

Committee	PLANNING COMMITTEE A	
Report Title	46 ERMINE ROAD, LONDON, SE13 7JS	
Ward	Ladywell	
Contributors	Jesenka Ozdalga	
Class	PART 1	5 June 2019

Reg. Nos. DC/18/109871

Application dated 14.01.2018.

Applicant Mr Griffiths

Proposal The construction of a single storey infill extension to the rear of 46 Ermine Road SE13, together with the construction of a two storey, two bedroom dwellinghouse on the land to the side of the property with associated cycle and refuse storage, landscaping and boundary treatment.

Applicant's Plan Nos. 0252-01; 0252-02 Rev A; 0252-03; 0252-04; 0252-05; 0252-06; 0252-07; 0252-08 Received 27 November 2018

20-125; A19-100 Rev 02; A20-201 Rev 03; A20-202 Rev 03; A20-204 Rev 03; A20-221 Rev 02; A20-222 Rev 02; A20-231 Rev 02; A20-232 Rev 02; A20-233 Rev 02; A20-234 Rev 02; A94-300 Rev 00 Received on 9 May 2019

Background Papers

- (1) Core Strategy (June 2011)
- (2) Development Management Local Plan (November 2014)
- (3) London Plan (March 2016)

Designation PTAL 3

Screening N/A

1 **SUMMARY**

1 This report sets out Officer's recommendation for the above proposal. The report has been brought before members for a decision as the recommendation is to approve and there are more than three valid planning objections

2 **SITE AND CONTEXT**

2 The application site is located on the north corner of the Ermine Road and Vicars Hill/Ellerdale Street junction. The subject site is an end-of-terrace two storey single family dwellinghouse and land adjacent to it which is currently used as a

garden and car park. The existing dwelling features yellow brick façade facing Ermine Road, and pebbledashed side and rear elevation visible from Vicars Hill.

3 The surrounding area is predominantly residential with various types of buildings including Victorian and early 20th century terraces, post war and contemporary buildings.

4 The site is not located within a conservation area, not subject to an Article 4 direction or listed. It has a PTAL rating of 3.

3 **RELEVANT PLANNING HISTORY**

5 **DC/13/084671** – The construction of a two storey, two bedroom end of terrace house to the side of 46 Ermine Road, SE13.

Refused by reason of its design, prominent siting, massing and encroachment on the open junction setting of Ermine Road/Vicars Hill/Ellerdale Road and its relationship to the existing and adjacent dwellings in this prominent corner location would not be compatible with the existing building or the character of the surrounding development and by reason of failing to provide a satisfactory layout, standard and size of quality accommodation for future occupiers by reason of its substandard floor space arrangement.

6 **DC/18/108273** - Lawful Development Certificate (Proposed) in respect of the construction of a side hip to gable roof extension and installation of two rooflights to the front elevation at 46 Ermine Road, SE13, together with construction of rear dormer roof extension. **Granted but not yet implemented: remains extant.**

4 **CURRENT PLANNING APPLICATION**

7 The current application proposes a two storey, two bedroom dwellinghouse on the land to the side of No.46 along with the construction of an infill extension to the rear of No. 46.

8 The applicant is owner of the property no.46.

9 The proposed two storey dwellinghouse would be located on the land to the side of the existing property. The existing rear garden would be divided into two to provide external amenity space for each dwellinghouse.

10 The dwellinghouse would measure 3.1m wide on the front elevation (Ermine Road) and 4.7m wide on the rear elevation by 13.5m deep along the side elevation (Vicars Hill). It would be a maximum of 6.7m high from the Ermine Road level. As Vicars Hill slopes up from Ermine Road, the rear of the property would have an approx. height of 4.7m above Vicars Hill street level.

11 The proposed dwellinghouse would have two double bedrooms on the first floor and an open plan kitchen and dining with separate living area on the ground floor. The total GIA (Gross Internal Area) would be 90sqm.

12 The proposed materials are:

Roof and first floor	Eco-composite panels
Ground floor walls	London stock brick
Windows	Powder coated aluminium

Doors	Timber
Hard landscaping	Brick steps to the front
Bin and cycle storage	Timber

13 The development would also involve hard and soft landscaping of the site, boundary treatment and the provision of two cycle parking spaces as well as refuse storage. The development proposes planting of two appropriate sized trees to both rear gardens.

14 The proposed infill extension would accommodate enlarged kitchen and dining area and have a depth of 4.0m with a flat glazed roof of max 3.1m height. The infill extension would incorporate a lightwell that would allow natural light and ventilation for the space in the existing basement.

5 **CONSULTATION**

5.1 **PRE-APPLICATION ENGAGEMENT**

15 Pre-application advice was sought with the response in January 2018 prior to submission.

16 Following receipt of the advice the applicant subsequently revised the proposals in line with the comments received.

5.2 **APPLICATION PUBLICITY**

17 The Council's consultation and publicity met the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

18 A Site notice was displayed on 8 February 2019 and letters were sent to seven adjoining addresses, Ladywell Ward Councillors and Highways on 15 January 2019.

19 Six objections were received, raising the following substantive material planning considerations:

5.2.1 **Objections**

Material planning consideration	Para where addressed
Overdevelopment of a small site	Para. 35
Inappropriate design	Paras. 36, 37, 39
Overlooking / lack of privacy, reduction in sunlight and daylight and increase in overshadowing	Paras. 44, 45
Inadequate standard of accommodation	Paras. 52, 53, 54
Location and nature of cycle and refuse store	Para. 62

Impact on highways; removal of off-street parking, increase in parking stress and construction issues	Paras. 60, 61
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20 Other concerns were raised relating to the accuracy of the drawings and the potential for adverse impact on foundations due to excavations and site boundary and ownership to the land at the rear. Officers have reviewed the drawings and are satisfied they are accurate. The latter is not a relevant material consideration in this case.

21 Complaints were received about site notice not being displayed on the property during the consultation period. The applicant completed the certificate of site notice display stating the notice was erected on 8 February.

6 **POLICY CONTEXT**

6.1 **LEGISLATION**

22 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

23 **MATERIAL CONSIDERATIONS**

24 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

25 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

26 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to the test of reasonableness.

6.2 **NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance

6.3 **DEVELOPMENT PLAN**

27 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Draft London Plan: The Mayor of London published a draft London Plan on 29 November 2017 and minor modifications were published on 13 August. The Examination in Public commenced on 15 January 2019 and concluded

on 22 May 2019. This document now has some limited weight as a material consideration when determining planning applications. There are no relevant draft policies that are materially different from the adopted London Plan for the purposes of this decision.

- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013)

6.4 SUPPLEMENTARY PLANNING GUIDANCE

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

- Housing (March 2016)

7 PLANNING CONSIDERATIONS

29 The relevant planning considerations are:

- Principle of development
- Urban design
- Impact on the living conditions of adjoining residents
- Standard of residential accommodation
- Traffic, parking and highways issues
- Landscaping and environmental matters

7.1 PRINCIPLE OF DEVELOPMENT

30 Officers recognise that housing is a priority use in the borough and infill sites are a sustainable use of land to help meet housing targets.

31 The proposal constitutes infill development as defined by DM Policy 33 because it is within a street frontage and on the street corner. Development is therefore supported in principle subject to details including design quality. These details are addressed below.

7.2 DESIGN

Policy

32 Para. 131 of the NPPF states that "in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area".

33 Relevant regional and local policies are London Plan Policies 7.1, 7.4 and 7.6, Core Strategy Policy 15 and DM Policies 25, 30 and 33.

Discussion

34 The layout, massing and scale responds to the surrounding context of two storey attached dwellinghouses and the design is innovative and high quality.

35 Neighbours have raised a concern that the building would sit uncomfortably on the prominent corner of the Ermine Road and Vicars Hill junction and would constitute overdevelopment. The building would close the existing gap between

the end of the terrace and Vicars Hill. The loss of openness on this corner is not harmful to the character of the area as other properties on that junction and others in the area also do not have open corners. Therefore this change would not result in an unusual relationship in the context of the wider area. Additionally, the proposed building would be lower and narrower than surrounding properties. The resulting massing is subordinate to the local form, which is considered acceptable and not held to be overdevelopment.

36 Turning to the detailed design, the scheme seeks to avoid replicating the design of other properties in the area. Instead the building is clearly of its time and innovative. The key feature is the unusual and prominent roof form. In order to avoid long flank wall along Vicars Hill, the side elevation of the proposed building is activated with use of composite cladding and brick and narrow windows hidden behind aluminium fins.

37 The use of composite cladding, glazing, aluminium windows and fins introduce modern elements into the design of the building. The quality of these materials has been adequately demonstrated within the Design and Access Statement.

38 Compared to previously refused scheme, it is considered that the scale and massing of this proposal corresponds better to the surrounding area with its high quality design and use of contemporary materials.

Summary

39 Officers conclude the proposed building would be innovative and of very good design quality, evident in the detail and proposed materials, and relate successfully to the surroundings. Great weight is given to this in accordance with para 131 of the NPPF.

40 Physical samples of the materials are recommended to be secured by condition. In light of the weight given to the design of the building, Officers recommend that if this application is approved a condition is imposed to remove permitted development rights in respect of the site.

7.3 LIVING CONDITIONS OF NEIGHBOURS

Policy

41 Relevant regional and local policies are London Plan Policy 7.6 and DM Policies 32 and 33.

42 The main considerations in terms of amenity in this case are: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas. Noise would be limited to that generated by domestic properties.

Discussion

43 The living conditions of neighbours would not be harmed by this development.

44 Neighbours have raised concerns that the development would harm the living conditions of neighbours, in terms of loss of privacy and loss of daylight and sunlight. The only neighbours that would be affected are those living in No. 46, which is also subject to this application. The dwellinghouse has been designed to

minimise the impacts on No. 46 to acceptable levels. The relationship between the development and other neighbours is such that there would be no effect on their living conditions.

- 45 No windows are proposed to the side elevation of the new building towards no.46. To the rear, the separation distance between the new building and no. 55 Vicars Hill would be approx. 19.7m. and to no.69 Shell Road approx. 23.2m, which is considered a sufficient distance so as not to affect outlook, particularly given the change in levels. The garden space for the proposed building would be in the same location as the existing with the proposed building sits lower than the buildings of Shell Road. For the same reason, the building would not have an impact on neighbours in terms of daylight and sunlight.
- 46 The proposed infill extension to the rear of property no.46 is not considered to have harmful impact on the future occupiers of the new building on the adjacent land and their amenities.
- 47 Neighbours have raised concerns about the impact of development works and the eventual use of the building on local amenity. Some degree of disruption is expected from construction works. Construction working hours, noise and dust pollution is covered by Lewisham's Good Practice Guide - Control of Pollution and Noise from Demolition & Construction Sites and by the Control of Pollution Act. Due to the scale of the development and the fact there is other legislation which covers this point, it is not recommended that a Construction Management Plan is secured by condition. The introduction of a residential use to a residential area is considered acceptable.
- 48 Neighbours have raised concerns about the impact of the basement excavation on neighbouring properties. This is not a relevant planning consideration in this case: no new basement would be excavated. The ground level to the rear would be excavated for approx. 0.7m to allow the building to sit lower and reduce the total height of the development. Furthermore, structural issues are not a relevant planning consideration and are covered by the Party Wall Act 1996 and Building Control regulations.

Summary

- 49 Taking the above into account, it is considered that this application would have no harmful impact on neighbouring residential amenity.

7.4 STANDARD OF ACCOMMODATION

Policy

- 50 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LPP 3.5), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA).
- 51 The main components of residential quality in this case are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight and (v) external space standards.

Discussion

- 52 LPP 3.5 seeks to achieve housing development with the highest quality internally and externally in relation to their context. Minimum space standards are set out in Table 3.3 of the London Plan. The proposed dwelling, at 90sqm GIA, would be larger than the minimum standard of 79sqm.
- 53 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents. The proposed development has dual aspect at the ground, and triple aspect at the first floor and the windows are considered to give adequate natural light and ventilation. Furthermore, all windows within the new building are oriented towards east and west with side elevation windows on the first floor facing south. This would help to avoid the risk of overheating. Similarly this would ensure daylight and sunlight would be satisfactory.
- 54 Standard 4.10.1 of the Mayor's Housing SPG states that 'a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant'. The amenity space provided for the new dwelling (29sqm rear garden) would be in excess of those requirements.
- 55 Previously refused scheme had approx. GIA of 63m², which was not compliant with minimum standard of 70m² for two storey 2 bedroom 3 person house.

Summary

- 56 As such, Officers deem that the proposal provides a high standard of accommodation for future occupiers.

7.5 HIGHWAYS AND SERVICING

Policy

- 57 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para 102. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic; and (e) ensuring the design of transport considerations contribute to high quality places.
- 58 Regionally, the Mayor's Transport Strategy ('the MTS', GLA, March 2018) sets out the vision for London to become a city where walking, cycling and green public transport become the most appealing and practical choices. The MTS recognises links between car dependency and public health concerns.
- 59 London Plan Policy 6.9 Cycling states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3 and the guidance set out in the London Cycle Design Standards (or subsequent revisions).
- 60 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

Discussion

- 61 The proposal results in the loss of one off-street parking space, which is located on the area proposed for the development of a new building and accessed from the dropped kerb on the corner of Ermine Road and Vicars Hill.
- 62 Neighbours have raised concerns that the development would result in loss of off-street parking and an increase in on-street parking stress. The scheme would displace one car to the street (from No. 46). A further car would be generated by the new house. In this case it is not considered reasonable to impose a restriction on future parking permits (a 'car-free' condition). This is because the stretch of Vicars Hill along which this site is located has parking bays which do not have houses fronting them.
- 63 Neighbours have raised concerns about the location and nature of the cycle and refuse storage. These have since been revised. The new dwellinghouse would be provided with two cycle parking spaces in a structure in the rear garden, which meets London Plan standards, and is therefore acceptable. However, further details are recommended to be secured by condition. The occupiers of the house no.46 would store their bikes in the rear garden as per existing arrangement.
- 64 Refuse bins are proposed to be located in the front of the building, in an enclosed timber box, in a similar location to the existing arrangements along the terrace. Furthermore, the same arrangement for bin storage is to be provided in front of the property no.46. This would comply with guidance on waste and refuse.
- 65 Neighbours have raised concerns about the impact of construction on the highway network. Given the scale of the development and the extent of highway frontage, it is not considered reasonable to require a Construction Management Plan in this case.

Summary

- 66 Officers raise no objection on highways or servicing grounds subject to conditions.

7.6 LANDSCAPING AND ENVIRONMENTAL MATTERS

Policy

- 67 Para 153 (b) of the NPPF requires Local Planning Authorities to expect new development to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 68 Relevant regional and local policies are London Plan Policy 5.10 (Urban Greening), Core Strategy Policies 12 and 15 and DM Policies 25 and 32.

Discussion

- 69 The house would be built to a higher standard than Part L1A of the Building Regulation, through the incorporation of insulation, double glazed windows, mechanical ventilation with heat recovery and low energy lighting. The proposed windows to the south elevation would feature screening aluminium fins to prevent overheating. This is welcome.
- 70 In terms of the landscaping, the site would be hard and soft landscaped in the form of a patio at ground level with steps up to a garden to the rear and planting

area with refuse storage and brick steps to the front of the proposed building. This would result in an improvement to the situation. To the rear, planting of two new trees and other associated soft landscaping are proposed. Further details of the front and rear landscaping, to include suitable tree species, are recommended to be secured by condition.

71 Furthermore, the boundary wall with Vicars Hill is to be re-built as a brick wall and timber fence, incorporating the cycle store at the end of the site. No objection is raised to this since the existing treatment is a timber fence and details of the replacement wall is covered within the boundary treatment condition.

Summary

72 Officers conclude that building orientation, massing, provision of the amenity space for future occupiers with high quality hard and soft landscaping, including planting of new trees to the rear garden positively contribute to the sustainability of this proposal. Great weight is given to this in accordance with 153 (b) of NPPF.

8 LOCAL FINANCE CONSIDERATIONS

73 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

- a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

74 The weight to be attached to a local finance consideration remains a matter for the decision maker.

75 The proposal is liable to pay £5,653.11 MCIL (with new MCIL2 rate of £60 per sqm) and £8,225.03 LCIL (total £13,878.14) and there are no local finance considerations.

9 EQUALITIES CONSIDERATIONS

76 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.

77 In summary, the Council must, in the exercise of its function, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and persons who do not share it.

78 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.

79 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>

80 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

81 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>

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, and therefore it has been concluded that there is no impact on equality.

10 **HUMAN RIGHTS IMPLICATIONS**

82 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:

- Article 8: Respect for your private and family life, home and correspondence

- Protocol 1, Article 1: Right to peaceful enjoyment of your property

83 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.

84 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will 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.

85 This application has the legitimate aim of providing a new extension to the residential property and creation of a new residential property. The rights potentially engaged by this application, including Article 8 and Protocol 1, Article 1 are not considered to be unlawfully interfered with by this proposal.

11 **CONCLUSION**

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

87 In reaching this recommendation, Officers have given significant weight to the merit of an additional family sized house in a sustainable location. Great weight is given to the high standard of innovative design and the improvement to the streetscene. As such, Officers recommend that planning permission should be granted subject to the imposition of suitable planning conditions.

12 **RECOMMENDATION**

88 That the Committee resolve to **GRANT** planning permission subject to the following conditions and informatives:

12.1 **CONDITIONS**

1) **FULL PLANNING PERMISSION TIME LIMIT**

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) **DEVELOP IN ACCORDANCE WITH APPROVED PLANS**

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

0252-01; 0252-02 Rev A; 0252-03; 0252-04; 0252-05; 0252-06; 0252-07; 0252-08 Received 27 November 2018

20-125; A19-100 Rev 02; A20-201 Rev 03; A20-202 Rev 03; A20-204 Rev 03; A20-221 Rev 02; A20-222 Rev 02; A20-231 Rev 02; A20-232 Rev 02; A20-233 Rev 02; A20-234 Rev 02; A94-300 Rev 00 Received 9 May 2019

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) DESIGN AND MATERIALS

No development shall commence on site until a detailed material schedule and product specification for the composite panels, brick and aluminium fins have been submitted to and available and approved on site and in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

4) CYCLE STORAGE

(a) A minimum of two secure and dry cycle parking spaces shall be provided within the development.

(b) No occupation of the proposed dwelling shall commence until the full details of the cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: In order to ensure adequate provision for cycle parking and to comply with Policy 6.9 Cycling of the London Plan (March 2016) and Policy 14 Sustainable movement and transport of the Core Strategy (2011).

5) HARD AND SOFT LANDSCAPING

(a) The proposed dwelling shall not be occupied until drawings showing hard and soft landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces and new planting) have been submitted and approved in writing by the Local Planning Authority.

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

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

6) BOUNDARY TREATMENTS

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

(b) The approved boundary treatments shall be implemented prior to occupation of the buildings and retained for the lifetime of the development.

Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

7) REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no extensions or alterations to the building under Classes A, B, C and D of Part 1, Schedule 2, including the insertion of windows (or other openings), shall be constructed in any of the elevation of the building other than those expressly authorised by this permission. Any further alterations shall require the prior written permission of the Local Planning Authority.

Reason: In order that, in view of the nature of the development hereby permitted, the Local Planning Authority may have the opportunity of assessing the impact of any further development in the interests of amenity and privacy of adjoining properties in accordance with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policies 31 Alterations and extensions to existing buildings including residential extensions, 32 Housing design, layout and space standards and 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

8) THE RETENTION OF THE AMENITY SPACE

The whole of the amenity space as shown on drawing nos. A20-201 Rev 03 and A94-300 hereby approved shall be retained permanently for the benefit of the occupiers of the residential unit hereby permitted.

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

9) CONSTRUCTION DELIVERIES AND HOURS

No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 08:00 and 18:00 on Mondays to Fridays and 08:00 and 13:00 on Saturdays and not at all on Sundays or Public Holidays.

No work shall take place on the site other than between the hours of 08:00 and 18:00 on Mondays to Fridays and 08:00 and 13:00 on Saturdays and not at all on Sundays or Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policies 26 Noise and Vibration and 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

10) REFUSE STORAGE

The approved storage of refuse and recycling facilities shall be provided in full prior to occupation of the proposed dwelling and shall thereafter be permanently retained and maintained.

Reason: In order that the Local Planning Authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general in compliance with Policy 13 Addressing Lewisham waste management requirements of the Core Strategy (2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

11) THE USE OF FLAT ROOF

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roof above the ground floor to the rear of the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

12.2 INFORMATIVES

- 1) **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. Positive discussions took place during the application process which resulted in further information being submitted so that the proposal was in accordance with the Development Plan.
- 2) The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures or cleaning of the site) will constitute commencement of

development. Furthermore, 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 Local Planning Authority, before any such works take place.

- 3) As you are aware you have declared that the approved development is exempt from the payment of the Community Infrastructure Levy (CIL). 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>
- 4) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham webpage.
- 5) In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.
- 6) The applicant is advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's website.