

Committee	PLANNING COMMITTEE B	
Report Title	Reserved Matters application (Condition 30) in relation to Phases 5 and 6 of the Heathside and Lethbridge Estate, Blackheath Hill SE10.	
Ward	Blackheath	
Contributors	Patrycja Ploch	
Class	PART 1	5 <sup>th</sup> September 2019

Reg. Nos. DC/19/111861

Application dated 4<sup>th</sup> April 2019

Applicant Avison Young on behalf of Peabody Trust  
(former Family Mosaic Housing)

Proposal Application submitted for the approval of reserved matters (condition 30) in relation to Phases 5 and 6 of the Heathside and Lethbridge Estate redevelopment comprising the construction of buildings ranging from six to seventeen (Phase 5) and seven to eight (Phase 6) storeys in height to provide 443 residential units, parking, new landscaping and other associated works, in relation to the development approved under Section 73 of the Town and Country Planning Act 1990 for minor material amendments to the planning permission DC/09/72554 dated 22 March 2010, as amended by: DC/10/75267 dated 29 September 2010, DC/10/75395 dated 27 January 2011, DC/12/81165 dated 24 January 2013, DC/14/087835 dated 18 August 2014, DC/14/087335 dated 28 October 2014, DC/15/090624 dated 21 April 2015, DC/15/092670 dated 21 August 2015, DC/17/101616 dated 19 June 2017, DC/17/101686 dated 24 August 2017, DC/17/104709 dated 1 December 2017, DC/18/106053 dated 29 March 2018 and DC/18/107715 dated 12 April 2019, for the redevelopment of the Heathside and Lethbridge Estates, Blackheath Hill and Lewisham Road SE10, comprising outline planning permission (Phases 2-6) for up to 512 square metres of retail floorspace, 768 square metres of community floorspace, an energy centre and 1,054 residential units in buildings ranging from 3 to 17 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space and detailed planning permission (Phase 1) for the redevelopment of land fronting onto

Blackheath Hill for 138 residential units in buildings ranging from 4 to 7 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space; to allow for changes to layout, footprint, massing and an increase in height of blocks H and I, additional 34 residential units to Phases 5 and 6 and wider associated amendments to parking, playspace and landscaping.

Background Papers

- (1) Case File LE/H30/TP
- (2) NPPF
- (3) Local Development Framework Documents
- (4) The London Plan

Designation

PTAL 3 and 4

Screening

14.01.2019

**1 SUMMARY**

- 1 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 twelve valid planning objections.

**2 BACKGROUND TO APPLICATION TYPE**

- 2 Section 92 of the Town and Country Planning Act 1990 defines "Outline Planning Permission" as planning permission granted with the reservation for subsequent approval by the Local Planning Authority of matters not particularised in the application ("reserved matters").
- 3 Part 1 of the Town and Country Planning (Development Management Procedure)(England) Order 2015 defines "Reserved Matters" as access, appearance, landscaping, layout and scale.
- 4 Hybrid (part detailed, part outline) planning application was granted on 22 March 2010 under reference DC/09/072554 for:

The full planning permission was for Phase 1 for the redevelopment of land fronting onto Blackheath Hill for 138 residential units in buildings ranging from 4 to 7 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space.

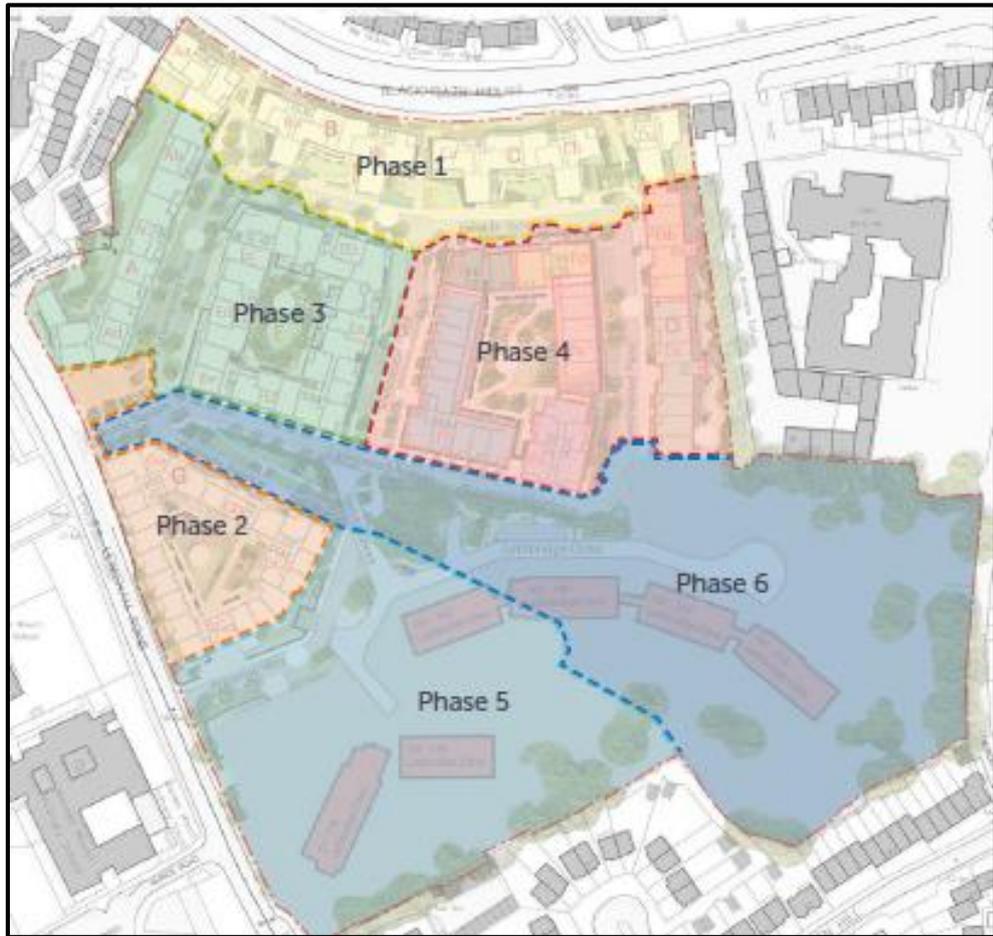
The outline planning permission was for the redevelopment of the estate to provide up to 512 square metres of retail floorspace, 768 square metres of community floorspace, an energy centre and 1,054 residential units in buildings ranging from 3 to 17 storeys in height, together with car and cycle

parking, associated highway infrastructure, public realm works and provision of open space

- 5 The site has an extensive planning history owing to the master planning of the site and hybrid nature of planning permission, consequential approvals of reserved matters in relation to phases approved for outline consent only and minor material amendments applications and approvals of detail required by condition of these planning permissions.
- 6 The current application seeks the following “reserved matters” approval for phase 5 and 6 of the development. The reserved matters that are applied for are
- (i) Design of the buildings (including internal layouts);
  - (ii) External appearance (including samples of the materials and finishes to be used for all external surfaces and including, but not limited to roofs, elevation treatment, glazing);
  - (iii) Landscaping of all public and other areas (including locations of trees and play equipment).
- 7 As noted above, an application for approval of reserved matters is not an application for planning permission in its own right. The application if granted has to be read in conjunction with the outline planning permission, including the attach Section 106 Agreement to that permission. Planning conditions imposed on the outline planning permission will remain in force.

### **3 SITE DESCRIPTION AND CURRENT USE**

- 8 The Heathside and Lethbridge estate is situated to the north of the London Borough of Lewisham and borders the Royal Borough of Greenwich. The masterplan area measures 6.06 hectares. The site has principle road frontage to Blackheath Hill and Lewisham Road.
- 9 This reserved matters application relates to Phase 5 and 6 of the development. Phase 5 comprises Block H and is located in the south part of the site. Phase 6 comprises Block I and is located in the south-east part of the site.
- 10 The application site also falls within the Lewisham, Catford, Deptford Opportunity Area as defined by policy 2.13 of the London Plan.



**Figure 1: Consentent phasing plan (March 2019)**

- 11 Following grant of outline consent for redevelopment of the estate, phases 1, 2, 3 and 4 have been constructed and occupied.
- 12 Overall, the scheme (as amended) will provide 1225 residential units, 585 of which would be affordable comprising of 471 would be affordable rent and 114 would be intermediate.
- 13 The Heathside and Lethbridge estate regeneration has sought to re-provide previously existing affordable housing demolished as part of the regeneration. The majority of affordable housing has been provided within the earlier phases of the regeneration. Phase 1-4 already delivered 487 affordable housing units.
- 14 This front loading of affordable housing provision was necessary to facilitate the decant and re-housing process for existing residents into new accommodation and as such later phases include lower proportions of affordable housing. Phase 5-6 would provide 98 affordable housing comprising affordable rent only.
- 15 Overall, the scheme has delivered a surplus of affordable housing over the required 'like for like' replacement of affordable units and an increase in affordable housing provision over the original S106 requirement.

## **RELEVANT PLANNING HISTORY**

- 16 In this section officer have listed application that have been previously submitted in relation to Phases 5 and 6 only. This is because these application are the most relevant to this application.
- 17 On 22 March 2010 permission was granted (the original hybrid permission, DC/09/72554) for the redevelopment of the Heathside and Lethbridge Estates, Blackheath Hill and Lewisham Road, SE10 seeking outline planning permission (Phases 2-6) for up to 512sq.m. of retail floorspace, 768sq.m. of community floorspace, an energy centre and 1,054 residential units in buildings ranging from 3 to 17 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space and detailed planning permission (Phase 1) for the redevelopment of land fronting onto Blackheath Hill for 138 residential units in buildings ranging from 4 to 7 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space.
- 18 On 12 April 2019 permission was granted for a section 73 minor material amendments (DC/18/107715) to the planning permission DC/09/72554 dated 22 March 2010 as amended by: DC/10/75267 dated 29 September 2010, DC/10/75395 dated 27 January 2011, DC/12/81165 dated 24 January 2013, DC/14/087835 dated 18 August 2014, DC/14/087335 dated 28 October 2014, DC/15/090624 dated 21 April 2015, DC/15/092670 dated 21 August 2015, DC/17/101616 dated 19 June 2017, DC/17/101686 dated 24 August 2017, DC/17/104709 dated 1 December 2017 and DC/18/106053 dated 29 March 2018, for changes to layout, footprint, massing and an increase in height of blocks H and I, additional 34 residential units to Phases 5 and 6 and wider associated amendments to parking, playspace and landscaping.
- 19 On 14 April 2019, approval of details reserved by a condition application (DC/19/112099) was submitted to discharge Condition 10 (Surface Water Management) relating to Phase 5 and 6 only of the original planning permission DC/09/72554 dated 22 March 2010, as amended by DC/18/107715.
- 20 On 15 April 2019, approval of details reserved by a condition application (DC/19/112099) was submitted to discharge Condition 4 (CoCP and CEMP), Condition 5 (Construction Traffic Management Plan), Condition 11 (Facing Materials), Condition 15 (Bird and Bat Boxes), Condition 16 (EV Charging Points), Condition 19 (Delivery and Servicing Plan), Condition 25 (Landscaping Details), Condition 26 (Ecological Enhancements), Condition 27 (Viewing Platform), Condition 31 (Details), Condition 32 (Habitat Management Plan), Condition 36 (Details of Noise Insultation) and Condition 38 (Surface Water Management) for Phase 5 and 6 only of the original planning permission DC/09/72554 dated 22 March 2010, as amended by DC/18/107715.
- 21 On 11 June 2019, Non-Material Amendments (NMA) application (DC/19/112647) was submitted in relation to Phases 5 and 6 for a variation to Condition 3 (Archaeological Investigation) of the planning permission DC/09/72554 dated 22 March 2010 as amended by DC/18/107715 dated 12 April 2019. This application is currently under consideration.

22 On 11 June 2019, Non-Material Amendments (NMA) application (DC/19/112648) was submitted in relation to Phases 5 and 6 for a variation to condition 33 (District Heat Network) of the planning permission DC/09/72554 dated 22 March 2010 as amended by DC/18/107715. This application is currently under consideration.

#### 4 **CURRENT PLANNING APPLICATION**

23 This application comprises the information which was reserved for future consideration (“reserved matters”) by way of planning condition 30 imposed on outline permission DC/09/72554 as amended DC/10/75267 dated 29 September 2010, DC/10/75395 dated 27 January 2011, DC/12/81165 dated 24 January 2013, DC/14/087835 dated 18 August 2014, DC/14/087335 dated 28 October 2014, DC/15/090624 dated 21 April 2015, DC/15/092670 dated 21 August 2015, DC/17/101616 dated 19 June 2017, DC/17/101686 dated 24 August 2017, DC/17/104709 dated 1 December 2017, DC/18/106053 dated 29 March 2018 and DC/18/107715 dated 12 April 2019.

24 The reserved matters were design of the buildings (including internal layouts), external appearance (including samples of the materials and finishes to be used for all external surfaces and including, but not limited to roofs, elevation treatment, glazing) and landscaping of all public and other areas (including locations of trees and play equipment).

25 Phase 5 is comprised of Block H, which is made up of seven buildings (Ha – Hg) which range from 6-17 storeys. These accommodate 284 residential units, including 98 affordable residential units in building cores Hd, He and Hf and 34 wheelchair units.

26 Phase 6 is comprised of Block 1, which is made up of four buildings (Ia – Id) which are 7 and 8 storeys in height. These accommodate 159 residential units, all of which are private market rent.

27 Phases 5 and 6 will provide a total of 184 undercroft car parking spaces, including 30 disabled spaces. In addition, the proposals include 24 surface car parking spaces for Phase 5. There are also 796 cycle parking spaces and 26 visitor cycle spaces across Phases 5 and 6.

28 The refuse strategy for the proposed scheme incorporates bin stores located at the vehicle entrances to the blocks and includes holding bays to ensure the strategy is compliant with refuse requirements.

29 It is these matters which are now before the Committee for consideration.

30 The outline planning permission and subsequent application established the principle of the development, overall quantum of development and land use mix, the scale, height and massing of buildings, and the site layout as well as the detail of the new road layout.

## **CONSULTATION**

### **4.1 PRE-APPLICATION ENGAGEMENT**

- 31 A series of seven pre-application meetings and three Design Review Panels have been held throughout the design process. The detailed design of the proposal for Phases 5 and 6 has evolved as a result of these design meeting in line with advice given to the applicant.
- 32 In addition, the applicant held a public consultation event in January and March 2017 and on the 14<sup>th</sup> April 2018 to present the scheme to local residents.
- 33 The applicant has stated that overall the response from local residents was positive and summarise that the landscaping proposals for the scheme were well received. It has been stated that there was some concern in relation to the area proposed for the access to the viewing platform since local residents identify this area as unsafe. The feedback received has been considered in the detailed design of phases 5 and 6.

### **4.2 APPLICATION PUBLICITY**

- 34 Letters were send to residents and business in the surrounding area and the relevant ward Councillors.
- 35 A total of 12 objections have been received to date. The table below summarises the nature of objections received and details where these are addressed within the report.
- 36 It is relevant to note that a number of the objections raise matters that relate to principles of the development that have previously been approved under the 2018 s.73 permission. Whilst these are reported so that Members are aware of the range of comments received, they are not material considerations in the determination of this current application. Accordingly, weight should only be given to those comments that relate to aspects of the development that constitute the reserved matters as set out in 4.2 above.

#### **4.2.1 Objections**

<b>Material planning consideration</b>	<b>Para where addressed</b>
<i>Design and Appearance</i>	
The density of phases 5 and 6 is too high	The density of the site was assessed as part of minor material amendment to the outline planning permission (ref 18/107715) granted on 12 April 2019.
The mass and height of some of the buildings is too high and has a potentially negative impact on the enjoyment and use of the adjoining properties through size, shade, noise, overlooking and overbearing appearance.	The building heights and impact on neighbour amenity was assessed as part of minor material amendment to the outline planning permission (ref 18/107715) granted on 12 April 2019.

Erosion of the character of the adjacent historic conservation area	See section 6.2
<i>Impact on neighbour amenity</i>	
Negative effect on neighbours in terms of increased traffic movements, noise, requirement for rubbish storage and waste management	The highway layout, rubbish storage and waste management has been previously approved. The current Phase 5 and 6 reserved matters application does not present the opportunity to revisit this.
Additional noise and disturbance for neighbouring homes (on site and adjacent to it)	The number of dwellings and people that will be living on the site has been agreed by the outline planning permission as amended. The noise disturbance has been considered under previous application.
<i>Natural environment</i>	
Encroachment on/disturbance of wildlife habitat adjacent to the site	See paragraph
Adverse effect on the rare wildlife that lives on the bank behind the site	See paragraph
The re-opening of the viewing platform will provide a convenient place for people to deal drugs and engage in anti-social behaviour. How will access to the platform be controlled and managed in relation to the neighbourhood concern about security and safety?	See paragraph 118
<i>Anti-social behaviours</i>	
Crime levels are high in the area	It is not considered that the proposed amendments would result in any material increase in crime in the area.

**4.2.2 A number of non-material planning considerations were also raised as follows:**

- Lack of consultation on earlier phases
- Disturbance caused during construction
- Loss of view of London as a result of the development

- Negative experiences caused by high rise towers such as Grenfell. Would the blue and orange clad buildings erected so recently on the Heathside-Lethbridge estate be built with the same materials today?
- The use of high rise developments to solve housing need is not appropriate. Low rise housing is achievable, creates similar housing densities (see report), is more popular with occupants and has a less negative impact on their communities as the GLA's own reports suggest.
- Who would be responsible for improving and maintaining fences and other boundary treatment

### **4.2.3 Drop-in session**

37 The number of objections received triggered the requirement for a drop-in session or a local meeting.

38 Officers considered that a drop-in session would be an appropriate. The drop-in session took place on 15<sup>th</sup> July 2019 between 19:00 and 20:00 at the Parkside Community Centre in Lewisham. The session was attended by 16 people.

39 The majority of the questions raised by residents during the drop-in session went beyond the content of the current application and largely focused on matters concerning the height, scale, massing and density of Phases 5 and 6 approved under the previous outline consent (as amended) (Ref: DC/18/107715).

40 The Council prepared minutes following the session and the applicant prepared responses to all questions raised at the meeting in a form of two schedules. The first schedule focused on questions raised that relate to the current application and the second schedule focused on questions raised that concern the outline consent (as amended). The answers were fed back to residents on 30<sup>th</sup> July 2019.

### **4.3 INTERNAL CONSULTATION**

41 The following internal consultees were notified on 7 and 8 May 2019.

42 Children and Young People, Strategic Waste and Environment, Highways, Environmental Health, Ecological Regeneration Manager, Tree Officer, Strategic Housing, Drainage – Highways Design and Maintenance Manager.

43 Strategic Housing Team: Lewisham Council's Housing Strategy and Programmes Team strongly support the proposed development of Phases 5 & 6 of the Heathside and Lethbridge Estate.

44 Environmental Protection: No comment.

45 Ecological Regeneration and Open Space: No objection, the approach taken by the applicant is well informed and supported.

46 Climate Resilience: No comments.

47 Sustainability: No comments.

#### **4.4 EXTERNAL CONSULTATION**

48 The following External Consultees were notified on 7th and 8th May 2019.

49 Environmental Agency, Greater London Authority, TfL, British Transport Policy  
London Fire Brigade, Thames Water, Historic England, National Rail.

50 Environment Agency: No comments.

51 Greater London Authority: No response received.

52 TfL: No objection.

53 British Transport Police: BTP is of the view that close consideration needs to be given to the impact of additional dwellings on the increased usage of LRS and DLR. Lewisham station is already a high footfall station with a number of issues relating to congestion and overcrowding during the morning and evening rush hours. There is a concern that the station realm may not be able to cope with the increasing demand without any consideration and measures implemented.

54 London Fire Brigade: An undertaking should be given that, access for fire appliances as required by Part B5 of the current Building Regulation Approved Documents and adequate water supplies for firefighting purposes will be provided.

55 Thames Water: No comments.

56 Historic England: No comments.

57 Network Rail: No response received.

#### **5 POLICY CONTEXT**

##### **5.1 LEGISLATION**

58 An application for approval of reserved matters is not an application for planning permission. Accordingly, the provisions of Section 70(2) of the Town and Country Planning Act 1990 (as amended), which sets out the considerations the local planning authority must have regard to in determining applications for planning permission, do not apply in the determination of this application for approval of reserved matters.

59 Notwithstanding the statutory provisions, there are policies in the development plan for Lewisham which are relevant in assessing the current application. The development plan 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 National Planning Policy Framework (NPPF) is also relevant.

##### **5.2 MATERIAL CONSIDERATIONS**

60 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.

61 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.

62 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.

### **5.3 NATIONAL POLICY & GUIDANCE**

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

### **5.4 DEVELOPMENT PLAN**

63 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013)
- The Lewisham Town Centre Local Plan (2014)

### **5.5 SUPPLEMENTARY PLANNING GUIDANCE**

64 Lewisham SPG/SPD:

- Planning Obligations Supplementary Planning Document (February 2015)

65 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- Play and Informal Recreation (September 2012)
- 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)
- Housing (March 2016)

## **6 PLANNING CONSIDERATIONS**

66 The main issues are:

- Design of the building
- External Appearance
- Landscaping of all public and other areas

## **6.1 DESIGN OF THE BUILDING**

67 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; Alterations and Extensions SPD 2019, LBL).

### **6.1.1 Internal space standards**

68 All of the proposed flats comply with the floorspace and room dimension standards set out in the Nationally Described Space Standards, and they are in accordance with London Plan and Development Management Local Plan DM Policy 32 requirements.

69 The flats would be well laid-out and would benefit from good level of natural light.

### **6.1.2 External space standards**

70 London Plan Housing SPD, Standard 26 and 27 state that a minimum of 5sqm of outdoor space must be provided per to 1-2 person dwelling and an extra 1 sqm should be provided for each additional occupant. The policy also allows for exceptions where the site constraints make it impossible to provide private open space for all dwellings for that proportion of dwellings to be provided with additional internal living space equivalent to the area of the private open space requirement.

71 All flats in Block H and I would comply or exceed the external amenity space requirements.

72 In addition to the private amenity space in the form of private balconies and terraces. The residents would have access to shared amenity areas that vary in size. Block H would have a landscaped courtyard and a communal area between blocks in phase 6. Block I would have a podium breaking the space into three areas, play space, communal space and formal garden. The podium garden would be in line with the consented outline scheme.

### **6.1.3 Outlook, Aspect & Privacy**

73 The proposed layout would provide sufficient distances between the blocks in each phase and the existing building such that a good outlook would be achieved for each dwelling.

74 This application seeks to increase the level of dual aspect accommodation through carefully repositioning all circulation and optimising the shape, size and location of all dwellings. All apartments have also undergone a significant review process with Peabody housing specialist who have detailed knowledge about the layout features that are most desirable to their likely occupants.

75 The proposed layout would result in 101 single aspect apartment in block H (35.5% of the total for this block) and 42 single aspect apartments in Block I (26.5% of the total for this block).

- 76 Of the 143 single aspect flats, 30 would be affordable units and 113 would be private units. All single aspect units within the scheme would have adequate lighting and ventilation and there are no north facing aspect flats.
- 77 In relation to privacy overlooking within the scheme, the separation distance between the elevations are sufficient to prevent any undue overlooking. The distances between the blocks in phase 5 is approximately 30m and the distance between blockw in phase 6 is approximately 34m. Whilst there are potential views at shorter distances between balconies and bedrooms in different flats facing the internal courtyards due to the angles at which such views would be possible, they would be sufficiently oblique to prevent any significant problem.

#### **6.1.4 Daylight and Sunlight**

- 78 Sunlight, daylight and overshadowing was assessed as part of the previous Phase 5 and 6 minor material amendment application (DC/18/107715) which was informed by the guidelines within the Building Research Establishment's (BRE) Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (BRE, 2011). The final design submitted under the previous application and the current one is therefore a result of close collaboration with specialist consultants, which has positively informed the arrangement and massing of the Blocks H and I and the internal layouts of accommodation to ensure optimal natural lighting and aspect. The majority of habitable rooms would achieve acceptable levels of daylight and sunlight (i.e. meet the BRE guidance).
- 79 It is relevant to note that the BRE guidance was prepared for greenfield, suburban situations rather than inner city locations such as the application site. In addition, the NPPF states that when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).
- 80 With regard to the communal amenity areas, it was concluded that the proposed courtyards in Blocks H and I would meet the BRE guidance in terms of annual sunlight hours. Over half of the area of the courtyard amenity spaces to both the amended Phases 5 and 6 would receive at least two hours of direct sunlight on 21 March. This a planning neutral change that does not raise material concerns.
- 81 Officers are satisfied that the proposal would not have significant adverse daylight, sunlight and overshadowing effects to the Phases 5 and 6 development, the wider Heathside and Lethbridge site and to adjacent areas off site.

#### **6.1.5 Noise & Disturbance, Ventilation**

- 82 London Plan Policy 7.15 and Development Management DM Policy 26 aim to protect sensitive uses from excessive noise or vibration.
- 83 The residential use is compatible with the surrounding area. Condition 36 of minor material amendment application (DC/18/107715) required submission of detail of glazing, balcony doors and ventilation of the dwellings within three months from the commencement of Phases 5 and 6 (excluding demolition). Part two of the conditions required all dwelling to be constructed to provide sound insulation against external noise, to achieve levels not exceeding 30dB LAeq (night) and

45dB LAeq (day) for other habitable rooms with windows shut and other means of ventilation provided.

### **6.1.6 Accessibility and inclusivity**

84 London Plan Policy 3.8 and DLPP D5 require 10% of new build dwellings to be wheelchair accessible as per Building Regulation requirement M4(3).

85 The submitted layout plans demonstrate that Phase 5 would provide 34 wheelchair units in Blocks Hd, He, Hf and Hg. The provision of 34 wheelchair units in Phase 5 is in line with the consented outline. The level of wheelchair provision is 7.67% across Phases 5 and 6. Of the 34 wheelchair units proposed in Phase 5, 26 are affordable and eight are private. Across the scheme as a whole, 121 of the wheelchair units are affordable and eight are private. This equates to 94% of the affordable units demonstrating wheelchair provision across the Heathside and Lethbridge scheme as a whole.

86 All circulation cores provide a minimum of 2 lifts and therefore the wheelchair units have been distributed throughout the floors of the blocks, rather than being solely located at lower storeys. This has enabled a good mix and choice of wheelchair dwellings and does not cause segregation of wheelchair residents.

87 This is considered acceptable and in line with the above policy.

## **6.2 EXTERNAL APPEARANCE**

88 The NPPF at para 124 states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

89 Urban design is a key consideration in the planning process. Part 12 of the NPPF (2019) makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

90 London Plan (2016) Policies 7.1-7.7 (inclusive) and Core Strategy (2011) Policy CS15 reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.

91 Further to this, the Development Management (2014) DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.

### **6.2.1 Appearance and character**

92 The masterplan provided a coherent strategy for the entire site in terms of layout of the buildings, their height, massing and scale to ensure legibility of the different uses on the site. The consented minor material amendment application amended the block layouts and created greater breaks between in the blocks to create greater permeability.

93 The external design of the development of Phases 5 and 6 has been the focus of discussions at the pre-application meetings and Design Review Panel. The

detailed design and materials palette of the Phase 2 buildings adopts a broadly consistent design philosophy that is differentiated from but also complements the design of buildings in Phase 1. The design intention is that the buildings in Phase 5 and 6 would relate to and would form part of the wider regeneration site.

#### *Phase 5, Blocks H*

- 94 The blocks in phase 5 will be divided into three distinguishable segments.
- 95 The elevation facing onto Lewisham Road and Parkside would be finished mainly in dark grey brick with light grey brick insets. The windows in this elevation would align.
- 96 The elevation facing towards the SINC area and Primrose Way would be finished in light buff brick. This elevation would have portals, setback on the upper floors and protruding balconies.
- 97 In terms of the tower, this element would be finished in light grey brick with deep-set paired opening in light buff brick.

#### *Phase 6, Blocks I*

- 98 The elevation looking into the blocks in this phase would be mainly finished in light buff brick with deep horizontal inserts in dark grey brick.
- 99 The outer elevation would be finished in dark grey brick.

#### *Conclusion*

- 100 Officers are satisfied that the overall external appearance of the development in Phases 5 and 6 would provide a high quality development that would provide appropriate urban blocks that relate well to the design and appearance of the adjacent buildings on and around the estate. It should also be noted that the elevational treatment namely the bricks colour have been previously used in the construction of building in phase 3 and 4. For this reason, it is considered that the architectural detail of Phases 5 and 6 would integrate well with the existing estate.

### **6.2.2 Detailing and Materials**

- 101 Officers are satisfied that the materials described above are appropriate for the buildings they are of an acceptable quality and durability. The materials use for the windows, doors and balconies are considered acceptable. The elevational treatment would complement the other building within the estate and the wider area.
- 102 Whilst materials are subject to separate approval ahead of the commencement of above ground works under Condition 11 attached to the 2018 s.73 permission, requesting a submission of details of all facing materials (including their colour and texture) to be used on the buildings in Phases 5 and 6 ahead of commencement of the development (excluding demolition). This application is currently under consideration. The material detail submitted under this application is the same.

### **6.3 LANDSCAPING OF ALL PUBLIC AND OTHER AREAS**

103 The outline planning permission (as amended) established a network of open spaces, including play spaces, within the site. Specifically, the landscaping, as relevant to this application, will see the continuation of a linear park leading from the Lewisham Road where there is part-hard, part-soft landscaped public square right up to the crescent courtyard between the 2 buildings of Block I, which meets the steep banks at the rear (south-eastern) part of the site.

#### **6.3.1 Areas within the blocks**

104 When compared with the consented outline scheme, the current scheme provided two additional areas of landscaping. This is the area above the car park to Phase 6 and on the access road between Phases 2 and 5.

105 The increased area of landscaping above the entrance of the Phase 6 car park is the result of reducing the area of excavation by removing the substation that was initially proposed to be located at the bottom of the car park entrance ramp.

106 There would be two main community amenity areas within Phases 5 and 6, a landscaped courtyard internal to Block H in Phase 6 and a communal area between the blocks in Phase 6.

107 The landscape courtyard internal to Block H has been divided into three areas 1) play space, 2 communal space and 3) formal garden space. This space continues to be in line with the consented outline scheme, which also segregated this space into three clear areas.

108 It should be noted that there are additional specific conditions in relation to details of living roofs (the location of which are shown on the application drawings), landscape treatment, ecological enhancement and lighting as part of the amended hybrid planning permission, which will allow the details to be assessed, the proposed approach to the landscape treatment is considered acceptable.

#### **6.3.2 Trees and planting**

109 In June 2009, a tree survey of all trees on site was undertaken in accordance with British Standards 5837:2005 to provide recommendations and guidance on how vegetation may be satisfactorily integrated into construction and development of the site. The report concluded that the majority of the trees on site would have to be removed to make part of the development. These trees were classified as category R or V (poor or low quality) much smaller percentage of the trees on site are category B and A (moderate or high quality). This has been already agreed by the consented outline scheme.

110 To compensate for the loss of trees the scheme would include a landscape scheme that would include 364 new trees. The position, species and width of these trees is considered to be acceptable.

111 Any existing trees to be retained will be adequately protected throughout development process.

112 Condition 25 attached to the previous permission (DC/18/107715) required submission of drawings showing the use of any part of the Phase not occupied

by buildings and the treatment thereof (including planting, tree species and location, paving, walls and fences), and details of the management and maintenance of the landscaping.

- 113 Planting across the communal amenity spaces and within the public realm contribute to biodiversity value across the site. A range rich wildflower meadow area will be incorporated into the landscape design to provide terrestrial habitat for wildlife. Landscaping plans have been submitted which show that these areas would be seeded with various mixes which are considered to be acceptable.

### **SINC and viewing platform**

- 114 Since the outline planning consent was given consent, the applicant submitted a number of ecological surveys of the SINC area. These surveys have been reviewed by the Council's Ecological Officer who has confirmed that they are satisfied with the finding of the reports. To ensure that the area is managed properly, the previous planning application (DC/18/107715) had a condition attached to it requiring a submission of the Ecological Enhancement Strategy.
- 115 The Ecological Enhancement Strategy is being reviewed by officers under the discharge of condition application DC/19/112099.
- 116 The works to the SINC would focus on returning the area to a state that led to its designation as a SINC. The work would include stripping back all invasive, non-native species.
- 117 Prior to the development, the SINC was open to the public. The existing access route through this area would be re-opened as part of this application. The walkway would have railings on both sides to limit the opportunity for pedestrians to deviate from the route. In addition, access to the walkway would be controlled at both the Morden Lane end and at the bottom of the slope within the site by adding 1.8m high gates. The access to the walkway and the viewing platform would be managed by Peabody's on-site management team and operate on a dusk-till-dawn basis.
- 118 The viewing platform would be reconditioned and made smaller to prevent large gatherings of people to congregate in this location and cause antisocial behaviour. In addition the viewing platform would be fitted with a CCTV camera which would be monitored by estate management.

### **6.3.3 Children's play space**

- 119 London Plan Policy 3.6 requires all children and young people to have safe access to good quality, well designed, secure and stimulating play and informal recreation provision.
- 120 As these are the last two phases of the regeneration scheme, the previous minor material amendment application (DC/18/107715) sought to reconcile the play space provision for the whole scheme.
- 121 Using the calculator provided in the Mayor of London's Play and Informal Recreation SPG, the development as a whole (Phases 1 to 6) would generate an estimated child yield of approximately 639 children. The associated play space requirement would therefore be 6,386.6sqm.

122 The scheme would provide a total of 8,401sqm of playable space taken together with the hard and soft landscaped spaces. The applicant has exceeded the required by 1,863.4 sqm

123 Children's play spaces would be provided in several locations around the site. For Phases 5 and 6 the designated play space would be located at the south-western end of the Phase 5 courtyard, adjacent to building within Phase 6 and through the central park.

## **7 EQUALITIES CONSIDERATIONS**

124 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.

125 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.

126 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.

127 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>

128 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

- 129 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>
- 130 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.

## **8 HUMAN RIGHTS IMPLICATIONS**

- 131 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
- 132 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.
- 133 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.
- 134 This application has the legitimate aim of providing a new development for community and residential use. The rights potentially engaged by this application are not considered to be unlawfully interfered with by this proposal.

## **9 CONCLUSION**

- 135 Outline planning permission for the comprehensive mixed-use redevelopment of the application site was granted (subject to conditions and a s.106 agreement) in March 2009. In April 2019 the Council approved minor material amendments to that permission. This permission permitted changes to layout, footprint, massing and an increase in height of blocks H and I, provision of additional 34 residential units to Phases 5 and 6 and wider associated amendments to parking, play space and landscaping. This current application is for the approval of reserved

matters in respect of the layout, scale, appearance and landscaping of Phases 5 and 6 of the development granted outline permission in April 2018.

- 136 The reserved matters have been considered in the light of relevant policies and standards as well as representations from third parties. The reserved matters are in conformity with the approved development parameters for the scheme (design of the buildings, external appearance, landscaping of all public and other areas).
- 137 The proposed buildings would be of high quality of design and would cause no harm to the wider area. The finishing materials would be robust and sensitive to the context of the area ensuring that the scheme relates satisfactorily to both the existing and the emerging character of the area.
- 138 The development would provide sufficient size of internal accommodation and private outdoor amenity space, outlook, privacy and other aspects contributing to an acceptable standard of residential accommodation. The landscaping strategy would respond well to the existing natural environment.
- 139 Consideration has been given to the objections made to the proposed development, as set out in this report. It is considered that none of the material objections outweigh the reasons for approving the reserved matters.
- 140 In line with the requirements of the NPPF, the council has applied the presumption in favour of sustainable development. The proposed development would accord with sustainable principles and would make efficient use of the land to deliver a high quality development that is in accordance with the council's aspirations for the area and the consented outline planning permission. It is therefore recommended that planning permission is granted.

## **10 RECOMMENDATION**

GRANT APPROVAL FOR THE DISCHARGE OF CONDITION 2 (RESERVED MATTERS) subject to the following conditions:

### **CONDITIONS**

#### **1) LIST OF APPROVED PLANS**

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

LN00462 D-001:15-314\_RM001\_A:15-314\_RM0601\_A:15-314\_RM0602\_A:15-314\_RM0603\_A:15-314\_RM0604\_A:15-314\_RM0606\_A:15-314\_RM0607\_A:15-314\_RM0608\_A:15-314\_RM001\_A:15-314\_RM002\_E :15-314\_RM003\_E PHASE 5 AND 6:15-314\_RM004\_B PHASE 5 AND 6:15-314\_RM1101\_O:15-314\_RM1102\_M:15-314\_RM1103\_J:15-314\_RM1104\_K:15-314\_RM1105\_J:15-314\_RM1106\_J:15-314\_RM1107\_J:15-314\_RM1108\_J:15-314\_RM1109\_J:15-314\_RM1110\_J:15-314\_RM1111\_I :15-314\_RM1203\_M:15-314\_RM1205\_M ELEVATIONS II, JJ, KK, LL, KK AND MM:15-314\_RM1301\_C C:15-314\_RM1302\_B BAY STUDY 2:15-314\_RM1303\_B BAY STUDY 3:15-314\_RM1304\_B BAY STUDY 4: 15-314\_RM1305\_B BAY STUDY 5:15-314\_RM1306\_B BAY STUDY 6:15-314\_RM1307\_B BAY STUDY 7:15-314\_RM1308\_C BAY STUDY 8: 15-314\_RM1401\_A:15-314\_RM1402\_B FLAT TYPE 1A:15-314\_RM1403\_B FLAT TYPE 1B:15-314\_RM1404\_A: 15-314\_RM1405\_A FLAT TYPE 2A:15-314\_RM1406\_A:15-314\_RM1407\_B:15-

314\_RM1408\_A: 2019 15-314\_RM1409\_A: 15-314\_RM1410\_A:15-  
314\_RM1411\_A: 15-314\_RM1412\_A: 15-314\_RM1413\_B: 15-314\_RM1414\_A:15-  
314\_RM1414\_A :15-314\_RM1415\_A: 15-314\_RM1415\_A:15-314\_RM1416\_A: 15-  
314\_RM1416\_A: 15-314\_RM1417\_B:15-314\_RM1417\_B:15-314\_RM1418\_B:15-  
314\_RM1418\_B:15-314\_RM1418\_C:15-314\_RM1418\_C:15-314\_RM1419\_A:15-  
314\_RM1419\_A:15-314\_RM1420\_A:15-314\_RM1420\_A:15-  
314\_RM1421\_A\_14:15-314\_RM1421\_A:15-314\_RM1422\_A:15-  
314\_RM1422\_A :15-314\_RM1423\_B\_16LL:15-314\_RM1423\_B:15-  
314\_RM14230\_A: 15-314\_RM14231\_B:15-314\_RM1424\_A:15-  
314\_RM1425\_B :15-314\_RM1426\_A:15-314\_RM1427\_A:15-314\_RM1428\_B:15-  
314\_RM14289\_A: 15-314\_RM1432\_B:15-314\_RM1433\_B:15-314\_RM1434\_B:15-  
314\_RM1435\_B:15-314\_RM1436\_A: 15-314\_RM1437\_A:15-314\_RM1438\_A:15-  
314\_RM1439\_B:15-314\_RM1440\_A:5-314\_RM1441\_A: 15-314\_RM1442\_A: 15-  
314\_RM1443\_A: 15-314\_RM1444\_A:15-314\_RM1445\_A:15-314\_RM1446\_A: 15-  
314\_RM1447\_A: 15-314\_RM1448\_B: 15-314\_RM1449\_B:15-314\_RM1450\_D:15-  
314\_RM1451\_A: 15-314\_RM1452\_A:15-314\_RM1453\_A: 15-314\_RM1454\_A:15-  
314\_RM1455\_A:15-314\_RM1456\_A: 15-314\_RM1457\_A: 15-314\_RM1458\_A:15-  
314\_RM1459\_A:15-314\_RM1460\_B:15-314\_RM1461\_B:

15-314\_RM1462\_A:15-314\_RM1463\_A:15-314\_RM1464\_A:15-  
314\_RM1465\_A:15-314\_RM1466\_A:15-314\_RM1467\_A:15-314\_RM1468\_B:15-  
314\_RM1469\_A:15-314\_RM1470\_A:15-314\_RM1471\_B:15-314\_RM1472\_A:15-  
314\_RM2101\_P:15-314\_RM2102\_N:15-314\_RM2103\_L:15-314\_RM2104\_K:15-  
314\_RM2105\_H:15-314\_RM2106\_H:15-314\_RM2107\_H:15-314\_RM2108\_H:15-  
314\_RM2109\_K:15-314\_RM2110\_L:15-314\_RM2201\_K:15-314\_RM2202\_J:15-  
314\_RM2203\_J:15-314\_RM2204\_J:

15-314\_RM2301\_C:15-314\_RM2302\_C:15-314\_RM2303\_D:15-  
314\_RM2304\_D:15\_314\_RM2401\_E:15\_314\_RM2402\_E:15\_314\_RM2403\_E:15  
\_314\_RM2404\_E:15\_314\_RM2405\_E:15\_314\_RM2406\_E:15\_314\_RM2407:15\_3  
14\_RM2408\_E:15\_314\_RM2409\_E:15\_314\_RM2410\_E:15\_314\_RM2411\_E:15\_3  
14\_RM2412\_F:15\_314\_RM2413\_E:15\_314\_RM2414\_E:15\_314\_RM2415\_E:15\_3  
14\_RM2416\_E:15\_314\_RM2416\_F:15\_314\_RM2417\_E:LN00462 L-101:LN00462  
L-102:LN00462 L-103:LN00462 L-105:LN00462 L-106:LN00462 L-107:LN00462  
L-201:LN00462 L-202:LN00462 L-203:LN00462 L-204:LN00462 L-205:LN00462  
L-206:LN00462 L-207:LN00462 L-208:LN00462 L-209:LN00462 L-210:L-  
209:LN00462 L-211:L-209:LN00462 L-212:L-209:LN00462 L-213:L-209:LN00462  
L-214:L-209:LN00462 L-215:LN00462 L-400:LN00462 L-401:LN00462 L-  
402:LN00462 L-403:LN00462 L-404:LN00462 L-405:LN00462 L-406:LN00462 L-  
407:LN00462 L-408:LN00462 L-409:LN00462 L-410:LN00462 L-411:LN00462 L-  
412:LN00462 L-413:LN00462 L-414:LN00462 L-415:LN00462 L-450:LN00462 L-  
451:LN00462 L-501:LN00462 L-502:LN00462 L-503:LN00462 L-504:LN00462 L-  
505:LN00462 L-506:Design And Access Statement Part 1 - Part  
8:ENVIRONMENT STATEMENT OF CONFORMITY:PLANNING STATEMENT.

## 2) MATERIALS – SAMPLES

Notwithstanding the submitted plans no development above ground shall commence on site until a detailed schedule and specifications of all external materials and finishes of the windows and external doors, roof coverings, rain goods and any other external materials to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(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.

3) IMPLEMENTATION OF LANDSCAPING SCHEME

All planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 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 Policy 12 Open space and environmental assets, and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

4) WHEELCHAIR HOMES

The 34 wheelchair dwellings hereby approved shall be constructed to be easily adapted in full accordance with the SELHP Wheelchair Homes Design Guidelines (November 2012) prior to their first occupation. For the avoidance of doubt a parking space should be provided for each wheelchair unit and where a communal access is to be the principle access for wheelchair users or relates to communal access to amenity space or facilities intended for the enjoyment of residents of the development the specification for the said communal access shall not be less than the specification for access for wheelchair units under the SELHP Wheelchair Homes Design Guidelines.

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

5) SATELLITE DISHES

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

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

## 6) PLUMBING AND PIPES

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

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

## 7) USE OF FLAT ROOFS

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 roofed on the building(s) hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

## INFORMATIVES

- 1) You are advised that the original hybrid permission DC/09/72554 dated 22 March 2010 was amended by DC/10/75267 dated 29 September 2010, DC/10/75395 dated 27 January 2011, DC/12/81165 dated 24 January 2013, DC/14/087835 dated 18 August 2014, DC/14/087335 dated 28 October 2014, DC/15/090624 dated 21 April 2015, DC/15/092670 dated 21 August 2015, DC/17/101616 dated 19 June 2017, DC/17/101686 dated 24 August 2017, DC/17/104709 dated 1 December 2017, DC/18/106053 dated 29 March 2018 and DC/18/107715 dated 12 April 2019.
- 2) 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 and proactive discussions took place with the applicant prior to the application being submitted through pre-application discussions.
- 3) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An 'assumption of liability form' must be completed and

before development commences you must submit a 'CIL Commencement Notice form' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: -

<http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>