

MAYOR AND CABINET		
Report Title	New Homes Programme Update – Bampton Estate	
Key Decision	Yes	Item No.
Ward	Perry Vale	
Contributors	Executive Director of Resources & Regeneration, Executive Director of Customer Services	
Class	Part 1	Date: 5 June 2019

1. Summary & Purpose

- 1.1. As part of the New Homes, Better Places programme, the Bampton Estate was identified as a site which could contribute to the delivery of the new homes. In March 2018, a planning application was submitted for the construction of 50, over 60's one bedroom sheltered homes on the Bampton Estate with associated landscaping and public realm works including the removal and replacement of a Ball Court.
- 1.2. During the planning process, officers identified challenges with the acquisition and decanting of 19 Bampton Road from the current owners L&Q, and identified opportunities to review the proposals in light of consultation feedback.
- 1.3. This Mayor and Cabinet Report provides a summary of the changes to the scheme, seeks approval to submit a revised planning application and notes the next steps in delivering the scheme. Part 2 of the report outlines the financial information pertaining to the scheme.

2. Recommendations

- 2.1 It is recommended that the Mayor and Cabinet:
- 2.2 Endorse the strategy to revise the scheme for new housing at Bampton Estate in response to comments raised during the planning process for the previous scheme for 50 new over 60s housing units (Planning Application reference DC/18/106504) submitted in March 2018.
- 2.3 Give approval to submit a new planning application for a revised scheme, noting the reduction from 50 to 39 homes and the change from over 60s sheltered homes to over 55s general needs housing.
- 2.4 Note that the 39 new homes will be social rented housing let to over 55s at London Affordable Rent levels.

- 2.5 Agree to withdraw planning application DC/18/106504 once the new application for 39 homes has been validated.
- 2.6 Note that Section 105 Consultation undertaken in 2017 remains valid and that the changes to the scheme do not necessitate a repeat of this consultation.
- 2.7 Agree to the development of a local lettings plan that will give priority to Northmoor tenants, if they would like to move into the new homes and downsizing tenants living on the Bampton Estate.

3. Policy Context

- 3.1. The Council's Corporate Strategy (2018-2022)¹ outlines the Council's vision to deliver for residents over the next four years. Building on Lewisham's historic values of fairness, equality and putting our community at the heart of everything we do, the Council will create deliverable policies underpinned by a desire to promote vibrant communities, champion local diversity and promote social, economic and environmental sustainability. Delivering this strategy includes the following priority outcomes that relate to the provision of new affordable homes:
 - Tackling the Housing Crisis – Providing a decent and secure home for everyone
 - Building and Inclusive Economy – Ensuring every resident can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
 - Building Safer Communities – Ensuring every resident feels safe and secure living here as we work together towards a borough free from the fear of crime
- 3.2. **Homes for Lewisham**, Lewisham's Housing Strategy (2015-2020)², includes the following priority outcomes that relate to the provision of new affordable homes:
 - Key Objective 1 – **Helping residents in times of severe and urgent housing need.**
 - Key Objective 2 – **Building the homes our residents need.**
 - Key Objective 4 – **Promoting health and wellbeing by improving our resident's homes.**
- 3.3. As part of the New Homes, Better Places programme, the Bampton Estate was identified as a site which could contribute to the delivery of the new homes and increase the supply of affordable homes for older people.

4. Background & Rationale

1

<http://councilmeetings.lewisham.gov.uk/documents/s61022/Draft%20Corporate%20Strategy%202018-2022.pdf>

2

<https://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/strategies/Documents/HousingStrategy2015.pdf>

Previous Mayor and Cabinet Decisions

- 4.1. In July 2012 the Council embarked on a programme – New Homes, Better Places - to build new council homes in response to a series of on-going housing policy and delivery challenges, most notably an enduring under-supply of new affordable homes available to the Council to meet the housing demands placed upon it.
- 4.2. The New Homes, Better Places programme was to deliver 500 new social homes in Lewisham by 2018 and as part of that programme, the Bampton Estate was identified as a site which could contribute to the delivery of the new homes.
- 4.3. The Mayor and Cabinet report in February 2018³ states that ‘Bampton Estate will deliver 50 new council homes to support independent living for older people with a view to providing homes for residents’ changing care needs. Mayor and Cabinet approved the request to submit a planning application to deliver the 50 homes.
- 4.4. Following this Mayor and Cabinet decision a planning application was submitted in March 2018 for the construction of 50, over 60’s one bed sheltered homes with associated landscaping and public realm works including the removal and replacement of a ball court.
- 4.5. During the planning process, officers identified challenges with the acquisition and decanting of 19 Bampton Road from the current owners L&Q, and identified opportunities to review the proposals in light of consultation feedback.
- 4.6. This report requests approval for the submission of a further planning application in light of the revised proposals which omit 19 Bampton Road and make amendments to the scheme.
- 4.7. The Mayor and Cabinet decision on 11 July 2018⁴ granted approval of a construction budget and procurement approach for the Bampton scheme.

5. Development Proposals

- 5.1. The revised scheme is to build 39 new 1 bedroom council homes for people of 55 years and older on the Bampton Estate (Perry Vale Ward). The development site is currently occupied by a ball court and parking, including 7 garages.

3

https://www.whatdotheyknow.com/request/469298/response/1186700/attach/3/Public%20reports%20pack%2028th%20Feb%202018%2018%2000%20Mayor%20and%20Cabinet.pdf?cookie_passthrough=1

4

<http://councilmeetings.lewisham.gov.uk/documents/g5207/Public%20reports%20pack%2011th-Jul-2018%2018.00%20Mayor%20and%20Cabinet.pdf?T=10>

- 5.2. The proposals create an open courtyard block bounded on 3 sides by 4 to 5 storey developments. A plan showing the site locations and visualisations of the proposed development can be found at Appendix A.
- 5.3. All the flats have been designed to meet the policies outlined in the London Plan and the London Housing SPG. All units will meet the Nationally Described Space Standards and are designed to be compliant with Part M Category 2 accessibility standards. These standards have been enhanced following guidance from the HAPPI report (Housing our Ageing Population: Panel for Innovation). Four units have been designed to be compliant with Part M Category 3 accessibility standards and SELHP Wheelchair Homes Design Guidelines (in accordance with London Plan requirements for 10% Part M Category 3 homes). Designing Out Crime principles have been considered throughout the design development.
- 5.4. 2019 figures indicate 9,680 households on the Housing Register of which 2,249 are over 55s. Of these, 1193 require a 1 bedroom and 361 of these are under occupiers. Therefore, the new development can help to free up larger family sized homes that are currently under occupied.
- 5.5. A local lettings plan will be developed to give priority to residents of Northmoor or residents of the Bampton Estate wishing to downsize. Residents of Northmoor will be given priority if they wish to move to one of the new homes but will retain the option to remain in their current home. Any homes that become vacant in Northmoor will be re-let to people on the housing register. Lewisham Homes have instructed an updated condition survey of the Northmoor buildings.
- 5.6. This revised scheme makes a series of key changes to the previous development proposal which was submitted for planning in March 2018 (Application reference DC/18/106504). These changes include:
 - The scheme will provide 39 homes for residents over the age of 55, and not 50 homes for over 60s as per the current application submission.
 - The scheme will remain as social rent levels.
 - The footprint of the building has been reduced in size in order to retain 19 Bampton Road.
 - Windrush Lane will no longer have a vehicular access run through the site onto Bampton Road but will instead, terminate inside of the estate, similar to the existing arrangement.
 - Fewer trees will be removed and more trees will be planted as mitigation.
 - The proposed building will no longer offer residents communal spaces at ground floor level and the new homes will now all be fully self-contained.
 - The refuse collection arrangements have been updated.

- Fewer parking spaces will be provided to reflect the reduced number of homes proposed.

5.7. Aspects of the scheme that remain consistent

- The scheme continues to be single tenure social housing.
- Occupying the same location as the previous scheme, the proposal will still involve the demolition of seven garages and the relocation of the ball court.
- The ball court will still be re-located on the open space to the east of Newbridge Point.
- The proposal would still form a 'U' shaped building, with a courtyard in the centre, opening up onto the existing open space.
- The scheme will still include a package of re-landscaping improvements, including work to formalise car parking spaces on the Bampton Estate.
- The proposed building would be 4 and 5 storeys in height.

5.8. The design team are preparing a planning application for submission in June 2019.

6. Indicative Programme

6.1. The indicative timeline to start on site is as follows

Stage	Date	Purpose
Public Exhibition	23 May 2019	To show the revised scheme to local residents
Mayor and Cabinet	5 June 2019	Decision to proceed with a planning application for the revised scheme
Planning application submission	June 2019	Full planning application submission for the revised scheme
Withdrawal of the original Planning Application	June 2019	Withdrawal of planning application DC/18/106504
Planning Determination	September 2019	Decision on the revised planning application
Contractor Appointment	January 2019	
Start on Site	March 2020	

Planned Completion	March 2022	
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7. Consultation and engagement

- 7.1. Two consultation events were held in 2017 on the estate (6 July and 14 December). Both local residents and immediate neighbours were invited to discuss the proposals and provide comments. Northmoor residents were also consulted in a series of door-knocking exercises in June 2017.
- 7.2. A formal consultation under S105 of the Housing Act 1985, commenced in December 2017. 122 secure tenants who live in the vicinity of the proposed development were invited to formally respond to this consultation and outline any concerns they had. This allowed individual households an opportunity to express their views and tell us what they thought directly.
- 7.3. A summary of the findings of the previous consultation events was included in the previous Mayor and Cabinet Report dated 28 February 2018.
- 7.4. After the submission of the planning application in March 2018 there was a Consultation Exhibition held on 22nd May 2018. Concerns raised at this meeting included:
- Increased traffic as a result of the through road
 - The impact on the residents of 19 Bampton Road
 - Loss of trees
 - Loss of ball court and play space
- 7.5. As part of the planning process a Local Meeting organised by the Planning Department on the 3rd July 2018. The Public Meeting, chaired by Cllr John Paschoud, discussed the main objection themes in turn. In summary, points raised included:
- 7.6. Consultation – Concerns were raised about the consultation activities with some attendees suggesting consultation had not been adequate, had been misleading and that feedback had not been taken on board.
- 7.7. Response: The applicant team organised a thorough programme of pre-application consultation (from October 2015 to December 2017) comprising a door-knocking exercise, two public engagement exhibition events and a focussed play space consultation event at the local St George’s CE Primary School. The proposal was also discussed at Tenant and Residents’ Association (TRA) meetings. A Local Meeting chaired by Cllr John Paschoud also took place in June 2018. In addition, the Council consulted the estate’s secure tenants, as required under Section 105 of the Housing Act 1985 (as amended). The revised application has also considered comments made at the Local Meeting (3 July 2018), as well as objections/comments published on Lewisham’s planning portal. Another public consultation event would have

taken place prior to submission of the revised application, on Thursday, 23 May 2019.

- 7.8. The revised proposal has further reduced the number of new homes from 50 to 39, and excludes demolition of no.19 Bampton Road and extension of Windrush Lane, also preserving more trees and a sense of openness on the estate.
- 7.9. Car Parking and Windrush Lane – Concerns that the extension to Windrush Lane may result in increased volume of traffic and compromise safety, and loss of a disabled parking bay.
- 7.10. Response: The proposed road improvements will bring new lighting, new trees and re-organised parking spaces. There will be no loss in number of existing parking spaces and the existing disabled parking bay will be re-provided. The revised application removes the Windrush Lane through-route for cars, in response to residents' concerns that the extension would result in rat-running. The revised proposal prioritises pedestrian and cycle movement through the site.
- 7.11. Sunlight/Daylight – Concern that some windows fall short of the recommended guidelines.
- 7.12. Response: The reduced footprint of the proposed building has a reduced the impact on the properties on Fifield Path with a greater number of windows now passing BRE guidelines.
- 7.13. Overlooking and separation – Concern about the distance to Perry Vale gardens; windows in the new development overlooking Perry Vale resulting in a loss of privacy. Concern also raised about the impact of the proposed building on Fifield Fifield Path.
- 7.14. Response: The reduced footprint of the revised new building will allow most of the houses along Fifield path to retain their view of the green space and trees, while allowing overlooking from new and existing windows surrounding the Fifield Path road to deter fly-tipping.
- 7.15. The new development is between 49m and 56m away from the houses along Perry Vale and therefore compliant with minimum 21m distances required by the Residential Standards SPD. Privacy of the gardens is minimised by the separation distances and numerous existing mature trees.
- 7.16. Play Provision and ball court – Concern about the safety of the proposed playspace.
- 7.17. Response: A number of locations and different orientations were explored for the new ball court. The proposed location east of Newbridge Point was deemed to have the least impact on existing trees and their root protection areas. Its location allows natural surveillance from adjacent flats and the east to west alignment minimises the interface between the ball court fence and existing footpath to the East.

- 7.18. Loss of Trees and open space – Concerns about open space being lost, clarity about Northmoor proposals, and the extent of tree losses and tree replacement..
- 7.19. Response: The reduced massing will allow for a greater number of trees and green space to be retained.
- 7.20. Prior to the submission of the revised planning application, officers have been and will continue to engage with local ward Councillors, local groups and residents, regarding the revision to the proposed new housing development at Bampton Estate.

8. Financial Implications

- 8.1. The financial implications are contained within the Part 2 report.

9. Legal Implications

- 6.1. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.2. In summary, the Council must, in the exercise of its functions, 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 those who do not.
- 6.3. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 9.3 above.
- 6.4. The weight attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for Mayor and Cabinet, bearing in mind the issues of relevance and proportionality. Members must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 6.5. 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/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

10. Crime and Disorder Implications

- 10.1. There are no Crime and Disorder Implications arising from this report.

11. Equalities Implications

- 1.1. This report supports the delivery of the Council’s house building programme and Housing Strategy 2015-2020 by ensuring that those in housing need in Lewisham have a safe, secure and high quality residence from which to live, prosper and grow.

12. Environmental Implications

- 1.2. Every effort will be made to enhance the local environments, amenity space and public realm of the developments proposed where appropriate. This will include undertaking environmentally sensitive and locally respectful demolition and construction works, as well as meeting Council energy and sustainability targets.

13. Background documents

Mayor and Cabinet report entitled New Homes Programme Update – 28 February 2018

If you would like any further information on this report please contact Freddie Murray on 020 8314 3914

APPENDIX A

