 5.2 A total of 315 letters were mailed to adjoining and nearby residents of the subject site. Four public site notices were placed at various entrances to/focal points of/intersections in close proximity to the subject site, along Ashmead Road, Lewisham Way and St Johns Vale. A press notice in the Lewisham and Catford News Shopper was published for consultation purposes, and emails were sent to external statutory or otherwise recognised formal consultees with an interest in this site.
- 5.3 The above exercise was carried out twice, the first time following receipt of the application, in December 2017, and the second time following receipt of revised plans for the proposal, in June 2018.

- 5.4 A total of forty-five (45) submissions have been received in response to issued consultation requests (via press notices in Lewisham Catford News Shopper, posted letters, multiple site notices, and emails to consultees), the latest of which was received 28.09.18. Thirty-five (36) of the submissions are in objection, whilst nine (9) are in support or raise no objection.
- 5.5 The objections received from the community, including the St Johns Society, Brockley Society, and Georgian Group, substantially centre on a number of repeated themes concerning:
1. Safety of school children and existing vehicular traffic, due to new occurrence of children and parents using an entrance/exit point from Lewisham Way, combined with existing vehicular traffic volumes and associated safety risks along Lewisham Road, a Class A road. Questioning of methodology used to determine accident rate, allegations of under-estimation of accidents;
  2. Safety of children and existing pedestrian traffic and bus passengers utilising the adjoining southeast-bound bus stop on Lewisham Way. This is due to the new occurrence of children and parents using the Lewisham Way entrance, considering existing pedestrian volumes, width of footpath, and numbers of bus passengers waiting for buses at various times of the day. Pedestrian volumes and bus passengers are noted by objectors to be high due to the site's proximity to Lewisham Southwark College across the road, the bus stop serving numerous bus routes, as well as being close to train stations;
  3. Exposure of additional children to existing adverse air quality conditions, citing recent recordings of nitrogen dioxide (NO<sub>2</sub>), which increases the likelihood of respiratory problems, being exceeded at this school site. The death of a child linked to exposure to high levels of NO<sub>2</sub> within the borough has been quoted in several submissions. Several submissions cite the Mayor of London's direction and measures to tackling the issue of adverse air quality conditions affecting schools.
  4. The loss of publicly accessible greenspace along the Lewisham Way frontage of the site.
  5. The design of the building not in keeping with the character of the neighbourhood, and detracts from the character of the St John's Conservation Area;
  6. Impacts upon the Grade II\*-listed Stone House, including obscuration of views, which adjoins the subject site to the south.
  7. Quality of design and indicated materials, given location, prominence and intended educational use.
- 5.6 Other objection points raised across the body of objections received from the community including the St Johns Society, Brockley Society and Georgian Group include:
8. Noise from increased school roll;
  9. Overlooking of private amenity space;
  10. Shading from building mass;
  11. General diminishing in ability to enjoy private rear garden spaces;
  12. Reduction in play area and exposure to sunlight for children at the school;
  13. The design not complying with Department for Education-issued building design guidelines. Note – compliance with a Department-for-Education-issued guideline is not considered to be relevant to the necessary planning assessment. Rather, the provision, including protection and enhancement, of community facilities is relevant to the necessary planning assessment;
  14. Traffic generation and parking impacts;
  15. The design, site coverage and roll resulting in an inability for the school to meet the recommended 2-hour minimum of physical education time each week. It is noted that this is a recommended guideline, and is not considered to be relevant to the necessary planning assessment;
  16. Questions accuracy of demand estimates for future school places in this location – citing of other schools in the borough with low demand/struggling to fill classrooms;
  17. Pre-empting of planning permission based on encroachment onto public land and associated change in formation, which has been previously agreed between the relevant

Lewisham departments (Education, Highways and Environment (maintenance)) prior to the planning application being submitted;

18. The design goes against the reasons for 1971/72 decision of Lewisham councillor at that time (Nicholas) to protect views of Stone House and St Johns Church by way of the vacant highways space, which is now used as informal congregation space by Lewisham College students. The visibility of the aforementioned heritage assets are relevant to planning; the mechanics of how the visibility came to be in existence is not.
  19. Failure to comply with the Civic Amenities Act 1967. The provisions of this Act relevant to the subject application are considered to be superseded by the Planning (Listed Buildings and Conservation Areas) 1990 which have been considered in the necessary planning assessment;
  20. Obscuration of views of St John's Church including spire;
  21. Impacts on nearby work-from-home activities;
  22. No consideration regarding changes in wind/aerodynamics as a result of the construction of the building;
  23. Rainwater surcharge onto Lewisham Way;
  24. Cost of air-conditioning of school due to proximity to Lewisham Way. This is not considered to be a relevant planning matter;
  25. Lack of sheltered walkway between this building and existing school buildings; lack of indoor play strategy for the building in instances of wet-weather.
  26. Case for alternative siting of the school building.
- 5.7 Submissions from the community in support of the scheme are based on:
1. The effort of the school to work with the architects to achieve a design suitable to surrounding environment and educational requirements of children;
  2. Notion of minimal impacts on local residents;
  3. Provides further school places at the site;
  4. Land fronting Lewisham Way was originally owned by school so shouldn't be a problem using it;
  5. Observation that public open space area fronting Lewisham Way is currently used at times anti-socially and unpleasantly, the design would remove the potential for that.
- 5.8 An objection has been received from Brockley ward councillor Sophie McGeevor, based on the issue of exposing children to adverse air quality conditions in light of the direction of, and measures implemented by, the Mayor of London.
- 5.9 Consultation responses have been received from Historic England (Archaeology), Historic England (Buildings), and Transport for London, raising no objection to the scheme.
- 5.10 Consultation responses have been received from the following internal specialist officers within the Council. The below represents the fundamental position of the officers:
1. Environmental Health Officer – Air Quality – No objection raised, subject to several conditions, based primarily on modelling undertaken by applicant and data recorded by Council on-site.
  2. Environmental Health Officer – Noise – No objection, subject to conditions relating to construction noise mitigation through appropriate management, and fixed plant noise restrictions.
  3. Environmental Health Officer – Contamination – No objection subject to conditions regarding contamination investigation and management/remediation if discovered.
  4. Highways Officer – No objection subject to conditions relating to travel management planning, construction traffic management and street-infrastructure for additional operational safety improvements.

## **6.0 Policy Context**

### Introduction

- 6.1 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.
- 6.2 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.
- 6.3 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the duty to preserve and enhance listed buildings, their settings, and conservation areas and their settings, are notable material considerations in this instance.
- 6.4 Government policy within and outside of the scope of the National Planning Policy Framework and relevant Development Plan, is a material consideration.

### National Planning Policy Framework (NPPF) 2018

- 6.5 The NPPF, originally published in 2012, was revised on 24th July 2018 and is a material consideration in the determination of planning and related applications.
- 6.6 It contains at paragraph 11, a 'presumption in favour of sustainable development'. Annex 1 of the revised NPPF provides guidance on its implementation. In summary, this states in paragraph 213, 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 and in regard to existing local policies, that '...due weight should be given to them, 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)'.
- 6.7 Officers have reviewed the Core Strategy and Development Management Local Plan for consistency with the revised 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 revised NPPF.

### National Planning Practice Guidance 'NPPG' (2014 onwards)

- 6.8 On 6th March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents, and is subject to continuous periodical updates in difference subject areas

### The Development Plan

- 6.9 The London Plan, Lewisham's Core Strategy, together with the Site Allocations DPD, the Lewisham Town Centre Local Plan and the Development Management Local Plan and

together constitute the borough's Development Plan. The site is not within the Lewisham Town Centre designation however.

#### London Plan (March 2016)

- 6.10 The London Plan was updated on the 14 March 2016 to incorporate Housing Standards and Parking Standards Minor Alterations to the London Plan (2015).

The new, draft London Plan was published by the Mayor of London for public consultation on 29 November 2017 (until 2 March 2018). A revision to this draft showing Minor Suggested Changes has been released by the Mayor of London following a review of consultation responses. Given the early stage in this process, this document has some weight as a material consideration when determining planning applications, however less than the existing Development Plan and given the similarity in implications for this site and application does not warrant a departure from the existing policies of the development plan in this instance.

The policies in the current adopted London Plan (2016) relevant to this application are:

- Policy 1.1 Delivering the strategic vision and objectives for London
- Policy 2.3 Growth areas and co-ordination corridors
- Policy 2.9 Inner London
- Policy 2.18 Green infrastructure: the network of open and green spaces
- Policy 3.16 Protection and enhancement of social infrastructure
- Policy 3.18 Education facilities
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.10 Urban greening
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater Infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.17 Waste capacity
- Policy 5.21 Contaminated land
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.9 Heritage-led regeneration
- Policy 7.13 Safety, security and resilience to emergency
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.18 Protecting local open space and addressing local deficiency
- Policy 7.21 Trees and woodlands

Whilst the new, draft London Plan does not outweigh the current London Plan, this draft plan has been considered in relation to the subject scheme. Of particular relevance to this proposal are the following policies:

- Policy D1 London's form and characteristics
- Policy D2 Delivering good design
- Policy D7 Public realm
- Policy S3 Education and childcare facilities
- Policy SI1 Improving air quality
- Policy HC1 Heritage conservation and growth

London Plan Supplementary Planning Guidance (SPG)

- 6.11 The London Plan SPG's relevant to this application are:
- Sustainable Design and Construction (April 2014)
  - Character and Context (June 2014)
  - The control of dust and emissions during construction and demolition (July 2014)
  - Accessible London: Achieving an Inclusive Environment (October 2014)
  - Social Infrastructure (May 2015)

Core Strategy (June 2011)

- 6.12 The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy  
 Spatial Policy 5 Areas of Stability and Managed Change  
 Core Strategy Policy 7 Climate change and adapting to the effects  
 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 12 Open space and environmental assets  
 Core Strategy Policy 14 Sustainable movement and transport  
 Core Strategy Policy 15 High quality design for Lewisham  
 Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment  
 Core Strategy Policy 19 Provision and maintenance of community and recreational facilities  
 Core Strategy Policy 20 Delivering educational achievements, healthcare provision and promoting healthy lifestyles

Development Management Local Plan (November 2014)

- 6.13 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:

DM Policy 1 Presumption in favour of sustainable development  
 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 31 Alterations/extensions to existing buildings  
 DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas  
 DM Policy 35 Public realm



DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens
DM Policy 41	Innovative community facility provision

Site Allocations Local Plan (June 2013)

6.14 There are no relevant Site Allocations relating to this application site.

Residential Standards Supplementary Planning Document (2006, updated 2012)

6.15 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. Whilst the proposal does not constitute residential development, this SPD is relevant to neighbouring amenity, which is a relevant impact to consider in terms of impacts upon neighbouring amenity as a result of the proposed scheme.

**7.0 Planning Considerations**

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

- Principle of development
- Design quality, including landscaping
- Heritage and character impacts
- Public space impacts
- Transport impacts and public safety
- Exposure to air pollution
- Neighbouring amenity impacts
- Sustainability and energy impacts
- Other environmental and ecological impacts
- Other submission points

Principle of development

7.2 The following assessment considers the question of whether or not the principle of the development (extending the school in the general location proposed) is firstly supportable before considering the impacts of the specific design. It sets out the relevant policy context concerning the question of the principle of development, before considering the principle of development in this site and policy context.

7.3 The National Planning Policy Framework (NPPF) is the overarching and highest document within the hierarchy of planning instruments extant in England. The NPPF specifies a series of principles to be reflected by plan-making and planning decision-taking.

7.4 At paragraph 11, the revised NPPF states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan. Chapters 8, 11, 12, and 14-16 of the revised NPPF are particularly relevant to the proposal and site context.

- 7.5 London Plan policies 3.16 (social infrastructure), 3.18 (education facilities), 7.5 (public realm), 7.8 (heritage assets) and 7.14 (improving air quality) are considered to be particularly relevant to the principle of the development at this location. Spatial Policy 2 (Regeneration and Growth Areas), Spatial Policy 5 (Areas of Stability and Managed Change), Policy 15 (high quality design for Lewisham) and 19 (provision and maintenance of community facilities) of the Lewisham Core Strategy (2011) are likewise considered to be particularly relevant to the matter of the principle of the proposed development in this location. Development Management Policies 23 (air quality), 30 (urban design and local character), 33 (infill, backland, back garden and amenity area development) and 36 (new development affecting heritage assets and their settings) are likewise considered to be particularly relevant within the Lewisham Development Management Local Plan (2014).
- 7.6 Policies set by the Mayor of London outside of the planning framework are also considered pertinent to the question of whether or not the principle of the development (extending the school) can be supported.
- 7.7 The proposal is for the extension of a school on an existing school site. The school use has been established at the site since the 1970's. Given the relatively long-term establishment of such a land-use at the site, the principle of school use elsewhere on the existing school site is considered to be acceptable.
- 7.8 Transport for London, the administrator of the road, have not raised any objection to the principle of encroachment into, and change of surface treatment of, the land in front of the school site fronting Lewisham Road with respect to future improvements or alterations. As such, there is no issue-in-principle with respect to the land being safeguarded for future transport use.
- 7.9 The proposal increases the width of the footpath along the Lewisham Way frontage of the site. As such, the proposed changes are not considered to prejudice maintenance of utility services or future utility service provision within the legal road space.
- 7.10 The applicant has determined the location of the building by reference to surrounding building development patterns and setbacks from the street, the location of historic development at the site as well as at neighbouring properties, and importantly through options analysis for optimal placement of the building.
- 7.11 The key factors informing the placement-options analysis were surrounding scale and form context; impacts on neighbours; access arrangements; outdoor play area provision within the school site, including solar access to those spaces; site-wide tree and ecological habitat protection; proximity to the listed Stone House; level changes across the site; impacts on on-site parking; and impacts on the party wall of the neighbouring terrace of dwellings to the north.
- The justification for the design, as alluded to above, is detailed in the Pick and Everard Planning, Design and Access Report submitted with the application. The analysis is considered suitably robust in arriving at the general location of the proposed building.
- 7.12 At a regional level, the proposal provides considerable additional primary-school aged pupil places in the north of the borough where planned growth is to be more intense (in comparison to the south of the borough). This is due to the inclusion of the north of the borough within the Thames Gateway area, a nationally- recognised growth area extending east from inner-east London along both sides of the River Thames. This is reinforced by the Lewisham Core Strategy (2011) which identifies in particular New Cross, Deptford and Lewisham, all within relatively close proximity to the subject site, as regeneration and growth areas.

- 7.13 Current and draft planning, as well as relevant non-planning, policy at national, regional and borough level relating to air quality and exposure to air pollution have been considered with respect to the subject proposal. The principle of the development (extending the school) is not considered to be contrary to the direction and intent of the suite of policies. The location of the development and the proximity to the A20 road does present complications for the design in terms of ensuring exposure to air pollution is sufficiently mitigated. However, the principle of extending the school at this location is not considered to result in a fundamental principle issue which translates to an instant refusal of planning permission.
- 7.14 The location of the proposed building aligns with neighbouring development patterns (scale, building setback), as well as being in the location of historic development dating back to the 1860's prior to the school being constructed at the site. Therefore, general character compatibility is not considered to be a principle issue for the proposed development (considering also previously mentioned established school use at the site), nor is the siting of the building in this general location.
- 7.15 The consequences and impacts of the use and specific design parameters are discussed later in this report. However, the principle of the proposed development in this location is considered to be acceptable.

#### Design quality, including landscaping

- 7.16 Chapter 12 of the revised NPPF, policies 7.4 and 7.6 of the London Plan, Core Strategy Policy 15 and Development Management Policies 25, 30, 31 and 33 are considered particularly relevant to the matter of design quality and landscaping impacts.
- 7.17 The design rationale and evolution is detailed in the Pick and Everard Planning, Design and Access Statement submitted with the application, which should be read in conjunction with this report.
- 7.18 The proposal would result in substantial change at the site as it fronts Lewisham Way. Over half (36m) of the existing boundary wall at the site would be removed, as would approximately 71% (42m) of the existing public grassed space in front of the wall. In its place would be a three-storey school building, set below existing ground levels to conform to existing scale precedent along the street, with a ramp and stairs for pedestrian access, trees and hedge planting, and a smaller community pocket park with further soft and hard landscaping. Two prominent trees, approximately 11-13m in height, in addition to another smaller tree, both from within the Lewisham Way frontage, are also proposed to be removed by the proposal. Four smaller trees varying from 4.5-6m in height (minimum in-the-ground planted height of 4.5m) are proposed to be planted along the street frontage.
- 7.19 The proposed rooftop of the building would be 11.2m above the ground level along Lewisham Way in front of the neighbouring terrace of houses to the west (the closest being the end-of-terrace building at 265 Lewisham Way). The top of the roof plant enclosure would be 12.9m above the same ground level. Neither of these heights exceed the height of the ridgeline of the neighbouring terrace of dwellings (to the north of the proposed location of the building). The building is 10.6m deep into the subject site, which is less than that of neighbouring terrace development. The height is similar to that of Stone House. The height, scale and footprint of the proposed building is considered to be compatible with the surrounding development pattern.
- 7.20 Window patterns to the southern elevation (facing Lewisham Way) are vertically orientated, with openings horizontally and vertically aligned within the façade across all three storeys of the proposed building. Proportions are similar to the fenestration pattern at the neighbouring terrace to the west. Some bays are created with no windows inserted;

rather, recessed brickwork would be constructed in these locations, with the intent of this design being to evoke a playful façade to assist in distinguishing the building as one accommodating a primary-school use. The eastern third of the building is differentiated from the remainder of the building by larger proportions of recessed brickwork to visually assist in signifying the entrance to the building (in combination with simple aluminium-letter signage). Window shades are provided to reduce solar gain. Overall the façade articulation is considered to be coherent and appropriate for an educational use, with appropriate three-dimensional changes to provide visual interest and some richness of detail within the main façade of the building.

- 7.21 It is acknowledged that the floor levels of this building would be different to those at the terrace next door. This is to be reasonably expected to a degree however, given the use of the building for educational purposes, and the separation and contrast provided by the design is considered to mitigate the adversity of visible difference in floor levels.
- 7.22 It is noted that a moderate proportion of the south elevation is glazing to classrooms. Therein lies an issue with respect to solar gain and internal heating, particularly over summer months. The design response to this however is the combination of external window shades, and mechanical ventilation of the building, which is of considerable importance within the design so that openable windows facing Lewisham Way are not necessary. As such, the design does address this potential issue.
- 7.23 Solar access to open space within the school was a key driver in the design progression, which is one reason for the separation distance between the school buildings. This is considered to be appropriately provided for in the design.
- 7.24 Materials proposed for the building include Mystique and Ibstock Bevern Dark brickwork, and powder-coated aluminium joinery, window shades and cladding to the rooftop plant enclosure. These materials are considered to be durable and high quality, whilst providing relative contrast within the new building which further (in combination with aforementioned design measures) invokes the notion that this building is not residential like the neighbouring terrace, but for a different use type.
- 7.25 Accompanying the design are recommendations by an acoustic engineer for insulation requirements to ensure appropriate internal noise levels appropriate for educational use of the building. This can be secured by way of condition of planning permission. It is noted that Transport for London have not objected to the proposal with respect to the potential for complaints and operational restriction or hindrance arising from the proximity to the road in terms of noise emanating from the road.
- 7.26 The Planning, Design and Access report submitted with the application also outlines that the proposal would comply with a wide range of British standards and other guidance. Department for Education-issued guidance for schools development has been taken into account in the design evolution of the scheme.
- 7.27 The quality of access arrangements are discussed further below under transport impacts.
- 7.28 Considering the above, the design of the proposed building is considered to ensure an appropriately high quality, site-sensitive contribution to the surrounding streetscape will result from the development.
- 7.29 It is acknowledged that the change in landscaping at the front of the site would be prominent and conspicuous, and detrimental to a degree due to the loss of soft landscaping (grassed public space) as well as two prominent trees. The impacts of the loss of this type of public space is discussed later in this report. The design generates some mitigation of this change by way of ensuring a community pocket park, with soft and

hard landscaping including grassed areas, is created at the eastern end of the Lewisham Way frontage. New trees, hedging and ground cover would partially green the frontage to generate some mitigation of this loss of vegetation which contributes to the public realm.

- 7.30 The proposal would have the positive urban design and public safety impact of enlivening and activating the street frontage and providing additional, direct passive surveillance of this frontage. This design has evolved in consultation with police input, to ensure a dangerous space susceptible to anti-social behaviour is not a result of the proposal.
- 7.31 The proposed building design and landscaping has been reviewed by Council's Strategic Planning Manager with respect to urban design and design quality considerations. The officer concludes that the scheme can be fully supported on urban design grounds.
- 7.32 Closely related to design quality considerations is heritage and conservation considerations. However, for the reasons as stated above, the proposal is considered by officers on balance to be acceptable with respect to any design quality and landscaping impacts, and consistent with aforementioned policies (including draft London Plan policies), subject to proposed conditions regarding landscaping improvements. This conclusion is made cognisant of the submission points raised on this matter.

#### Heritage and conservation impacts

- 7.33 Chapter 16 of the NPPF, policies 7.4, 7.6 and 7.8 of the London Plan, Core Strategy Policies 15 and 16, and Development Management Policies 30, 33 and 36 are considered particularly relevant to the matter of heritage and conservation impacts.
- 7.34 From the 1860's until the establishment of the school at the site in the 1970's, terrace housing occupied the part of the site where the proposed school building would be located. The Lewisham Way frontage was fully occupied by terrace housing from the 1890's until the 1970's.
- 7.35 The school at the site was constructed in the 1970's, with the demolition of aforementioned terraced houses fronting both Lewisham Way and Ashmead Road facilitating its construction. The wall along Lewisham Way to be removed dates to the 1970's. Whilst it mimics the location of the previous terrace dwellings at the site, given the relatively young age of the structure, and not being an original feature of the historic terrace dwellings in this location, the loss of the wall is not considered to generate substantial harm to the conservation area. There are no existing buildings in the location of the proposed building which contribute to the surrounding St John's Conservation Area. As such, the significance of the contribution of subject site in its current form to the character and heritage of the St John's Conservation Area is assessed to be low.
- 7.36 For the reasons as discussed above under design quality, the scale and building footprint of the building is considered to be appropriate for this conservation area. The roof form, being different from the neighbouring terrace and historic roofs of terrace dwellings in the area, is considered to be justified given the clear rooftop definition and the specific use of this building. It is noted that the Lewisham Southwark College, directly opposite Lewisham Way from the site, has a contrasting roof form to surrounding dwellings, as does Stone House. Amongst residential terraces in the vicinity of the site there is also variance in roof form – London dual pitch (with and without street-facing dormers), mansard, gable and hipped roofs are all found within 150m of the site along Lewisham Way. As such, the roof form is considered to be acceptable in this St John's Conservation Area context.
- 7.37 The materials chosen respectfully, in the view of Council's Planning Officer's, accentuate the building as a new, modern building as opposed to pastiche or replication of historical

architecture. It is noted that the St John's Conservation Area in the immediate vicinity of the Lewisham Way frontage of the site is characterised by a degree of eclectic composition, due to the differing use types and ages, which means that the contrast created is not abrupt and harmfully conspicuous in this context.

- 7.38 The separation distance of the building to Stone House is approximately 25m. Prominent existing vegetation at the common boundary or located between Stone House and the proposed building, to be retained under the proposal, measures between 10-13m high.
- 7.39 Considering also the height of the proposed building relative to Stone House and neighbouring terrace dwellings, the lower natural ground levels at the subject site in comparison to Stone House, and historic patterns and location of development, the design response is considered an appropriately sensitive response to the significance of Stone House and its setting and associated listed structures, amounting to less than substantial harm to the listed building and its setting.
- 7.40 It is acknowledged that the current setting of Stone House will be notably changed, in particular to the west during winter months with respect to visibility of the proposed buildings. However, for the reasons discussed above, the degree of impact upon the setting of Stone House is not considered to be so significant in magnitude to be sufficient grounds to refuse the application, considering also the public benefits of the proposal discussed under principle of development and design quality above.
- 7.41 It is acknowledged that views of Stone House during the winter months would be further obscured as one approaches Stone House from the west along Lewisham Way. However, these views are not protected and are significantly obscured at present for 6 months of the year if not more when trees are in leaf. The view of the west elevation of Stone House is also noted as partially interrupted during the winter months due to the number of trees and branches that are in the foreground of the west elevation of Stone House when viewing this elevation from the west.
- 7.42 It is noted that two large trees along this frontage will be removed, one of which is in very close proximity to the western elevation of Stone House. This will enhance visibility of this elevation from close-range to the west.
- 7.43 The building would be of a smaller footprint and further westwards away from Stone House than previous, historic development within the recent past. In light of this, the impact of view obscuration from the public realm is not considered to amount to substantial harm to the heritage significance of the setting of Stone House.
- 7.44 Objections discuss the obscuration of views of the St John's church spire. This is not considered to be an important view, insofar as affected by the proposal, by Council's Conservation Officer. This is due to the building being located in the location of historic terraces, thereby recreating the historical building-coverage context surrounding the church. It is noted that view of this spire will still be visible to the west of the application site to varying degrees due to the height of the spire.
- 7.45 The proposal has been reviewed by Council's Senior Conservation Officer, who can support the proposal on heritage and conservation grounds. Some concern is expressed however by the Officer regarding the impacts on long-range views of Stone House and the setting of Stone House. These concerns have been taken into account in the assessment above. The Officer has expressed the view that no harm will be caused to the listed building or the St John's Conservation Area.
- 7.46 The proposal is overall considered to preserve the character and appearance of the area and this part of the site's contribution to the St John's Conservation Area. This is through

reflecting historic development patterns, being of consistent scale to existing scale of historic dwellings, and providing an appropriate level of contemporary contrast to historic development. For the reasons as discussed above, the proposal is considered to appropriately preserve the character of Stone House and its setting.

- 7.47 For the reasons as stated above, the proposal is considered by officers to be acceptable with respect to heritage and conservation impacts, and consistent with aforementioned policies, subject to certain conditions. This conclusion is made cognisant of the submission points raised on this matter.

#### Public space impacts

- 7.48 Chapters 8, 9 and 12 of the revised NPPF, policies 2.18, 7.5, 7.18 and 7.21 of the London Plan, Core Strategy Policies 12 and 15, and Development Management Policies 25, 30 and 35 are considered particularly relevant to the matter of public space impacts.
- 7.49 The proposal would result in the loss of usable, landscaped open space and two prominent trees in the streetscape, providing significant visual amenity to the public realm, which would be given over to a combination of landscaping, paving for ramps and stairs for access into the building, and the new 'pocket park'. It is noted however that the open space is not designated with any specific planning protection mechanism, such as Metropolitan Open Land or Urban Green Space designations.
- 7.50 It is noted that only a narrow strip of land within the existing public space would be occupied by building footprint, this being land directly in front of the building which serves as a light well for the ground-floor windows. The remainder of the space, being the substantial majority of what is currently publicly accessible, would remain publicly accessible.
- 7.51 A smaller 'pocket park', of a similar if not higher-quality calibre (although certainly not extent) to that which would be lost, would be provided along the Lewisham Way frontage. This is approximately 17m wide and 8m deep. This is in conjunction with planting of hedges and trees along the Lewisham Way frontage.
- 7.52 The replacement park is beneficial in terms of public open space provision and thus partially mitigates the loss of open space. However, the loss of the two trees along this frontage of the site, in particular the westernmost tree, is adverse with respect to the quality of the public realm in this location. This component of the proposal is considered to be inconsistent with parts of Core Strategy Policy 12 and London Plan Policy 7.21.
- 7.53 Considering the location of the public open space next to a noisy road, its relatively small width, and its lack of planning protection, as well as mitigation by way of pocket-park provision, the proposal is considered to be consistent with Policy 7.18 of the London Plan relating to open space protection.
- 7.54 The inconsistency with the aforementioned policies must be considered against the positive impacts of the proposal. This includes providing additional school places in a growing area of the borough, in a manner that is of suitably high-quality design, respecting and suitably addressing site constraints relating to its location within a conservation area and adjoining a Grade II\* listed building. On balance, the impact of the changes with respect to open space and tree loss are not considered to outweigh the positive impacts of the proposal.
- 7.55 Submissions raise the issue of aerodynamics and wind changes based on the introduction of building mass. Given the low overall height of the building, the building being of comparable scale to surrounding buildings, and existing wind patterns for

London, the proposal is not considered to be of sufficient scale to generate increases in wind speed to materially degrade the pedestrian environment of the public realm.

#### Transport impacts

- 7.56 Chapters 8 and 9 of the NPPF, policies 6.3, 6.7, 6.9 – 6.11 of the London Plan, and Core Strategy Policy 14 are considered to be particularly relevant to the matter of transport impacts.
- 7.57 A Transport Statement prepared by Systra consultants has been submitted with the application, and should be read in conjunction with this report.
- 7.58 The transport statement predicts, based on existing mode-share split and the increases in students and staff numbers, that an additional 30 trips each way to the school (25 student drop off/pick up, 5 staff, i.e. 60 trips a day) would be made by car. This is considered to have a negligible impact on traffic congestion levels experienced within the surrounding road network.
- 7.59 On-street parking surveys were carried out by the applicant to assess potential impacts on parking demand. These surveys were carried out during school term time, between 8.15 and 9.30am and 3.15 and 4.30pm, on different days (between morning and afternoon surveys). The surveys reveal that, when factoring in up to five staff travel movements by car, parking stress within 200m of the site would not breach 80% (at which point parking stress is deemed high) at peak drop off and pick up times. As such, cumulative impacts on parking stress in the surrounding neighbourhood are considered to be acceptably low.
- 7.60 The report details that delivery and service demand is not estimated to materially change with the extended roll and new building. This is not considered to be inaccurate for a school; however, maintenance trip demand may increase with the additional building footprint at the site. It is noted that servicing demand is approximately 2-3 trips to the school a day. It is further noted that there is a dedicated servicing bay, including for refuse collection, provided on-site accessed from Ashmead Road, spatially separated from main entrance into the school from Ashmead Road. Considering these factors, the impacts of additional deliveries and servicing on all modes of traffic congestion and safety are considered to be minimal.
- 7.61 The Construction Logistics Plan submitted with the application details that the southbound lane of Lewisham Way would be temporarily suspended, including the bus stop, for between 6-10 days total during the construction period. This timeframe is considered manageable and resolvable by Transport for London, the highways authority for the road, subject to precise timing and date of lane closure, which can be secured by way of condition of planning permission.
- 7.62 It is acknowledged that many objection points discuss the issue of safety of the new access into the extended school given that the building has access from the busy A20 road. Anecdotal written evidence and image-captured instances of accidents along the A20 road have been submitted to Council as part of the consultation process.
- 7.63 SYSTRA Consultants and a second traffic engineering consultancy, Yes Engineering, have reviewed Transport for London-recorded data concerning accident rates along the A20 road in the vicinity of the school on behalf of the applicant. This data reveals 70 accidents have occurred in the most up-to-date five-year period, 16 of which have occurred during school pick-up and drop-off times. Five of these accidents involved pedestrians.



- 7.64 The accident rate for this road network is considered to be low for this type of road. This conclusion is based on the assessment and expert opinion by traffic engineers for the applicant and the lack of objection by either Council's Highways Officer or Transport for London cognisant of this accident rate.
- 7.65 The anecdotal theme of the road being unsafe is understood, however based on the expert opinions and analysis provided, considering also that vehicles cannot stop on Lewisham Way to pick up and drop off children, the additional risk to safety of children with respect to their interaction with moving vehicles on the A20 road is not considered to be sufficient to warrant refusal. It is noted that a signalised crossing is in very close proximity to the school (35m from the entrance to the ramp to the new school building from Lewisham Way, with another signalised crossing 125m further south-east along Lewisham Way), ensuring a very safe crossing option is available.
- 7.66 Transport for London have confirmed that they have no fundamental objection to the proposal. It has been confirmed that they have no objection to a further warning sign, with illumination if desired, to clearly direct motor traffic to slow down and be wary of school children crossing ahead. Transport for London have also confirmed that the signalised crossings in the vicinity of the proposed entrance into the building are of sufficient width to accommodate expected pedestrian traffic volumes, cognisant of use by Lewisham Southwark College pupils also. No explicit comments from Transport for London have been received regarding the general safety of the road.
- 7.67 The footpath width adjacent to the school would increase as a result of the hard landscaping to the front of the school site. This is considered to be a positive transport safety impact minimising the potential for conflicting additional school pedestrian traffic movements with existing pedestrian traffic movements and bus passengers waiting at the adjacent bus stop.
- 7.68 Since the local meeting that was held in relation to this application, the applicant has submitted further details of the management of the access point that the school would employ to ensure safety of children, staff and parents/families at pick up and drop off time. This includes restricted time periods of up to twenty minutes where the access is usable for pick up and drop off purposes; that parents waiting to pick up children would be brought inside the school to meet children, as opposed to congregating on the public footpath; the use of at least 2 marshalls during pick up and drop off time to monitor students; and trialling of the best methods in advance of complete implementation to ensure the most efficient and safe operation of the access.
- 7.69 The further information estimates that, based on postcode data for all school students, that approximately two-thirds of students are expected to use the Ashmead Road entrance, leaving approximately one-third of students using the Lewisham Way entrance. Collectively, this further information provides confidence that the access from Lewisham Way would be secondary in nature, and appropriately managed with respect to pedestrian safety.
- 7.70 Transport for London in particular have commented that the design of the public space in front of the school building, does not create a 'desire line' for quick pedestrian movement from the school to the signalised crossing. It is considered that the design of the public space, with ramp rising to the footpath in a westwards direction away from the signalised crossing, with numerous steps and planters between the ramp and the crossing, would in effect slow the pace and distribute the flow of pedestrian traffic from the building access point. A signalised crossing is also considered to be very safe provision for students and parents crossing Ashmead Road, two of which are located 35 and 125m south of the start of the ramp entrance into the school building.

7.71 Considering the assessment of the applicant's consulting traffic engineers, Council's Highways Officer and Transport for London, the aforementioned management measures to be implemented and practical safety achievements through the design of the open space, the transport impacts of the proposal are considered to be acceptable to Council's Planning Officers. This conclusion made cognisant of objections particularly on the matter of safety relative to traffic and pedestrian movements expressed in community submissions. For the same reasons, the proposal is considered to be consistent with the aforementioned policies.

Exposure to air pollution

7.72 Chapters 9 and 15 of the NPPF, policy 7.14 of the London Plan, Core Strategy Policies 9 and 14 and Development Management Policy 23 are considered to be particularly relevant to the matter of air quality and air pollution impacts. The Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007, the London Environment Strategy 2018, and Lewisham's Air Quality Action Plan 2016 are also material to the consideration of exposure to air pollution.

7.73 The proposal would address Lewisham Way, a Class A 'red-route' road managed by Transport for London. The site is within Air Quality Management Area 3 as specified in the Lewisham Air Quality Action Plan. Published NO<sub>2</sub> measurements at the school from 2013 recorded the site exceeding the EU-limit for NO<sub>2</sub> of 40µg/m<sup>3</sup>. A measurement of was 41.5µg/m<sup>3</sup> was recorded at the site.

7.74 Given the above, it could be reasonably expected that the children occupying the new school would be exposed to air pollution levels exceeding EU-limits.

7.75 The applicant has submitted an Air Quality Assessment prepared by Pick Everard, dated 26 June 2018 and a second Air Quality Assessment prepared by Eight Associates, dated 31 August 2018 in relation to air pollution impacts of and upon the proposal as a result of its design and location. Critically, the two reports differ in that the Pick Everard report is based on a modelling methodology whilst the Eight Associates report utilises recorded site measurements.

7.76 The Pick Everard report details that available data from four data-recording stations within 900m of the site. One station, termed a 'monitoring station' (L11) is located 850m to the north-east at Sparta Street; another (L16) is located 600m to the south-east along Lewisham Way. One recording station, termed an 'automatic monitoring station' (L4), is located 800m to the south-east directly west of Lewisham Station. The fourth recording station (L12) is termed a 'background location', and is located 900m south of the site in Hilly Fields.

7.77 The Pick Everard report confirms that NO<sub>2</sub> levels are exceeded to the south-east of the site along the A20 road as of 2016. Across 3 of the 4 data-recording stations, between 2012 and 2016 there has been a considerable reduction in recorded NO<sub>2</sub> levels (up to 10µg/m<sup>3</sup>). The exception to this trend is one monitoring station in very close proximity to the intersection of Lewisham Way (A20) and the A2210 road, directly west of Lewisham Station along Lewisham Way. It is noted in the report that the device is in close proximity to a busy road. This is a very congested area at the entrance to Lewisham town centre, in close proximity to several large-scale regeneration construction sites (namely Lewisham Gateway development) as well as two train lines and having many bus routes passing through the intersection serving south-east London.

7.78 The report also details that data sourced from the Department for Environment, Food and Rural Affairs for the square kilometre in which the school is located, reveals there has been a reduction in 5.36µg/m<sup>3</sup> across a four-year period from 2014 to 2018.

- 7.79 Combined with traffic data to 2016 (including split of light and heavy vehicles), the report modelling predicts that the annual mean concentration of NO<sub>2</sub> at the Lewisham Way boundary at the school site would be 31.8µg/m<sup>3</sup>. This would be 8.2µg/m<sup>3</sup> under the EU-limit of 40µg/m<sup>3</sup>.
- 7.80 This report also details that the site currently complies and would continue to comply with EU-limits set for PM<sub>10</sub> (particulate matter).
- 7.81 The Eight Associates investigation and analysis has incorporated the results of testing at 30 receptor points either within or near the site. This investigation concludes that the impact of the proposal (considering geometry of the building, air dispersion patterns) upon all receptors are negligible with respect to particulate matter (PM10 and PM2.5). All expected annual means for particulate matter would comply with EU-set limits. This report also details that the building and transport emissions from the proposed development would be 'Air Quality Neutral', as sought by London Plan Policy 7.14.
- 7.82 The same conclusion of negligible impact is reached for all receptors with respect to NO<sub>2</sub>, with the exception of two receptors. At these receptors, due to the geometry of the proposal and air dispersion, NO<sub>2</sub> annual mean concentrations would increase from 40.4 to 40.7µg/m<sup>3</sup>. The impact of this increase is described as 'slight' based on Environmental Protection UK and Institute of Air Quality Management guidance.
- 7.83 Appendix C of the Eight Associates report should be read in conjunction with this report. This appendix explains that the initial results presented at the local meeting on 15 August 2018 were based on fewer receptors and worst-case traffic emissions – the complete assessment as detailed in the report utilises traffic-emission data gathered from other Class A roads. There is therefore a legitimate reason why the initial results presented at the meeting were higher than what is detailed in the final report. The authors of the report make it clear that the findings presented in the report entirely supersede the initial findings data presented at the meeting.
- 7.84 The submitted information has been reviewed by Council's Environmental Health Officer air quality specialist. The officer agrees that based on the Pick Everard report, NO<sub>2</sub> levels at the site would likely be lower now than what was recorded in 2013. The officer has also undertaken testing at the site (via a diffusion tube) since January 2018. The monthly mean results, which must be treated with some caution, as they do not represent an annual mean, corroborate the predictions of the Pick Everard report by way of similar readings to those predicted.
- 7.85 The officer also advises that due to ground level differences and the wall to screen the play area from the road, fronted by planting, there would undoubtedly be a positive effect of screening children using the play space from exposure to pollutant levels along the A20 road. The Eight Associates report also discusses the fact that the building itself would create a 12m high barrier to the primary source of air pollution, and the further mitigation that can be achieved by planting along the street frontage. This is also commented on by Pick Everard.
- 7.86 The officer has commented that the design ensures internal air quality would be acceptable by way of the design of ventilation strategy for the building, as well as the opportunity for conditions of planning permission to further mitigate exposure to pollutants from the A20 road. A high level of mitigation of exposure to pollutants is considered appropriate given the end-use would accommodate primary school-aged children.
- 7.87 The issue of exposure to air pollution when walking to the school is not considered to be a significant issue in comparison to the existing walking routes to the school.

- 7.88 Considering the expert analysis and findings presented by the applicant; the proposed ventilation strategy for the building; the trend since 2013 of reducing levels of air pollution and the reasonable expectation that this would continue based on the intent of measures from City Hall and Transport for London; the substantial compliance predicted at present for the site when compared against EU limits, which do not calculate further mitigation possible by way of additional planting which is feasible for the scheme; and the scope for further mitigation by way of conditions of planning permission, the proposal is considered to suitably respond to the matter of air pollution exposure and ensure that will be reduced to be acceptably low.
- 7.89 It is acknowledged that the parts of the site are expected to remain above EU-levels for NO<sub>2</sub>, without factoring in mitigation brought about by further planting and use of specific plants along the street frontage. The degree of non-compliance is expected to fall in line with the trend seen since 2013, and would be further mitigated by additional planting at the front of the site which would be secured by condition of planning permission. The important information gleaned from the expert comments and reports however is that the site is very much substantially compliant with EU limits for pollutants, with substantially negligible impacts in terms of increases in exposure to air pollution levels (most of which are below EU limits), and these levels are reducing. The proposal is not considered to materially deteriorate the existing air quality conditions at the site.
- 7.90 For the above reasons, the proposal is considered to be consistent with the aforementioned policies, including relevant draft London Plan policies.
- 7.91 A repeated theme of submissions is that the proposal does not adhere to Mayor Sadiq Khan's publicised approach to tackling air pollution issues at schools. An audit of schools in London has resulted in a series of measures being recommended for schools, with funding available. In summary, this includes the likes of moving school entrances from polluted roads, avoiding engine idling near schools, greening along school frontages and in playgrounds to filter pollution, road use restrictions and design changes near schools, sustainable travel to schools and reducing emissions at schools.
- 7.92 The only potential measure that the proposal would appear to contravene is that the building would have an entrance from Ashmead Road. However, in this context, Ashmead Road is predicted by experts to substantially comply with EU-limits for measured pollutants. The aim of the Mayor's programme regarding air pollution at schools is to reduce the sources of harmful emissions and reduce exposure. The expert assessments provided indicate that pollutant levels are reducing and are expected to be for the most part compliant (in places, by substantial margins) at the site at present. Exposure is reduced by the design of the building, ventilation strategy and landscaping. For these reasons, it is not considered proportionate to apply this measure identified by the Mayor verbatim to this context.
- 7.93 The Mayor's aforementioned measure is reflected to a less specific degree in draft London Plan policy S3 (and even less so in current London Plan policy). There is a balance to be struck inherent in this draft policy however, between promoting active transport and providing good accessibility to public transport to avoid conflict with traffic, against this directive of locating entrances away from busy roads and using traffic calming measures. The mitigation of safety risks embedded within the proposal (through management and design, specifically the avoiding of a desire-line for children and parents exiting from the school, slowing of pace of exit, and traffic calming through signage) are considered to render the proposal overall consistent with the adopted plan and this draft policy.

### Neighbouring amenity impacts

- 7.94 Chapter 12 of the NPPF, policies 7.4 and 7.6 of the London Plan, Core Strategy Policy 15 and Development Management Policies 30 and 31 are considered to be particularly relevant to the matter of neighbouring amenity impacts.
- 7.95 The proposed building would match the setback distance from the road of the neighbouring terrace of dwellings at 255-265 Lewisham Way. The building would be lower in maximum height, and reduced in depth in comparison to the adjoining terrace of dwellings at 255-265 Lewisham Way. Considering the relationship of windows and open spaces of those properties to the proposed building, overbearing impacts on the occupants of those properties are considered to be suitably avoided by the design.
- 7.96 For the same reasons, outlook from windows at neighbouring properties is not considered to be unreasonably imposed upon or compromised. Due to the proximity to the road of the building, outlook from outdoor amenity spaces is also considered to remain reasonably spacious and not imposed upon. Views from public spaces to the open space and heritage assets are covered elsewhere in this report.
- 7.97 Considering further the relationship, namely distance and offset, of the windows to the proposed building, the proposed building is not considered to materially adversely affect natural daylight levels received at internal and external usable spaces at those properties.
- 7.98 The applicant has submitted an overshadowing report demonstrating the impacts of the proposal at the equinox (mid-point between summer and winter solstices). The assessment presented is based on Building Research Establishment (UK)-issued guidance on site layout planning for daylight and sunlight. The assessment criteria has been validated as correct and trajectory of the sun is considered to be accurately depicted. The conclusion of this report is that no significant adverse impacts upon sunlight reception to rear garden spaces would be generated by the proposal. This conclusion is agreed with by Council's Planning Officers. It is noted that the overshadowing analysis does not appear to take into account the separate, single-storey modular building at the school site. However, given that this building is north of the dwellings and east of the rear of the garden spaces, due to the trajectory of the sun it is only expected to cast a shadow over rear garden space until approximately 11.30am, with the remainder of the day the rear garden space in question receiving direct sunlight. Overall, the rear amenity garden spaces at the neighbouring terrace dwellings to the west are considered to receive a reasonable amount of direct sunshine across the year appropriate for this urban context.
- 7.99 Shade would be cast from the building to the west towards Stone House in the afternoon/evening. This would be most discernible during the winter months when nearby deciduous vegetation is not in leaf. Given the elevation of this building, and ground levels, this would reduce the lateral extent of shading cast into the property. Considering also the amount of unobstructed direct sunlight that would remain to be received at this property, amenity impacts as a function of loss of sunlight on the occupants of the property are not considered unacceptable.
- 7.100 Due to separation distances, no other person occupying any other neighbouring property is considered to be materially adversely impacted by overshadowing generated by the proposal. As such, shading impacts of the proposal are considered to be acceptable.
- 7.101 The building would be used for school purposes, between 9am and 3.15pm approximately. Considering this use type (i.e. classrooms, not social living spaces or windows constructed for the purpose of outlook) and time of day, the proposal is not

considered to generate unacceptable overlooking and privacy impacts upon any neighbouring occupant of a dwelling.

- 7.102 Noise from school use is established at the school. Council's Noise Officer has reviewed the proposal, and has raised no objection to the issue of the school roll extending at the site with respect to adverse impacts on the aural environment and amenity at neighbouring properties. As such, impacts of this nature on neighbouring amenity, including work-from-home activities, are considered to be acceptable.
- 7.103 The applicant has submitted an acoustic report detailing insulation measures as well as expected fixed plant emissions. The Council's Noise Officer is satisfied that noise impacts derived from fixed plant can be suitably reduced and managed by way of condition of planning permission. As such, noise emanating from proposed fixed plant is considered to be acceptable.
- 7.104 Construction-related impacts on amenity, such as noise, vibration, and dust, would be managed by the implementation of a construction management plan to be secured by condition of planning permission. The applicant has submitted a construction logistics plan with the application which provides sufficient confidence that these temporary effects can be appropriately mitigated to be reasonable in the context of construction activities. It is noted that the building is modular in nature, meaning that a degree of construction works would occur off-site, thereby minimising the duration of any impacts on neighbours.
- 7.105 For the above reasons, neighbouring amenity impacts of the proposal are considered to be acceptable, and the proposal consistent with the aforementioned policies, subject to conditions of planning permission.

#### Sustainability and energy impacts

- 7.106 Chapter 14 of the NPPF, policies 5.2, 5.3, 5.7, 5.10, 5.12-5.15 of the London Plan, Core Strategy Policies 7-10 and 12, and Development Management Policy 22 are considered to be particularly relevant to the matter of sustainability and energy impacts.
- 7.107 The applicant has submitted a Sustainability Statement for the project, as well as a Sustainable Drainage Statement and Flood Risk Assessment. As the proposal is not a 'major' planning application and is located in Flood Zone 1 and does not meet the requirements for consulting with the Environment Agency, no comments have been sought from the Environment Agency or the Lewisham Lead Local Flood Authority.
- 7.108 A BREEAM rating of 'Excellent' has been set by the project at the behest of the applicant. This would ensure that the building meets high standards of environmental sustainability, concerning, in summary, energy types and use, CO<sub>2</sub> emissions, water management, heating and ventilation, and ecological impacts. A condition of planning permission can secure this outcome.
- 7.109 The sustainability statement details that photo-voltaic panels generating renewable energy is included in the design, which would avoid 4 tonnes of CO<sub>2</sub> emissions being released into the atmosphere each year. These would be located on the roof of the proposed building.
- 7.110 The proposal occupies an area that is comprised of predominantly impermeable surfacing at present. The design ensures that the flow of surface water discharge from the site would be halved and managed within existing rainwater infrastructure servicing the school. This takes into account additional surcharge predicted to be generated attributable to climate changes.

- 7.111 Due to the separation from sources of ground, fluvial and surface flooding sources, the Flood Risk Assessment identifies that the proposal is considered suitable for the location in terms of susceptibility to flooding. For the same reasons, the proposal is not considered to materially affect the potential for flooding at other sites.
- 7.112 The development has many south-facing windows, which would assist in passive heating throughout the year.
- 7.113 Overall the proposal is considered to suitably reduce its environmental footprint through specific design measures deliberately included so that the building can achieve a BREEAM rating of Excellent. Renewable energy usage is included for the building and water would be stored on-site to halve surface water discharge. The combination of these measures is considered to ensure the building would be suitably sustainable for its lifetime, subject to a BREEAM 'Excellent' rating achievement condition. For the same reason, the proposal is considered to be consistent with the aforementioned policies.

#### Other environmental and ecological impacts

- 7.114 An unexploded ordnance (UXO) preliminary risk review has been submitted with the application. This details that the risk of a UXO being discovered during works is medium, with a 'credible likelihood' of discovery. The safety and land stability risk attached to this state of the land can be mitigated by a condition of planning permission requiring further surveys prior to development occurring.
- 7.115 A Geo Environmental Survey prepared by Pick Everard has been submitted with the application, as has a Geotechnical and Contamination Risk Assessment prepared by Ashdown Site Investigation Limited. The collective result of these assessments is that there is some concern with the geotechnical stability of the site due to the potential presence of man-made cavities. Elevated levels of lead have been found to exist at the site, and there is concern that asbestos would be discovered due to the likely presence of made ground underneath the site from the demolition of previous terrace housing. It is also apparent that intrusive testing for ground gases has not occurred.
- 7.116 The reports provide necessary confidence that the proposed development is environmentally feasible with respect to the above considerations. However, further testing would be necessary prior to development, which can be appropriately secured and ensured by conditions of planning permission.
- 7.117 An ecological impact assessment has been submitted with the application. The report identifies that mitigation in the form of provision of bat and bird-nesting boxes would be appropriate to offset the impacts of the proposal. This can be secured by way of condition of planning permission.
- 7.118 The impact of tree loss has been considered elsewhere in this report.
- 7.119 The proposed signage is considered to be relatively unobtrusive and simple, appropriate for the character of this area and not dominating or detracting from the design quality of the building.
- 7.120 The design does not explicitly propose any external lighting. Any lighting to result from the development is likely to be restricted to security lighting, which is not out of character for the site's school use or so intense and of a design so as to be intrusive upon neighbouring amenity.

- 7.121 For the above reasons, the proposal is considered to be acceptable with respect to other environmental and ecological impacts and consistent with identified policy, subject to conditions of planning permission.

Other submission points

- 7.122 The amount of play area provided, and ability for physical education to form part of the curriculum, is considered to be sufficiently high and of suitable quality, considering the existing play and outdoor learning spaces retained by the design and the new multi-use games area (MUGA) to be created. This is more a timetabling and curriculum-management matter, which is the responsibility of the school.
- 7.123 The proposed MUGA, which would become a primary play space within the school, would have good solar access particularly over the summer months. The existing playground, directly behind the existing school buildings, would still receive reasonable amounts of sunshine during the day at the equinox and summer solstice, due to the trajectory of the sun. A reduction in direct sunlight to the new playground space directly behind the new building, is not considered sufficient to warrant refusal of the proposal considering the quality of other play spaces.
- 7.124 The lack of a sheltered footpath between the two school buildings is not considered to be so detrimental to warrant refusal of the scheme.
- 7.125 The provisions of the Civic Amenities Act 1967 are considered to be reflected in this assessment, in particular by way of assessment against sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.126 One submission proposes an alternative siting of the school building within the subject site. This has been considered, however any scheme must be assessed on its merits relative to the surrounding context. This has been undertaken and the adverse impacts are not considered to be so detrimental that the scheme should be refused. It is noted that 6 alternatives were considered for the siting of the building by the applicant, one of which overlaps the location raised in the submission. The applicant has been advised of the argument for this an alternative siting of the building.

**8.0 Local Finance Considerations**

- 8.1 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 would or could be, provided to a relevant authority by a Minister of the Crown; or
  - (b) sums that a relevant authority has received, or would or could receive, in payment of Community Infrastructure Levy (CIL).
- 8.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 8.3 The Mayor of London's CIL is therefore a material consideration. CIL would be payable on this application and the applicant has completed the relevant liability form.

**9.0 Equalities Considerations**

- 9.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.



- 9.2 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
  - (c) foster good relations between people who share a protected characteristic and persons who do not share it.
- 9.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 9.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
- 9.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
  2. Meeting the equality duty in policy and decision-making
  3. Engagement and the equality duty
  4. Equality objectives and the equality duty
  5. Equality information and the equality duty
- 9.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>
- 9.7 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, with the exception of disabled access which is provided for in the design, and therefore it has been concluded that there is no impact on equality to any person.

## **10.0 Human Rights Implications**

- 10.1 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. “Convention” here

means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:

- Peaceful enjoyment of property
- Right to a fair trial
- Right to respect for private and family life

- 10.2 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.
- 10.3 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with convention rights would be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the local planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest. This application has the legitimate aim of providing a new building for educational use. The rights potentially engaged by this application, are not considered to be unlawfully interfered with by this proposal.

## **11.0 CONCLUSION**

- 11.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 11.2 Officers consider that the proposal holds a degree of inconsistency with relevant planning policy concerning open space and tree loss, and to a much lesser degree concerning impacts on the visibility and setting of the neighbouring listed building. In all other material planning consideration respects, the proposal has acceptable impacts subject to the recommended conditions, and is consistent with all other relevant planning policy.

The degree of adverse impacts and associated degree of inconsistency with relevant planning policy is not considered to outweigh the positive benefits of the proposal and positive consistency with the majority of relevant planning policy. Specifically, providing additional school places in a growing area of the borough, in a manner that is of suitably high-quality design, substantially respecting and appropriately addressing site constraints relating to its location within a conservation area and adjoining a Grade II\* listed building, and its proximity to a Class A road with a history of elevated air pollution levels. Adverse impacts are considered to be substantially mitigated by the design, subject to the recommended conditions of planning permission below, and on this basis, the scheme is considered acceptable. The inconsistency of the proposal with relevant planning policy is not considered to be so strong that the proposal is fundamentally contrary to the policy intentions of the adopted Development Plan.

## **12.0 RECOMMENDATION**

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

### **Conditions:**

1. Time Limit for Commencement:

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. Approved Plans and Documents:

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

APS-ALA-00-XX-M2-L-0003 S2 Rev P02  
KEE003-PEV-XX-ZZ-DR-A-0100 Rev P09  
KEE003-PEV-XX-ZZ-DR-A-0110 Rev P06  
KEE003-PEV-XX-ZZ-DR-A-0400 Rev P02 (note - proposed sections on this plan superseded by plans below)  
Ecological Assessment, received 15.12.17;

KEE003-PEV-XX-GF-DR-A-0201 Rev. P19  
KEE003-PEV-XX-GF-DR-A-1200 Rev. P24  
KEE003-PEV-XX-01-DR-A-1201 Rev. P23  
KEE003-PEV-XX-02-DR-A-1202 Rev. P22  
KEE003-PEV-XX-03-DR-A-1203 Rev. P22  
KEE003-PEV-XX-ZZ-DR-A-3000 Rev. P14  
KEE003-PEV-XX-ZZ-DR-A-3100 Rev. P21  
KEE003-PEV-XX-ZZ-DR-A-4100 Rev. P14  
KEE003-PEV-XX-XX-DR-C-0500 Rev. P06  
KEE003-PEV-XX-XX-DR-C-0501 Rev. P06  
KEE003-PEV-XX-XX-DR-C-0505 Rev. P04  
KEE003-PEV-XX-XX-DR-C-0700 Rev. P06  
APS-ALA-00-00-XX-DR-L-0004 Rev. P05  
APS-ALA-00-00-XX-DR-L-0005 Rev. P05  
APS-ALA-00-00-XX-DR-L-0006 Rev. P04  
APS-ALA-00-00-XX-DR-L-0007 Rev. P04  
Acoustic Planning Report  
Geo-Environmental Survey  
Sustainability Statement  
Sustainable Drainage Statement  
Construction Logistics Plan, received 15.06.18;

KEE003-PEV-XX-ZZ-SK-A-9400 Rev. P01  
KEE003-PEV-XX-ZZ-SK-A-9401 Rev P01  
KEE003-PEV-XX-ZZ-SK-A-9402, received 24.08.18;

Ashmead Planning Clarification Report, received 04.09.18;

Planning Statement - Air Quality Assessment, received 13.09.18.

APS-ALA-00-00-XX-DR-L-0001 Rev. P07  
APS-ALA-00-00-XX-DR-L-0002 Rev. P08  
APS-ALA-00-00-XX-DR-L-0008 Rev. P05, received 14.09.18.

**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. Construction Management:

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) Monitoring of the efficacy noise, dust and vibration mitigation measures during construction, including method, potential response actions, and frequency of monitoring.
- (e) 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.
- (f) Security Management (to minimise risks to unauthorised personnel).
- (g) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).
- (h) Hazardous substance use and storage on the site, specifically fuel types to be used by mobile plant and where re-fuelling and storage of fuel would take place. Ultra Low Sulphur Diesel should be used for construction mobile plant.

The development must be carried out in accordance with the approved Construction Management Plan.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which would 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. Site Contamination:

- (a) No development of buildings and landscaping hereby approved shall commence until each of the following have been complied with:-
  - (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
  - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.

- (iii) The required remediation scheme implemented in full.

Note: Recommendations for treatment of expected contamination (Asbestos) have not been provided in the documents submitted to date.

Recommended treatment in the instance that ground gases are present in the soil are also not detailed in the documents, and it is not clear what degree of testing for ground gases has occurred to date. Soft landscaping and any playground areas to be modified by the development hereby approved must also be covered in the reports produced to satisfy condition 4(a)(ii). Condition 4(a)(ii) is therefore not considered to have been met by the information submitted to date with the application.

- (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. Fixed Plant Noise Mitigation:

- (a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.
- (b) Development shall not commence above ground until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.
- (c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

6. Sound Insulation:

- (a) No development shall commence above ground until full written details, including relevant drawings and specifications of the proposed works of sounds insulation against airborne noise to meet the noise insulation levels detailed in Table 11 of the Ashmead Primary School - Acoustic planning report prepared by Sandy Brown Associates, 17337-R03-A received 15.06.18, have been submitted to and approved in writing by the local planning authority.
- (b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.
- (c) The soundproofing shall be retained permanently in accordance with the approved details.

**Reason:** In the interests of residential amenity and quality of the learning environment within the building hereby approved, to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014) and Policy 19 Provision and maintenance of community and recreational facilities of the Core Strategy Development Plan document (2011).

7. Sustainability - BREEAM Rating:

- (a) The buildings hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) No development shall commence above ground until a Design Stage Certificate for each building (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

**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 (2016) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

8. Design Quality - Materials

No development shall commence above ground on site until a detailed schedule and samples of all external materials and finishes (excluding roof materials) to be used on the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the high design quality demonstrated in the plans and submission is delivered so that local planning authority may be satisfied as to the

external appearance of the building(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.

9. Cycle and Scooter Parking:

- (a) The building hereby authorised by this planning permission shall not be occupied until the full details of the cycle and scooter parking facilities have been submitted to and approved in writing by the local planning authority. This includes the number of additional scooter and cycle parking spaces to be provided to serve the development, and justification for that number.
- (b) All cycle and scooter 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).

10. Tree Protection During Construction:

No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council. The TPP should follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded. Changes in levels across the site, and details of the material type and permeability where surface materials are being changed, must be detailed on the drawing to accompany the TPP.

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

11. Soft Landscaping:

- (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) to be implemented as part of the development, 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. The scheme must detail the potential for further climbing planters to establish atop of the wall fronting Lewisham Way, for the purpose of further reducing exposure to air pollution within the southern end of the MUGA. Comments on this plan as to the efficacy of the measures with respect to further reducing exposure to air pollution within the MUGA must be included, from a suitably qualified air quality expert, making reference to the findings of the Air Quality Assessment submitted with the application prepared by Eight Associates.
- (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 23 Air quality, DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

12. Ecology:

At least two bat and two bird boxes must be provided as part of the development hereby approved. The details of the design and location of the boxes shall be submitted to and approved in writing by the local planning authority prior to the completion of the development 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 (2016), 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).

13. Tree Establishment:

(a) Prior to the planting of trees along the Lewisham Way frontage to the site, the applicant must submit details of the dimensions of the soil mass to be available to all trees. The trees must not be planted until the details have been approved in writing by the Local Planning Authority.

(b) The trees to be planted along the Lewisham Way frontage, as specified on the submitted planting plan APS-ALA-00-XX-DR-L-0008 S2 Rev P03, must be planted prior to the occupation of the building, with an in-the-ground height of at least 4.5m.

**Reason:** To ensure successful tree establishment and implementation of an appropriate quality of landscaping for the site which contributes heavily to the public realm, considering the existing public realm contribution of trees at the site, in accordance with Development Management Policies 25 Landscaping and Trees, 30 Urban design and local character, 35 Public realm of the Lewisham Development Management Local Plan (2014), and Lewisham Core Strategy (2011) Policy 12 Open space and environmental assets.

14. Ventilation:

Fresh air intake for the mechanical ventilation to service the building hereby approved, must be taken exclusively from the northern side of the building hereby approved, at first-floor level or higher.

**Reason:** To safeguard the quality of air intake into the building, in accordance with Core Strategy Policy 9 Improving Air Quality and DM Policy 23 Air Quality.

15. Deliveries and Servicing Plan:



- (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).

16. School Travel Plan:

- (a) No part of the development hereby approved shall be occupied until such time as a users Travel Plan, in accordance with Transport for London's document 'Travel Panning 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. The Travel Plan must include use of the buildings/site for extra-curricular purposes.
- (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).

Structural integrity of neighbouring buildings

17. Prior to the demolition of the existing wall at the site, certification from a suitably qualified structural engineer that the demolition of the wall, construction of the replacement wall, and construction of the building, would have no adverse impact upon the structural integrity of any buildings and structures on the adjoining site to the east of the subject site, 281 Lewisham Way (the location of Stone House, a grade II\* listed building with associated, separately-listed structures also at the site) must be submitted to the local planning authority.

**Reason:** To protect the structural integrity of the neighbouring listed buildings and structures, in accordance with DM Policy 36 of the Lewisham Development Management Local Plan (2014) and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

18. Land stability and safety:

- (a) Prior to excavation commencing at the site, a detailed unexploded ordnance study

must be conducted at the site. Following the results of the survey, recommendations to ensure the safety of the progression of the development with respect to the risk of encountering any unexploded ordnances by the person carrying out the study must be made to the construction manager, and updates made to the Construction Management Plan to ensure the stability of the land and minimise the risk to human health during construction.

(b) Prior to excavation commencing at the site, a Cavities Risk Assessment must be undertaken in accordance with the recommendation of the Geo-Environmental Survey hereby approved, to ensure that the risk of instability due to man-made or other cavities being present in the ground is acceptably low to the satisfaction of a suitably qualified geotechnical engineer.

(c) Written evidence of compliance with conditions (a) and (b) above, specifically a joint statement from the person responsible for the detailed unexploded ordnance study, the construction manager, and the geotechnical engineer demonstrating compliance with the conditions, including the provision of the Construction Management Plan stating any measures to be implemented as a result of the detailed unexploded ordnance study, must be submitted to the local planning authority prior to excavation commencing.

**Reason:** To ensure the stability of the land to be developed, and the safety in the short-term (construction workers) in completing the project.

19. Pedestrian Safety:

A warning sign to drivers stating the message 'Warning: School Students Crossing - 8.15 to 9.15am and 2.45 to 3.45pm (or amended as appropriate to the schools precise hours of education), Monday to Friday' must be erected on the northern footpath of Lewisham Way, north-west of the bus stop in front of the school site on the public highway, and on the southern footpath of Lewisham Way south-east of the signalised pedestrian crossing across Lewisham Way between the intersections of Tressillian Road and St John's Vale with Lewisham Way, facing on-coming vehicular traffic.

Details as to the dimensions of the sign and lettering, height of the sign, exact location, angle to the carriageway of the road, and any illumination if included, must be submitted to and approved by the local planning authority, in consultation with Transport for London, prior to the installation of the sign, which must be installed prior to the occupation of the school building hereby approved.

**Reason:** To ensure the safety of school users and the school community in conjunction with the existing pedestrian and bus-stop usage at this site, in accordance with Core Strategy Policy 14 Sustainable movement and transport.

## **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. The application was the subject of pre-application meeting discussions, and further amendments to the design were made during the processing of the application to improve the quality of design of the building.
- B. The applicant is advised that any works associated with the implementation of this

permission (including the demolition of any existing buildings or structures) would constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.

- C. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which would be payable on commencement of the development. Before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: -  
**<http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>**

- D. Applicants are advised to read 'Contaminated Land Guide for Developers' (London Borough's Publication 2003), on the Lewisham web page, before complying with the above condition. All of the above must be conducted in accordance with DEFRA and the Environment Agency's (EA) - Model Procedures for the Management of Land Contamination.

Applicants should also be aware of their responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance therefore relating to their activities on site, should be obtained primarily by reference to DEFRA and EA publications.

- E. You are advised to contact the Council's Drainage Design team on 020 8314 2036 prior to the commencement of work.
- F. It is expected that the submitted Construction Logistics Plan would form the basis of the final Construction Management Plan, updated to address all the matters specified in the relevant condition as well as incorporating best practice measures recommended in Lewisham's Good Practice Guide - Control of pollution and noise from demolition and construction sites, and the London Plan Supplementary Planning Guidance - The control of dust and emissions during construction and demolition (July 2014).
- G. The applicant is advised that an agreement with Transport for London as the highways authority for Lewisham Way, pursuant to section 278 of the Highways Act 1980, would need to be secured for all works to that highway prior to works commencing. Council has consulted Transport for London regarding all design changes to the highway and construction-related temporary works and suspensions to the highway and bus stop, with Transport for London agreeing that the works either shown or detailed in the approved plans and documents, or required by condition of planning permission, are acceptable to Transport for London.