

Committee	PLANNING COMMITTEE A	
Report Title	Land at Sydenham Hill Estate, London, SE26	
Ward	Forest Hill	
Contributors	David Robinson	
Class	PART 1	27 AUGUST 2020

<u>Reg. Nos.</u>	DC/20/115160
<u>Application dated</u>	3 January 2020
<u>Applicant</u>	Peter Brett Associates on behalf of City of London Corporation
<u>Proposal</u>	Demolition of existing buildings at Mais House and Otto Close garages, SE26, and redevelopment to provide a part four, six and seven storey building and a part two and three storey terrace building providing a total of 110 residential units (use class C3), community room and estate office; together with alterations to the existing ball court; associated works to vehicular and pedestrian access from Sydenham Hill, Lammas Green and Kirkdale; provision of car and cycle parking, refuse storage and landscaping including amenity space and play area.
<u>Background Papers</u>	(1) Case File DE/345/44/TP (2) National Planning Policy Framework (3) The London Plan (4) Local Development Framework Documents
<u>Designation</u>	Area of Special Character Sydenham Hill Conservation Area Lammas Green Article 4(2) Direction PTAL 3 Strategic Site Allocation

1 SUMMARY

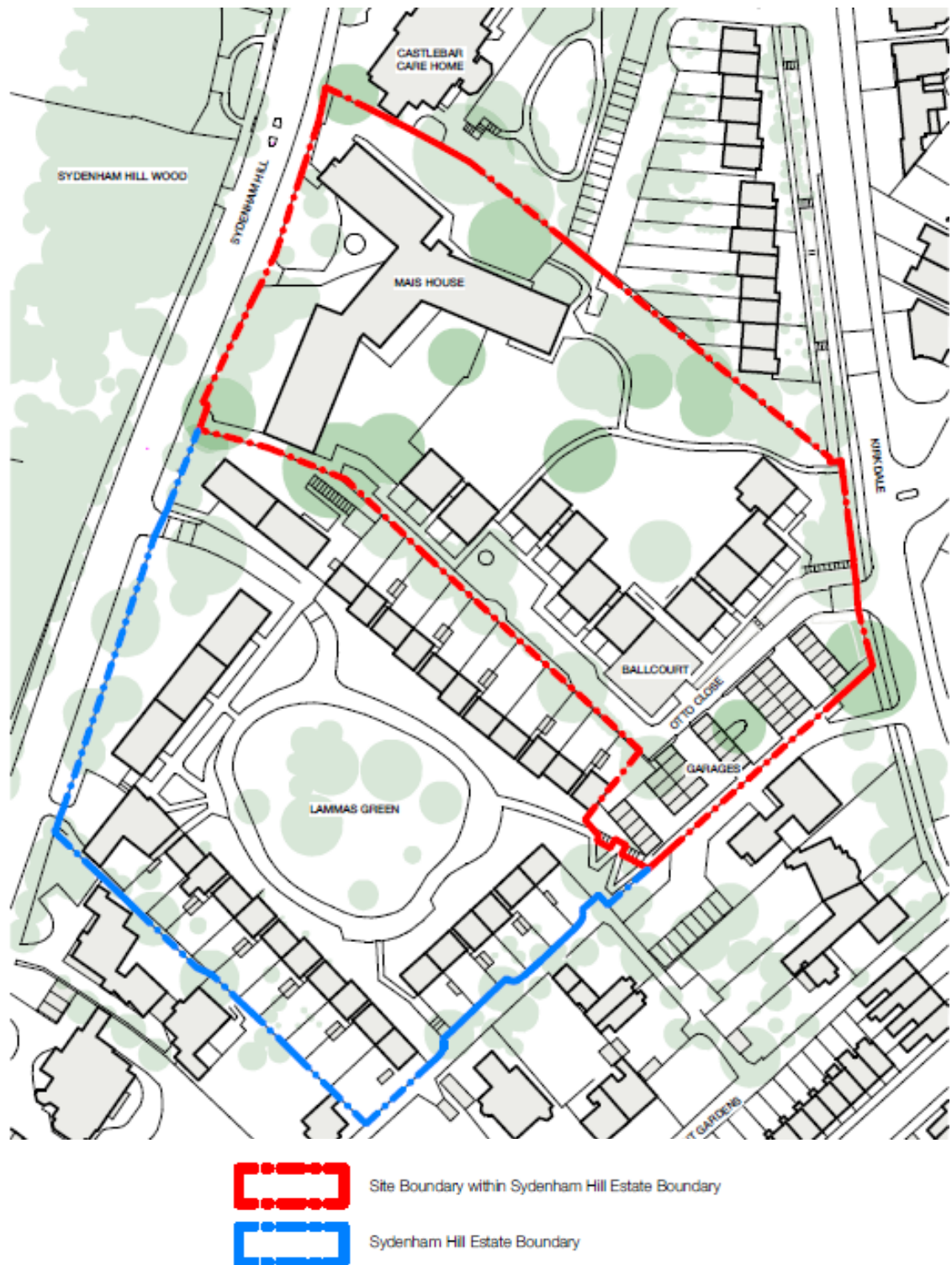
- 1 This report sets out officer's recommendation in regard to the above proposal. The report has been brought before members for a decision as permission is recommended for approval, and there are five or more (209 no.) valid planning objections and as the application pertains to a site of strategic importance.

2 SITE AND CONTEXT

- 2 The site, The Sydenham Hill Estate is located on the eastern side of Sydenham Hill, to the south of its junction with Kirkdale. The estate has a site area of 2.67ha and includes three distinctive elements: Mais House (an apartment block of 63 sheltered housing units for the elderly), Lammas Green (a 1950s housing scheme, comprising three terraces set around a village green) and Otto Close (a terrace of two storey maisonettes). The area for consideration includes Mais House, its associated parking area, the amenity space between Mais House and Otto Close, a row of garages on the south side of Otto Close

and an existing elevated hardcourt play area on Otto Close. The application site edged in red below has an area of 1.35 hectares.

Image 1: Site Location Plan



- 3 Mais House comprises a part two/part three/part four storey block of 63 flats designed for older people over 60 years old. This use has now ceased and the building is vacant and boarded up. Mais House was fully vacated in 2018 and residents were relocated in boroughs of their choice, some within City Corporation estates, some to care homes and some to their own properties. Mais House is a free form block, set within landscaped amenity space that is shared with two storey maisonettes on Otto Close.

- 4 Otto Close comprises 30 two storey residential units. At the north east of the Site, set between Otto Close and Rose Court, are 38 single storey residential garages. The garages are split across 7 rows.
- 5 There are three vehicular access points to the site. Two of these are from Sydenham Hill and serve Mais House. Of these, the northernmost access appears to be the primary access, leading to a parking area and servicing route through the site. The other access serves only the site frontage and appears to be used infrequently. Otto Close is a private road accessed from Kirkdale. In addition, there is a pedestrian access to the site from Kirkdale.
- 6 The site slopes steeply west to east. There are a number of mature trees within the site, concentrated on the site frontage and amenity spaces, though none are subject to a Tree Preservation Order.
- 7 Mais House and Lammas Green are located within the Sydenham Hill Conservation Area, while all but one dwelling within Otto Close sits outside it. In 1998, Lammas Green was listed Grade II as being of special architectural and historic interest in its own right. The Sydenham Hill Community Hall and Retaining Walls were also listed Grade II at the same time. Additionally, Lammas Green is located within an Area of Special Character.
- 8 The site is located within a predominantly residential area. To the east, on Kirkdale, is a row of two storey terraced houses, with relatively long rear gardens. To the north is a four storey nursing home, Castlebar, converted from an Edwardian detached house which is locally listed. To west is Dulwich Wood (within the London Borough of Southwark) which is designated as Metropolitan Open Land, a Local Nature Reserve of Metropolitan Importance and Conservation Area.
- 9 The site has no special site allocation on the LDF Proposals Map or within the Site Allocations DPD. The application site has a Public Transport Accessibility Level rating of 2.

3 RELEVANT PLANNING HISTORY

- 10 No relevant planning history.

4 CURRENT PLANNING APPLICATION

4.1 THE PROPOSALS

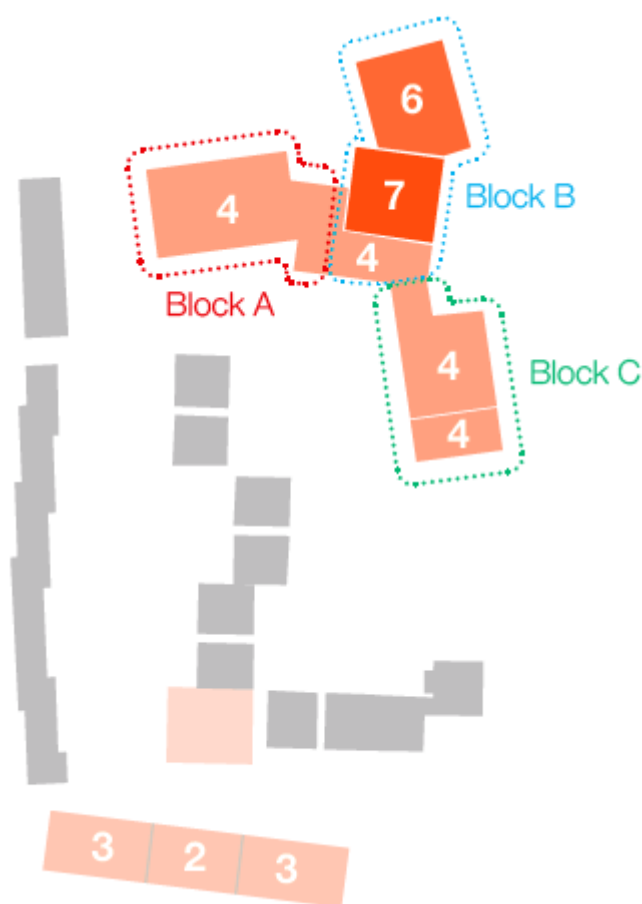
- 11 The application proposes the demolition of existing buildings at Mais House and Otto Close garages, SE26, and redevelopment to provide a part four, six and seven storey building and a part two and three storey terrace building providing a total of 110 residential units (use class C3), community room and estate office; together with alterations to the existing ball court; associated works to vehicular and pedestrian access from Sydenham Hill, Lammas Green and Kirkdale; provision of car and cycle parking, refuse storage and landscaping including amenity space and play area.

4.1.1 Built Form

- 12 The application proposes the redevelopment of the Mais House part of the site will provide a part four, six and seven storey building with 99 residential units. The block would occupy a similar footprint and layout to the existing Mais House building and comprises of three interlinked blocks.

- 13 Block A nearest to Lammas Green and occupying the north western part of the Sydenham Hill frontage comprises of four storeys including a community room at ground floor level and is set further away from Lammas Green properties than the existing building. Block A would then linked via a double height internal entrance lobby to Block B which extends to six and seven storeys.
- 14 The building height of Block B is stepped up from the Sydenham Hill frontage with the part nearest the road being six storeys and the tallest seven storey section set back within the central part of the block. The ground floor of Block B includes communal space, store and estate facilities. Block C extends to four storeys and includes a new estates office and storage area at ground floor level.
- 15 The Otto Close garages would be redeveloped to provide a part two and three storey terrace block with 11 houses. A stepped height is proposed to address the amenities, including daylight sunlight consideration of properties at Rose Court to the east.
- 16 The block layouts and building heights are indicated in Image 2 below:

Image 2: Proposed Layout and building heights



4.1.2 Residential

- 17 The application proposes a total of 110 social rented residential units. The unit mix proposed is 47 x 1 bed units, 41 x 2 bed units, 11 x 3 bed units and 11 x 4 bed units. The applicant has confirmed that these would be let at Target Rents.

4.1.3 Car and Cycle Parking

- 18 With regard to vehicular parking, 30 surface parking spaces are proposed for the Mais House part of the Site. At Otto Close, the 10 existing spaces to the north of Otto Close

would remain. 5 surface parking spaces are also proposed opposite the proposed terraced houses and alterations to the ballcourt will improve access and the usability of the existing garages below it, enabling the provision of a further 10 parking spaces. This would bring total provision at Otto Close to 25.

- 19 Seven disabled parking bays are proposed at Sydenham Hill Blocks A, B & C. Electric car charging provision will need to be provided to meet Draft London Plan Standards which will be 20% active from the outset and 80% passive.
- 20 Cycle parking is proposed to be provided within Block A, Block B and Block C with secured and enclosed areas at ground floor level and additional cycle parking is provided within Otto Close terraces.

4.1.4 Access

- 21 The existing pedestrian footpath running from Lammas Green around the back of the existing Otto Close garages would be relocated to the street in front of the Otto Close terrace block to improve safety and security along this footpath.
- 22 Vehicular access to Blocks A, B and C would be consolidated through the existing access between Mais House and Castlebar providing access to the surface level parking area. This point would also serve as the access for the proposed delivering and servicing strategy for Sydenham Hill Block A, B and C. A secondary access proposed to the western boundary of the site is proposed for fire access only. This is an existing arrangement but the access would be widened and opened to provide greater accessibility.

4.1.5 Other Proposals

- 23 The proposals also include improvements to the existing landscape of the estate as follows:
- Works to the upper garden to the south elevation of new main block. This includes new paved terrace, seating, new planting and balustrade to existing wall.
 - Provision of play space.
 - New link path comprising steps and ramped walking route, connecting new main block to the existing gateway onto Kirkdale.
 - New service yard area to the east of Block C.
 - New defensible planting to existing properties on Otto Close fronting the green space.
 - Ecological enhancements, including biodiverse planting, rain garden, bird and bat refuges.
 - Works to Otto Close streetscape, including tree planting and new paving.
 - Programme of tree planting, to reinstate trees lost at ratio of two to one.
 - Establishment of a Landscape and Ecological Management Plan for the estate.

5 CONSULTATION

5.1 PRE-APPLICATION ENGAGEMENT

5.1.1 Public

- 24 The Applicant has undertaken pre-application consultation as set out in the submission.
- 25 The applicant has stated that the wider programme of community involvement and consultation undertaken ensured that as many stakeholders as possible were aware of and understood the proposals. It focused on existing estate residents, neighbouring

residents, LBL and London Borough of Southwark councillors, as well as other local stakeholders and community groups.

26 The consultation took place in four phases:

- Phase One, November 2018. Feedback was collected on the principle of new homes for social rent on the estate and how landscaped areas and amenities across the estate are used by residents.
- Phase Two, February 2019. Feedback was collected on the initial proposals for new homes and the outline plan for the redevelopment, including building locations and positioning.
- Phase Three, March 2019. Feedback was collected on more detailed proposals, including building heights and the number of new homes.
- Phase Four, September 2019. Feedback was collected on revised proposals, including the reduced number of homes and building heights.

27 The Sydenham Hill Residents' Steering Group (RSG) was established in December 2018, with 8 meetings held to date. The Group was established to ensure meaningful resident consultation and effective participation in all aspects of appraising and implementing the proposals for the Site.

28 Following the PPA 4 meeting with Lewisham Planning in October 2019 a final presentation was made to the RSG and Kirkdale residents on 18th November 2019 which was followed by further amendments to the design which are now incorporated as part of the proposals. These amendments are noted below in paragraph 32.

29 Stakeholder meetings were held throughout the pre-planning engagement with LB Lewisham members and officers, London Borough of Southwark members and officers, Members of Parliament, local amenity societies, community groups, estate residents and neighbouring residents to discuss the proposals in further detail. As well as this, members of the project team have carried out individual visits to residents and wider stakeholders, where requested, for those who are unable to attend the open public meetings.

30 Feedback was shared with residents and the wider community throughout the consultation. Newsletters were issued to keep the local community updated about the scheme and share information and frequently asked questions. A quarterly newsletter is issued to approximately 2,250 households in and around the estate, as well as to community groups and local politicians.

31 An interactive Commonplace website, sydenhamhill.commonplace.is, was set up at the outset of the project, acting as a hub of information for the project. Over the pre-application phase, the website was updated with consultation materials, information regarding upcoming events and information about issues on the estate relating to the proposals. The website enabled users to comment on the proposals with all feedback visible to website visitors, ensuring a transparent consultation.

32 The applicant outlines that the following revisions were made to the proposals following feedback received as a result of public consultation, as well as feedback from Lewisham Planning and the Design Review Panel:

- Reduction in the total number of residential units from 150 units to 110 units.
- Revisions to the layout and height of Block A, B and C. Blocks A and C are now four storeys and Block B is part six and seven storeys. The tallest element of the new main block has been reduced from 12 storeys in the scheme discussed with GLA to a maximum of seven storeys.
- Provision of a community room, interview room, new estates office and residents store within the main block.

- Revisions to the scale and massing of the terrace house blocks to part two and part three storeys and a reduction in one unit on the terrace.
- Omission of the infill residential development to the hard ballcourt. Some alterations to the ballcourt are however proposed to provide play facilities and improved access to the car parking beneath it. 10 new useable parking spaces will be provided below the ballcourt.
- Removal of the MUGA from the central landscaped area between Mais House and Otto
- Close properties and replacement with a smaller scale toddler play area alongside hard and soft landscaping works and programme of tree planting.
- Ecological enhancements, including biodiverse planting, rain garden, bird and bat refuges are now included as part of the landscaping scheme.
- Alteration to car parking including the removal of the basement car park to Blocks A, B and C and replacement with surface level car parking spaces. Parking on Otto Close has been reconfigured to minimise disruption to services and usable parking spaces are also now provided underneath the retained ballcourt.
- Vehicular access to Blocks A, B and C will be consolidated through the existing access between Mais House and Castlebar providing access to the surface level parking area. This point will also serve as the access for the proposed delivering and servicing strategy for Sydenham Hill Block A, B and C. A secondary access proposed to the western boundary of the site is proposed for fire access only. This is an existing arrangement, but the access will be widened and opened to provide greater accessibility and more significantly enables the existing bus stop and Sydenham Hill to be retained in its current location.

5.1.2 Planning Pre-application Advice

- 33 Initial pre-application advice was issued by Lewisham Planning Service in November 2017 and the initial proposals outlined two options of between 175 and 192 units within blocks of up to 8 storeys. The pre-application advice concluded,
- 34 *'Officers are of the view that the site has potential for redevelopment to provide an intensification in residential use, subject to satisfactory resolution of the issues highlighted above in respect of re-provision of older person's housing, amenity and play space and delivering high quality design. The mix of accommodation proposed should reflect demand for specialist housing for older people in this location and details of any alternative provision for existing residents will be required. The provision of the balance of new units at the site as general needs housing is accepted, in a mix of dwelling sizes including family units.'*
- 35 *Equivalent replacement affordable housing will be required, and any uplift in units will be expected to provide affordable housing in line with policy requirements. The proposals should progress in the form of a masterplan as the sites are interlinked by the issues raised above. Design should develop having regard first to a detailed contextual analysis of the site and local area. Given the potential scale and complexity of the proposed redevelopment, it is strongly recommended that the applicant engages in further pre-application discussions with officers.'*
- 36 The City of London then entered into a Planning Performance Agreement (PPA) with Lewisham Planning Service in July 2018 and have undertaken four pre-application meetings during 2018 and 2019 prior to submission of the application proposals.
- 37 In addition to the above, a request for pre-application advice from the Greater London Authority (GLA) was submitted on 22nd February 2019 as the height of the initial proposals and the number of units at that time triggered GLA Referral.

- 38 A meeting was held with Officers including planning, urban design and Transport for London on 27th March 2019 and a formal pre-application response was issued on 22nd May 2019 (Ref: GLA/5070).
- 39 The pre-application proposals included the demolition of the Mais House building, the Otto Close garage units and the ballcourt in order to provide new residential accommodation across three blocks on the Mais House site and three storey residential units on the site of the existing garages and ballcourt area.
- 40 Two separate massing schemes were presented in relation to the proposals on the Mais House site with the ballcourt and Otto Close terraces unchanged in both options. The first proposal would provide a total of 150 new residential units across the site with the highest element being 12 storeys and the second proposal would provide a total of 135 units with up to a maximum of 9 storeys on the Mais House part of the site. It was further advised at the meeting that following further feedback from LBL and as a result of wider consultation feedback, the scheme currently being considered by the applicant would now likely provide a total 128 units.
- 41 Key comments and advice issued by the GLA are set out below:
- 42 **Principle of development** - 'in land use terms, the principle of intensifying the residential uses on this estate is supported and will assist in boosting housing supply in line with London Plan Policy 3.3 and draft London Plan Policy H1. The proposals would also contribute to meeting Lewisham's annual housing targets.'
- 43 **Estate regeneration** - The GLA advised that guidance in the Mayor's Good Practice Guide for Estate Regeneration (GPGER) would apply to the proposals. Relevant London Plan policies requiring like for like replacement of any affordable housing or specialist housing lost as part of the proposals was identified and whilst noting that Mais House is now vacant it was considered, 'Whilst the information provided by the applicant demonstrates a relatively strong supply of residential provision for elderly residents in this specific part of Lewisham, any future planning application should fully demonstrate the existing accommodation is not meeting a defined need for this specific type of residential accommodation, both within the London Borough of Lewisham and across the City of London's housing stock. Subject to demonstrating that the 63 units do not meet an identified housing need, the provision of 135/150 social rented units at the site would be supported.' It was advised that any application should also fully detail the consultation process undertaken, the results from this consultation and how these have fed into the design and development process.
- 44 **Affordable Housing** – 'The proposals comprise 100% affordable housing (by habitable room) on-site, made up entirely of social rent provided. This falls outside the Mayor's SPG tenure split requirement and the Council's expected target split outlined within Policy 15 of the Lewisham Core Strategy, which states that affordable housing that is provided should be provided as 70% social/affordable rented and 30% intermediate housing. However, it is recognised in all levels of policy that housing offers should respond to local need. In this instance the increased weight to social rent is considered an appropriate response to local need and is understood to be supported by the Council. As such the proposed tenure split is acceptable and full viability testing is not required.' However it was also advised that if market housing was proposed as part of the overall mix, the scheme would have to follow the Viability Test Route and would be subject to early and late stage reviews in accordance with draft London Plan Policies H6 and H10 and the Mayor's Affordable Housing & Viability SPG.
- 45 **Children's play space** – 'Whilst details of the play areas have not been finalised it is understood that this space would be designed to accommodate on site play space sufficient to meet the predicted child yield for the development. Nevertheless, as the proposals would see the removal of the existing ball court area, this play space should

also be re-provided as part of the proposed child play space as to accord with the requirements of the Mayor's Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance.'

46 **Site layout, massing, scale and height** – The general site layout was supported. The proposed 4-9 storeys were also broadly supported subject to a full TVIA and daylight sunlight assessment. However, there were some concerns with a 12-storey scheme on the local landscape, particularly given the relief of the site which slopes steeply from west to east and would further emphasis on the height of this tower when viewed from Kirkdale and Otto Close to the east.

47 **Heritage** - It was advised that a full visual impact assessment demonstrating the impact of the proposals on designated heritage assets would be required as part of any application. Any harm would be weighed against public benefits and it was considered that affordable housing would constitute a significant public benefit.

48 **Transport** - Relevant policies for car and cycle parking including disabled parking were identified and it was advised that details of construction and logistics should be provided with the application.

49 Further to the above, the proposed development was reviewed by the Lewisham Design Review Panel (LDRP) on three occasions. Further details of the feedback received are outlined below.

5.2 APPLICATION PUBLICITY

50 Three site notices were displayed and a press notice was published on 15 January 2020. A further 4 site notices were erected on 24 January 2020.

51 Letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors in January 2020.

52 In total 209 representations have been received in objection to the proposed development. These objections include representations from the Forest Hill Society, the Sydenham Society and MP Helen Hayes. Representations were also received from the London Countryside Charity, the Sydenham Hill Ridge Forum and the 20th Century Society.

5.2.1 Objections

53 The representations objecting to the proposed development, received as a result of the public consultation are summarised as follows:

Material planning consideration	Paragraph(s) where addressed
<i>Design and Impact on Surrounding Area</i>	
The height and density of the development be significantly reduced to be more in keeping with existing development.	151-163
The proposed height of the main block will significantly alter the appearance of Sydenham Hill and dwarf neighbouring buildings.	262-274
The proposal will compromise the woodland appearance of the street and ridge. Concerns that it irreparably damage the view of the ridge from across London and within the borough	273-274

Traffic congestion in the area is already bad due to on-street parking. The proposed off-street parking is woefully insufficient and put more pressure on local streets.	350-395
The development is too dense and represents overdevelopment.	158-160
The character of the areas is woodland and trees and the proposed development would result in an unacceptable impact upon this character	273
This application would set an unacceptable precedent for height on the ridge	273-274
The proposals would have an unacceptable impact on the conservation area, listed buildings at Lammas Green and area of special character	307-309
The proposed development would result in overlooking and loss of privacy to surrounding properties	415-425
<i>Impact on Local Facilities</i>	
Local schools, nurseries and GPs are already oversubscribed. An extra 360+ residents will further exacerbate this	234-238
There is a lack of open space in the area	226
<i>Impact on Transport and Road Network</i>	
There are existing problems with regard to a lack of parking in the local area and this development will serve to exacerbate this impact	355
The lack of parking proposed with the scheme is unacceptable	352-354
The proposed ULEZ will make the area south of the South Circular a car park	393
A CPZ should be implemented and properly enforced	393
The proposals would result in an unacceptable impact on roads during the construction process by congestion and creation of dirt on the highway	393
There have been many incidents on the crossing at Thorpewood Avenue	397
Cycling around the area is unsafe and this would exacerbate the problem	371-378
The proposals would have an adverse impact on highway and pedestrian safety	393-395
The proposals would result in the loss of a green corridor	562
Lack of accessibility for wheelchair users	347-349
<i>Impact on Biodiversity</i>	
The proposed development would result in an unacceptable loss of trees and biodiversity	561-562

There have been stag beetles observed in the area, contrary to the ecological assessment	552
Lighting from the development will impact upon bats which have been observed foraging in the area	550
Woodpeckers, ducks, redwings have also been observed in the area	552
Concerns regarding loss of wildlife	552
The proposals would result in the loss of ancient woodland	563
Harmful impact on trees and loss of trees	577
Residents have requested that the trees are protected via Tree Preservation Order	564-570
<i>Consultation</i>	
Insufficient site notices have been erected in the area.	50
The scheme has not been altered to take account of resident's concerns that were raised through the pre-application process	32
Young people have not been consulted in this process	26-31
<i>Pollution</i>	
The proposals will result in increased air pollution	537-538
The proposals would result in unacceptable noise pollution to neighbouring properties	205
There will be noise and dust pollution during demolition – how will this be managed?	359 and Planning Condition 7
<i>Energy and Sustainability</i>	
Why are gas boilers being used when air source heat pumps are also proposed?	500-505
There is no consideration of green solutions around energy efficiency, traffic reduction or air quality. There is no meaningful innovation around anything in this regard; no renewable power sources, electric car recharging points, incentives for communal recycling, provisions to actively encourage bicycle use etc.	392, 503
Concerns regarding lack of drainage	534-536
<i>Other</i>	
What additional storage will be made available for existing residents who store items in the garages to be demolished?	No new storage facilities are proposed as part of this application
Now is not the time to proposed such a development in the midst of the COVID 19 crisis	Planning Applications must be considered on their individual merits, taking into

	account the adopted policy framework
--	--------------------------------------

54

The representation received from the Sydenham Hill Society objecting to the proposed development is summarised as follows:

Material planning consideration	Paragraph(s) where addressed
The consultation undertaken was inadequate and a local meeting should be organised	57-59
A ballot should be held in relation to the proposed estate redevelopment	124
Lammas Green is Grade 2 Listed, which indicates the houses and flats here are “buildings of special interest, warranting every effort to preserve them”. The 1950s Lammas Green was designed as a whole with its unique setting and the 1970s additions of Otto Close and Mais House were designed in a way to complement them and not to have a negative impact on the setting of the Grade II elements (e.g. no direct route from Otto Close straight onto Lammas Green, instead the existing public footpath was and is still used).	307-309
Further protection is accorded to Sydenham Hill Ridge under Lewisham’s Core Strategy and to our irreplaceable Ancient Woodland.	289-294
Lewisham's current local plan (policy CS17) identifies seven views, generally from public spaces within the borough. These are to be maintained by resisting large scale, bulky developments . The views include LV5 Mountsfield Park – towards Catford and Sydenham Ridge and LV 6 Forster Memorial Park - to Crystal Palace radio mast and the Ridge	312
The buildings as proposed far exceed the footprint and building height of the existing Mais House structures. (See attached images.) They would be by far the tallest buildings on the Ridge, far taller than any trees, and be visible from central London and across the whole wide sweep of landscape. Only the Crystal Palace mast is so visible and that does not have the massing of a housing development. The flats would dwarf the neighbouring Grade II listed Lammas Green Estate and by virtue of their height and proximity they would loom over Lammas Green and the adjacent Locally Listed Castlebar Care Home.	312
Concerns over air quality and the impact on residents and the Conservation Area	537-538
Ancient woodland and wildlife would be at risk because of their proposals. The Ridge is an important wildlife corridor. Insects including protected stag beetles, bats, hedgehogs, birdlife, fungi: all this and more will be at real risk of harm from loss of habitat as well as light and noise pollution. Stag beetles fly and crawl at dusk. What effects will the increased light pollution alone have on them?	552
Concerns over the increased flood risk and the applicant’s drainage strategy	534-536

Lack of infrastructure in close proximity to the proposed development	234-244
Given the low parking levels proposed, residents will be reliant on public transport which is poor in the area	388-395
The parking arrangements in the proposal are completely inadequate and the parking survey is flawed. There is an ongoing consultation about making Thorpewood Avenue a school street or introducing a CPZ. The survey has not taken any recent developments or proposals into account.	352-355
There is no GP surgery within the whole of Forest Hill ward. The nearest surgery is Wells Park Practice in Sydenham ward. We understand Wells Park Practice has capacity for 3,000 patients. We further understand that there are more than 10,000 patients registered at the surgery and that they have now started turning new patients away.	234-238
The proposed development would have an adverse impact on existing residents wellbeing	485-488
The proposed development would result in unreasonable loss of light to residents of neighbouring properties as well as loss of privacy	415-425, 441-460
There is inadequate playspace and there would be an increased reliance on existing off-site facilities	226
Concerns over loss of existing public footpath and the safety of proposed routes through the application site	347-349

55

The representation received from the Forest Hill Society and Sydenham Hill Ridge Neighbourhood Forum objecting to the proposed development is summarised as follows:

Material planning consideration	Paragraph(s) where addressed
The proposed scale is inappropriate for the location – there is no building along the ridge that is this height. The development is proposed at the highest point of the ridge	289-294
The impact on the streetscape on to Sydenham Hill is compounded by the proximity of Block B to the road, extending closer to the road than the existing footprint, and, moreover, proposing apartments for new residents sited right on the edge of a busy road.	254-258
Loss of buffer trees at Sydenham Hill road frontage	562-580
Existing residents will suffer from loss of privacy, loss of light and decreased quality of amenity	415-425, 441-460
Concerns that the impacts on the Castlebar Nursing Home have not properly been assessed	441-445
The movement of the western wall of Tower Block C beyond the existing footprint effectively eliminates the open outlook on to the Kent countryside from Sydenham Hill which is an important public amenity.	307-309
Concerns over impact of the additional population on roads and GP services	234-238

Concerns over impact on existing on-street parking	352-355
Our neighbouring remnant of the Great North Wood is a significant and much valued local asset, and, with parts including ancient woodland, protected by the National Planning Plan Framework. There are issues surrounding light spill, obstruction of wild life corridors, and increased human pressure on an already stressed woodland space, resulting from building such tall towers. There are concerns that there appears currently to be no up-to-date ecological assessment reflecting the position across the year with this application.	552
Given the low parking levels proposed, residents will be reliant on public transport which is poor in the area	352-355
There is disappointment locally that the energy and time residents have put into the Applicant's consultation process, whether by feeding into the Commonplace site or otherwise, appears to have been largely wasted, since there is little sign that local views on the key questions of scale, massing and density have been heeded to any significant extent.	24-32

56 The representations received from Helen Hayes MP is summarised as follows:

Material planning consideration	Paragraph(s) where addressed
The proposed height of the new development which residents consider will be overbearing at the top of the Sydenham Hill ridge and set a precedent which could result in overdevelopment along the ridge.	289-294
The impact on transport and parking. Sydenham Hill is served by only two bus routes and has seen increasing traffic and parking pressure in recent years. It is not clear from the proposals that this application would result in any increased investment in public transport capacity and residents are concerned that the application will result in a considerable increase in parking pressure along Sydenham Hill, and additional road congestion with consequent impacts on air quality.	388-395
Concern over lack of new amenity space proposed	226
Concern over impact on already over-subscribed GP services	234-238

5.2.2 Local Meeting

- 57 Given the degree of response following the statutory consultation on the application, a Local Meeting was held in accordance with the Council's adopted Statement of Community Involvement, taking the form of a virtual local meeting.
- 58 All those who submitted representations on the application during the statutory consultation period as well as all residents on the existing Sydenham Hill Estate were invited to attend the local meeting – due to lockdown restrictions this was held virtually. The meeting took place from 7pm to 8.30pm on 4th August 2020. The session was attended by 63 local residents and business owners.

59 A note of the key issues raised by those attending the drop-in session and the applicant's responses, including a recording of the meeting is set out at Appendix 1.

5.3 INTERNAL CONSULTATION

60 The following internal consultees were notified:

61 Economic Development: No response

62 Environmental Protection (Air): No objection subject to contribution

63 Environmental Protection (Contaminated Land): No objection subject to condition

64 Lead Local Flood Risk Authority: Further information required

65 Strategic Housing:

Housing need

66 There is currently a housing crisis and it has become incumbent on Councils to re-engage with the direct delivery of Council homes. The homelessness Charity, Crisis, describe that 100,500 homes would need to be built, each year over the next 15 years in order to resolve the homelessness problem, and that a significant amount of Council resources is being spent on temporary accommodation, which if re-directed to home building, would be better placed to home people permanently.

67 In July 2012, the Council took the initiative to embark on an ambitious programme to build new Council homes in response to the 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 housing demand. Running concurrently with the delivery of the 500 homes, the current Mayor of Lewisham has pledged to create additional Council homes within his 4 year term by 2022. A further tranche of planning applications will therefore follow in the coming months and years in order to deliver the Mayor's bold, but absolutely necessary ambitions.

68 Notwithstanding the above, it is still necessary for private developers and others to continue to contribute to tackling the housing crisis, through the provision of genuinely affordable, social rent, intermediate and private housing. Maintaining a good supply and choice of housing types ensures that the Borough's residents can afford to stay in the borough. To that regard, the Strategic Housing team welcome early discussion with applicants in order to maximise the level of genuinely affordable housing deliverable in schemes.

69 Policy position - 'Core Strategy Policy 1: Housing provision, mix and affordability' forms the basis of the response, with reference made to the Lewisham Planning Obligations SPD (2015).

70 The development will provide much needed new social rented homes and improve open space, landscaping and shared amenity space for existing and future residents.

The Proposal

71 Affordable housing CSP1 (3/4)

72 Lewisham's CSP1 (3) looks to achieve the maximum provision of affordable housing with a target of 50% affordable homes on sites of more than 10 dwellings. The proposal exceeds this by looking to provide 100% of the 110 homes provided as social rent. Of the 110 homes 50% of nominations will go to LB Lewisham, with the remaining 50% for the

applicant, City of London. This would be of substantial assistance in meeting the targets affordable housing in the borough as outlined in CSP1 (3).

73 Mix of Tenure CSP1 (5/10)

74 We note that the scheme proposes that 100% of affordable homes to be social . While this mix does not match the 70/30 split of social/intermediate set out in CSP1 (5), the greatest need in the borough is social rent, and so the council looks favourably on proposals such as this which exceed the percentage of social rented homes provided such as this and its assistance in helping the borough meet its ambitious targets for delivery of genuinely affordable homes.

75 Wheelchair & Lifetime Homes CSP1 (7)

76 The Council recognise that the proposals meet both criteria's of CSP1 (7) for wheelchair accessible homes and lifetime homes.

77 Net loss of housing CSP1 (2)

78 We recognise that the proposals increase the number of homes on this site from the existing number and that the existing building is not occupied, therefore this policy is considered to have been met.

79 Family Homes CSP1 (6/9)

80 We note that the majority of the existing homes in Mais house (98%) are 1 bed/bedsits, and so this represents a large uplift in family homes provided on the site.

81 While the proposed mix of 20% 3bed+ homes falls short of the CSP1 (9) target of 42% 3bed+ for affordable units, we recognise that this is in part because of the fact that 100% of the proposed units are affordable, well above policy requirement. Typically we would seek for 42% of the 50% affordable homes to be family sized, so 21% at a scheme wide level. Therefore the proposed 20% comes close to meeting the numbers of family sized affordable homes we would hope for on the site and we recognise that this slight reduction from policy compliance enables a much greater number of social homes across the scheme as a whole.

Given the above listed considerations, we would recommend this scheme for approval and believe it would be of great assistance in meeting our target levels of affordable housing provision in the borough.

82 Sustainability Manager: Raised some comments in relation to provision of PV panels and total carbon savings secured by the proposals. Required detail of energy strategy and Heat Interface Units to be reserved by condition.

5.4 STATUTORY CONSULTATION

83 The following Statutory Consultees were notified:

84 Designing Out Crime Officer: No objections subject to Secured by Design condition

85 Environment Agency: No comments to make given scale of proposals

86 Fire Prevention Group: With reference to your letter dated 7th January 2020, your application (reference: DC/20/115160) in respect of the above-mentioned premises have been examined and I am satisfied with the proposals in relation to the fire precautionary arrangements assuming that the requirements of section B5 of Approved Document B are complied with.

- 87 Heathrow Airport: Confirmed no objection
- 88 Historic England (Listed Buildings): Advised no comments to make
- 89 Historic England (Archaeology): Advised no comments to make
- 90 London City Airport: No objection
- 91 London Borough of Southwark: No response
- 92 Network Rail: Advised no comments to make
- 93 Southern Gas Network: No response
- 94 Thames Water: No objection subject to condition and informative
- 95 Transport for London:
- 96 Cycle Parking
- 97 192 long-stay cycle parking spaces are proposed for the residential element. This quantum accords with the minimum standards identified within policy T5 of the intend to publish London Plan and is welcomed. One additional short-stay cycle parking space should be provided to meet the minimum standards of policy T5.
- 98 As highlighted at pre-application stage, all cycle parking at site should be designed to meet the London Cycle Design Standards (LCDS) in order to comply with London Plan policy 6.9 and policy T5 of the intend to publish London Plan. The applicant has proposed that at least five per cent of cycle parking will be delivered in the form of accessible stands for larger cycles in line with LCDS, however it is unclear where these are located as the proposed ground floor plan shows only two-tier racks which are not accessible to all ages and abilities. The location of accessible stands should be included in a revision of the ground floor plan.
- 99 From using the scaled ground floor plan, it is clear that the proposed aisle widths for the two-tier rack arrangements do not meet the minimum requirement of 2.5m in front of the lowered racks. This should be revised in order to comply with LCDS.
- Walking and Cycling
- 100 An Active Travel Zone (ATZ) assessment has been undertaken, which is welcomed. The applicant should work with the Council to identify and implement necessary improvements which will support a mode shift at this site.
- Pedestrian Access
- 101 The existing pedestrian footpath which runs through Lammas Green will be relocated to the street in front of the proposed terrace houses. It is welcomed that the applicant has chosen to not propose the relocation of the site's adjacent bus stand.
- Car Parking
- 102 A total of 30 car parking spaces with seven disabled parking bays inclusive, are proposed at surface level at Block A, B and C. 25 spaces are proposed at Otto Close, of which 10 are existing. The spaces proposed at Otto Close will be for existing residents who currently park within the garages or have permits for Otto Close. Altogether, this equates to a parking ratio of 0.44 parking spaces per dwelling. Whilst this complies with policy T6.1 of the intend to publish London Plan, we would strongly encourage the applicant to reduce

this to reflect the Mayor's strategic mode shift target of 80 per cent of all trips in London to be made by sustainable modes.

103 It is proposed that Electric Vehicle Charging Point (EVCP) will meet the intend to publish London Plan standards of 20 per cent active provision and 80 per cent passive provision. This is welcomed and should be secured by condition.

104 An outline Parking Design and Management Plan (PDMP) has been provided. A full PDMP should be secured by condition. This should demonstrate that a total of ten per cent of dwellings could each have access to a disabled persons parking bay if demand arises, and how passive provision can be activated.

Trip Generation Assessment

105 A multi-modal trip generation assessment has been provided. The trip generation estimates that during the AM peak, the proposed development will generate 90 trips. Further analysis has been provided on the impact the proposed development would have on bus routes that are within reasonable walking distance during AM and PM peak hours, this is welcomed.

Managing Freight and Travel

106 An outline Construction Logistics Plan (CLP), Delivery and Servicing Plan (DSP) and Travel Plan (TP) has been provided. A full CLP, DSP and TP with regard to TfL's guidance should be secured by condition in accordance with policy T4 and T7 of the intend to publish London Plan.

107 Summary

In summary, conditions should be put in place to secure the requirements above. Cycle parking should be revised to meet LCDS prior to determination in order to comply with London Plan policy 6.9 and policy T5 of the intend to publish London Plan.

5.5 LEWISHAM DESIGN REVIEW PANEL (LDRP)

108 The proposed development was presented to LBL's Design Review Panel (DRP) on three occasions across 2018 and 2019

109 Following comments made in relation to the DRP's comments from the first two meetings, the design team met with the Planning Service and amended the scheme to address the issues raised by the DRP, as well as those raised by the Planning Service.

110 The Panel's comments following the third meeting in July 2019 in relation to a 120 unit iteration of the proposed development are summarised as follows:

- The presentation was very good and clear and the evolution of the scheme is generally developing in a positive direction.
- The Panel noted the reduction in the overall heights of some of the proposed blocks which it regarded as a positive trend. However, the buildings still appear to be of a scale and mass which seem excessive when considered in context. The case for a substantial development of the heights proposed has not really been developed much beyond the consequence of the quantum of development. Whilst the architects have applied considerable energy and intelligence to talking the issue, the fundamental problem of the scale of development remains taking into account the context of the sub-urban treed environment with generally low-rise buildings surrounding, and important heritage assets on both neighbouring land plots on Sydenham Hill.

- The Panel strongly recommended that the scale is re-evaluated and a more persuasive supporting architectural and townscape narrative developed to help underpin the case for the final outcome. This is missing at present and makes the development therefore harder to substantiate.
- The central building within the body of the site also appears too tall/large.
- The Sydenham Hill frontage is the most important and is not yet working entirely successfully.
- The approach to polychromatic brickwork on the elevations was rich and characterful but the buildings in general did not engage with the ground very successfully and the language of the architecture needs to be further developed, modelled and refined in intent. The detailing should be contemporary and should avoid pastiche, some Panel members commenting that the architecture exhibited a clear 1950s feel which was suspected to be unintentional.
- The landscape design strategy is evolving positively, and the integration of building footprints and landscape is starting to appear much more convincing. However there are concerns about the separation between public and private spaces which seems unclear at present, and the general integration of internal plans at ground level and the landscape spaces. The opportunities that ground level living can offer in terms of relationship with terraces, gardens and the like and the effect architecturally on the base of the building have yet to be fully developed.

111 The applicant subsequently amended the application in response to the comments from the panel's third view, constituting in a further reduction of scale and loss of 10 residential units. The responses are discussed in detail in the applicant's Design and Access Statement and Planning Statement as well as in the planning assessment below. The scheme has not been further reviewed by the Panel, the scheme has support from the councils urban design team, and officers consider that the comments from the Design Review Panel have been taken into account and addressed within the submission scheme.

6 POLICY CONTEXT

6.1 LEGISLATION

112 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).

113 Planning (Listed Buildings and Conservation Areas) Act 1990: S.66/S.72 gives the LPA special duties in respect of heritage assets.

114 MATERIAL CONSIDERATIONS

115 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.

116 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.

117 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

118 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Draft London Plan 'Intend to Publish' (December 2019): The London Plan has been reviewed and a new draft London Plan produced (DLP). This has been subject to public examination and an 'Intend to Publish' version subsequently issued by the Mayor of London in December 2019. This has now been reviewed by the Secretary of State and a response outlining amendments has been issued. The DLP is now with the Mayor of London to informally agree amended text with the MHCLG and Secretary of State. Although not yet part of the adopted development plan, given its advanced stage the draft New London Plan carries some weight as a material consideration in planning decisions. The relevant draft policies are discussed within the report (DLPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013)

6.4 SUPPLEMENTARY PLANNING GUIDANCE

119 Lewisham SPG/SPD:

- Planning Obligations Supplementary Planning Document (2015)

120 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- London View Management Framework (March 2012)
- All London Green Grid (March 2012)
- Play and Informal Recreation (September 2012)
- Sustainable Design and Construction (April 2014)
- Character and Context (June 2014)
- Town Centres (July 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Social Infrastructure (May 2015)
- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Culture & Night Time Economy (November 2017)
- Energy Assessment Guidance (October 2018)

7 PLANNING CONSIDERATIONS

121 The main issues are:

- Principle of Development
- Housing
- Urban Design
- Impact on Adjoining Properties
- Transport
- Sustainable Development
- Natural Environment
- Planning Obligations

7.1 PRINCIPLE OF DEVELOPMENT

General Policy

- 122 The National Planning Policy Framework (NPPF) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.
- 123 Lewisham is defined as an Inner London borough in the London Plan. LPP 2.9 sets out the Mayor of London's vision for Inner London. This includes among other things sustaining and enhancing its recent economic and demographic growth; supporting and sustaining existing and new communities; addressing its unique concentrations of deprivation; ensuring the availability of appropriate workspaces for the area's changing needs.
- 124 The Mayor's Good Practice Guide to Estate Regeneration: Better Homes for Local People (GPGER) is considered to apply to the proposals. The GPGER sets out principles for undertaking estate regeneration schemes. The key principles are:
- an increase in affordable housing, comprising like-for-like replacement and the maximisation of additional genuinely affordable housing;
 - full rights to return or remain for social tenants;
 - a fair deal for leaseholders, including home loss payments, and independent valuation for residents (paid by applicant);
 - full and transparent consultation, with identified direct engagement and consultation events; and
 - a ballot is required if the total number of new homes is greater than 150 units and the application benefits from GLA funding.
- 125 DM Policy 5 advises that the Council resist development that involves the net loss of floorspace in specialist accommodation unless:
- i) adequate replacement specialist accommodation will be provided;
 - ii) it can be demonstrated that there is a surplus of that particular type of specialist accommodation in the area, and
 - iii) it can be demonstrated that the existing specialist accommodation is incapable of meeting relevant industry standards for suitable accommodation.
- 126 DM Policy 5 also states that where Council is satisfied that a development involving the loss of specialist accommodation is appropriate, it will expect re-provision of an equivalent amount of floorspace, or of permanent housing in C3 Use Class, including an appropriate amount of affordable housing, having regard to Core Strategy Policy 1.
- 127 The supporting text to DM Policy 5 advises that a key criterion is the need for buildings to be designed so that they are fit for purpose, with a good fit between the facilities supplied and the specialist needs of residents. It also states at paragraph 2.34 that where the Council accepts that an existing site or property is no longer appropriate for specialist accommodation, development for self-contained standard housing including an appropriate proportion of affordable housing will be the preferred option and that it will resist proposals for non-residential development.
- 128 Draft new London Plan policy D6 states that development must make the most efficient use of land and be designed at the optimum density. It goes on to state that proposed development that does not demonstrably optimise the density of the site in accordance with this policy should be refused. The supporting text to D6 advises that a design-led approach to optimising density should be based on an evaluation of the site's attributes, its surrounding context and its capacity for growth and it should be recognised that the

density matrix (table 3.2) in the existing London Plan is removed in the draft new London Plan.

Discussion

Principle of Development at Mais House

- 129 Mais House previously provided 63 units with a total of 65 bedspaces. All previous occupants of Mais House were tenants of the City Corporation and were over 60 years of age.
- 130 Most of the units are bedsits or 1 bed units (98%) with some 2 bed units (2%). The building has several communal areas including a kitchen and a large room originally used as a dining area where meals were provided for residents. A full-time Scheme Manager was based at the site, although they did not live in, and they were supported by a cleaner. The Manager's role was not to provide care, but to give housing-related support which helps people stay independent as long as possible.
- 131 The decision to close Mais House was discussed at a City of London Community and Children's Services Committee on 15th January 2016. The related Committee Report identified that in 2013-14, the Housing Service, with the involvement of Members, conducted the first phase of a Sheltered Housing Review. The purpose of the review was to look at the City's existing social housing provision for older people and to consider what changes might be needed to reflect national policy and the changing needs and aspirations of people regarding accommodation for their later years. The review included consultation with existing sheltered housing residents and focus groups with City residents to explore their views. The report outlined the following issues with the existing accommodation at Mais House:
- *The majority of flats are bedsits. These have become increasingly unpopular everywhere, and it is now recognised nationally that older people should not be expected to downsize their lives to the extent that they can fit into one room. There is also recognition that geographically dispersed families mean that many older people need space for visitors and that the trend for grandparents to provide crucial childcare also means they need more space. Although some residents at Mais House have said that they prefer their bedsits, many have criticised the lack of space.*
 - *As well as failing to meet modern requirements for space, bedsits are extremely difficult to adapt to accommodate wheelchairs, walking frames and other needs as people grow older.*
 - *Kitchens in individual flats are extremely small, as they were not designed for residents to cook for themselves. This has been the subject of negative feedback from some residents.*
 - *Many existing residents tell us that they are happy with the location of Mais House. It is, however, cited by prospective tenants as a disadvantage. Most people on the City's waiting list come from other housing estates. Mais House is a long way from these so to move there requires them to uproot from their existing communities and support networks at a time when they are increasingly reliant on them.*
 - *There has been low demand for accommodation at Mais House for some years. Other sheltered scheme vacancies are filled from the City's waiting list but this has not been possible at Mais House and officers have promoted it through adverts in the local press and through Lewisham's Choice Based Lettings system. It has, however, remained unpopular.*
 - *Extensive work which is needed to improve general standards. This includes the replacement of the current, single-glazed windows, new boiler plant and hot water and heating systems, rewiring, new kitchens, bathrooms and flooring, a new fire alarm system and an asbestos survey. All of this work needs to be carried out at Mais House even if nothing else is done.*

- *To meet the Decent Home Standard, smoke seals need to be installed on doors and remedial repairs are required to ensure that windows open*

- 132 Following the above, the City of London resolved that Mais House would be closed and redeveloped. A decant policy was agreed by Members and a decant programme for Mais House to rehouse and support residents through their move began in May 2016. At the outset of the programme all residents were assessed to establish their housing needs and were asked to indicate their preference for type of property and the areas in which they would like to live.
- 133 At the start of the decant process there were 10 vacant units at Mais House. The property was vacated in June 2018 and most residents have been rehoused in Corporation properties, others who wished to be rehoused in areas where the Corporation does not have any housing stock have been rehoused with other social housing providers including LB Lewisham Housing, Croydon Housing and Greenwich Housing. All residents received appropriate payments and compensation under the Corporation's decant policy for the costs and inconvenience of being rehoused.
- 134 It is noted that the City Corporation has provided a commitment to any resident who wishes to move back after the construction of the new development has been completed will be able to do so. At present none of the residents have requested to return, one resident now lives on Lammas Green and those who went to St Clements Heights are close by so may wish to return.
- 135 In terms of existing specialist housing provision for older people in the area, the applicant team have identified the following existing provision:

Table 1: Existing Specialist Accommodation Study

Name	Provider	Accommodation	Type of Housing	Distance from Site
Castlebar Nursing Home	Excelcare	30 x 1 bedroom and 15 x shared rooms (for 63 residents) with planning permission for a further 12 units	Care home with nursing	0.0
William Wood House	L&Q	24 x 1 bedroom	Retirement Housing	0.6
Hollowcombe	Lewisham Homes	26 x studio and 1 bedroom flats	Retirement Housing	0.8
Homewalk House	FirstPort	48 x 1 and 2 bedrooms	Retirement Housing	0.8
St Clement's Heights	St Clement Danes Holburn Estate	49 x 1 and 2 bedrooms	Retirement Housing	0.8
Bradbury Oak House	Action for Blind People	32 x flats	Retirement Housing	0.8
Merrydown	Lewisham Homes	32 x studio and 1 bedroom	Retirement Housing	0.9
Kirkdale	Lewisham Homes	18 x 1 bedroom	Retirement Housing	1.0
Westwood House Care Home	Barchester Healthcare Ltd	43 x single and 3 shared rooms	Care home with nursing	1.0

Talbot Court	Lewisham Homes	21 x studio and 1 bedrooms	Retirement Housing	1.0
Northmoor	Lewisham Homes	24 x studio	Age exclusive housing	1.2
Lawrie Park	Lewisham Homes	28 x studio and 2 bedroom	Retirement Housing	1.3
Kelmscott	Lewisham Homes	16 x studios	Age exclusive housing	1.3
Rowan Court	Family Mosaic	19 x 1 bedroom	Retirement Housing	1.3
Siddons Road	Lewisham Homes	18 x 1 bedroom and 2 bedroom	Retirement Housing	1.3
Waverley Court	Lewisham Homes	42 x studio and 1 bedroom	Retirement Housing	1.4

136 Lewisham's older person housing needs are reviewed in the South East London Strategic Housing Market Assessment (SHMA)(2014) and Lewisham's Strategic Housing Market Assessment (SHMA)(2009).

137 The SE London SHMA for the South East London sub-region comprising the boroughs of Bexley, Bromley, Greenwich, Lewisham and Southwark was published in 2014. The main outputs of the SHMA is to identify:

- The quantity of new housing needed in terms of type, tenure, and size to meet future housing requirements.
- The extent of affordable (non-market) housing need in terms of type, tenure, and size, including concealed and potential households.
- An assessment of the housing needs of particular groups including older people, people with disabilities, and Black and Minority Ethnic communities.

138 In terms of older persons accommodation, the SE London SHMA identifies:

- South East London has the highest projected growth in numbers of 75+ residents among all London sub-regions.
- A 41% increase in the number of households with members aged 65 or more is forecast by 2032.
- The underlying pattern across the sub region is substantial increases in 'younger' (65 or over) elderly households in Greenwich Lewisham and Southwark, and 'older' (over 85) elderly households in Bexley, Bromley and Greenwich. This may be significant as over 85s are most likely to need specialist accommodation (though traditionally this has been mainly residential or nursing care) and relatively greater growth in this part of the population may result in a relatively higher need for specialist accommodation.
- Under 7.9% of existing residents aged 65 or over live in specialist elderly accommodation.
- There are around 6,604 units of sheltered social / affordable housing, 1,030 social/affordable housing Extra Care units and 2,376 leasehold, owner-occupied, or shared ownership sheltered units.
- Tenure, existing provision, support arrangements and overall approach to older persons housing differs across the different boroughs in the sub-region and as a result there is no single model forecasting definitive future requirements. Further work is required at a local level to consider future provision.

139 The LBL Strategic Housing Market Assessment (2009) identified in term of older persons housing needs, that the population of Lewisham is noticeably younger than that of England and Wales as a whole. The Household Survey indicated that 17% of households in Lewisham were all older and another 5.5% contained at least one older member in the

household alongside younger members. 20.4% of all respondents to the survey were aged over 60 years.

- 140 Over 40% of older households own their home outright and it was identified that the proportion of older persons that live in the social rented section accounts for 44% of all older person households in the borough. In terms of housing requirements:
- 3,000 homes across Lewisham occupied by older people do not meet their current housing needs due to health problems (19% of all older and 18% of some older households). Although most felt that their current home could be adapted to meet their needs, 5% of all older and 15% of some older households felt that they would need to move to another home which is more suitable.
 - Nearly 30% of all household respondents aged over 60 years moving to a bungalow in the future. Around 20% were also likely to consider sheltered housing or a flat in a Council/Housing Association block for older people.
- 141 In terms of compliance with DM Policy 5, the applicant has demonstrated above, the approach to rehousing previous residents of Mais House and that there would be no further displacement of residents.
- 142 Alternative accommodation in the form of 110 social rented units is proposed as part of the proposals with a significant uplift in the number of units compared to the number of sheltered housing units previously provided at Mais House. A wider mix of units including family size units will also be provided compared to the mostly bedsit/ 1 bed units previously provided in Mais House.
- 143 Redevelopment of the existing Mais House building alongside proposed units off Otto Close optimises the number of residential units that can be delivered on the estate. The current footprint and floor plates within Mais House provides 3,550sqm of accommodation which, if refurbished as general needs accommodation, would only deliver approximately 40 single bed units. If a wider mix of units was also proposed, it is likely that this would further reduce the number of units that could reasonably be accommodated within a refurbished building.
- 144 The proposed housing mix and tenure responds to local needs and the increased weight given to social rent provision is considered an appropriate response to local need. The overall uplift in the number of affordable units across the estate as part of the proposals also accords with GPGER objectives for delivering safe and better-quality homes for local people and increasing the overall supply of new and affordable homes. Additionally, the applicant has demonstrated that there are 16 facilities within 1.6km of the application site providing varying levels of accommodation for older people.
- 145 The existing accommodation at Mais House is no longer considered suitable and does not meet modern requirements with regard to space and wheelchair accessibility. Additionally, the applicant has demonstrated that generally, significant work needs to be undertaken to bring the building into good working order.
- 146 Given the existing condition and internal standards of the building at Mais House and the existing alternative specialist provision as well as the fact the current building does not optimise land use as required by the London Plan; it is considered that the loss of the provision at Mais House can be justified as required by DM Policy 5. Notably, the application proposes the provision of 110 socially rented residential units across a variety of unit sizes, in accordance with part 4 of DM Policy 5 and in response to the significant overarching need for socially rented units in Lewisham. As such, the proposed demolition of Mais House and reprovision of 110 socially rented units (99 at the Mais House site) is considered acceptable in principle.

Principle of Demolition of Existing Garages

- 147 The application proposes the demolition of seven rows of garages at Otto Close to make way for 11 socially rented family units.
- 148 Generally, the principle of demolition of the existing garages is accepted – full consideration to the displacement of parking spaces is considered in the relevant section of this report below.
- 149 The principle of proposing a residential use on an existing residential estate is also accepted and supported

7.2 HOUSING

150 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; (iii) the standard of accommodation; and (iv) total affordable housing proposed and its tenure split.

7.2.1 Density

Policy

151 National and regional policy promotes the most efficient use of land.

152 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF sets out the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

153 The NPPF encourages the efficient use of land subject to several criteria set out in para 122. Para 123 applies where there is an existing or anticipated shortage of land for meeting identified housing needs and strongly encourages the optimal use of the potential of each site.

154 London Plan Policies seek to increase housing supply and optimise housing output within the density ranges set out in the sustainable residential quality matrix (Policy 3.4).

155 Emerging DLPPs H1, H2 and D6 support the most efficient use of land and development at the optimum density. Defining optimum is particular to each site and is the result of the design-led approach. Consideration should be given to: (i) the site context; (ii) its connectivity and accessibility by walking and cycling and existing and planned public transport (including PTAL); and (iii) the capacity of surrounding infrastructure.

156 The London Plan is clear that it is not appropriate to apply the matrix mechanistically and that this should be used as a starting point and a guide rather than an absolute rule. DM32 reflects this approach. The draft London Plan removes the density matrix and focuses on a design-led approach in accordance with Draft London Plan Policy D2.

Discussion

157 The site has an area of 1.35 hectares and is in a PTAL of 2 in an suburban location whilst exhibiting characteristics of a urban location as defined by the London Plan below:

- urban – areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes
- suburban – areas with predominantly lower density development such as, for example, detached and semi-detached houses, predominantly residential, small building footprints and typically buildings of two to three storeys.

158 The density matrix in the London Plan sets an indicative range of 150-250 habitable rooms per hectare and at a proposed 2.97 habitable rooms per unit, sets a range of 50-95 units.

159 The residential density of the proposed scheme including existing dwellings on the estate is approximately 331 habitable rooms per hectare and 103 units per hectare, which is above the recommended density for a “suburban” location.

160 Additionally, the existing area has characteristics of an urban area as outlined by the London Plan with larger building footprints and buildings of typically 2-4 storeys in height.

If the urban location recommended density matrix were to be applied (200-450 habitable rooms per hectare and 70-170 units per hectare), the proposed development would fall comfortably within the recommended ranges.

161 The emerging policy in the draft London Plan (2019) signals a shift towards greater flexibility around housing density and a less mechanistic / numerical approach. Draft Policy D6 (Optimising housing potential) does not include the London Plan (2016) SRQ density matrix. Instead, a design-led approach to optimising density is being taken forward.

162 The London Plan is clear that the density matrix should not be applied mechanistically and the draft London Plan is moving away from a density matrix approach. It is considered that the development proposals would optimise an existing underutilised site.

163 Given the thrust of current and draft policy, the proposed density is considered to be acceptable.

7.2.2 Contribution to Housing Supply

Policy

164 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.

165 NPPF para 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.

166 LPP 3.8 states Londoners should have a genuine choice of homes, including differing sizes and types. Emerging DLPP H12 sets out that an appropriate mix of unit sizes should be informed by several criteria set out in the policy.

167 The current London Plan sets an annual target of 1,385 new homes until 2025. The emerging draft London Plan, if unchanged, would increase this to 1,667. The DLP (table 2.1) also indicates that the New Cross / Lewisham / Catford Opportunity Area has the potential to deliver an indicative 13,500 new homes.

168 CSP 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments.

Discussion

169 The current adopted London Plan sets an annual target of 1,385 new homes for Lewisham until 2025. The emerging Draft London Plan (if unchanged through EIP) would increase this annual target to 1,667.

170 The development proposal of 110 net new homes (including affordable housing) and commercial floorspace. This attributes to 8% of the annual output for the adopted London Plan target or 6.5% of the annual output for the Draft London Plan. This would represent a significant contribution to the current annual target for Lewisham which officers attach considerable weight.

171 The proposed development would make a valuable contribution to housing supply and has demonstrated compliance with the Mayor of London's as well as the provision of affordable homes and as such is supported.

Housing Mix

Policy

- 172 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.
- 173 NPPF para 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.
- 174 LPP 3.8 states Londoners should have a genuine choice of homes, including differing sizes and types. Emerging DLPP H12 sets out that an appropriate mix of unit sizes should be informed by several criteria set out in the policy.
- 175 CSP 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments. the Council will seek a mix of 42% as family dwellings (3+ bedrooms), having regard to criteria specified in the Policy relating to the physical character of the site, access to private gardens or communal areas, impact on car parking, the surrounding housing mix and the location of schools and other services
- 176 Determining an appropriate mix of dwelling sizes for a site depend on several criteria in CSP 1, relating to: (i) the site's character and context; (ii) previous or existing use of the site; (iii) access to amenity space for family dwellings; (iv) likely parking demand; (v) local housing mix and population density; and (vi) social and other infrastructure availability and requirements.

Discussion

- 177 The proposed housing mix and tenure mix is outlined in Table 2 below:

Table 2: Dwelling Size by Tenure

Type	Social Rent	
	Unit	Habitable Room
1B1P	10	10
1B2P	37	74
2B3P	10	30
2B4P	31	93
3B5P	11	54
4B5P	3	18
4B6P	6	48
Total	110	327

- 178 The proposed development provides a mix of dwelling sizes as required by the development plan. The mix is considered appropriate for the location and given the PTAL of the application site.
- 179 The proposed quantum of 3+ bedroom affordable housing is 18% of the total affordable provision which is lower than that recommended by CSP1. The mix is however considered acceptable in this instance given the built up location. Whilst lower than the quantum sought by the Core Strategy, the scheme would overall provide an appropriate mix of dwellings and a valuable contribution to the provision of family housing in the borough. Additionally, there are 31no. 2B4P units (28% of overall unit mix) proposed which would be suitable for smaller families. The provision of large 4 bed, 5 and 6 person dwellings is strongly supported.

180 The application also proposes 10 1B1P units which are generally resisted by the Lewisham Local Plan. Given that the reconfiguration of these units to provide 1B2P units would ultimately result in the loss of several socially rented residential units, and that all proposed units have a good quality of accommodation and access to private and communal amenity, it is considered that the provision of 1B1P units is acceptable in this instance, also taking into account the bedsit configuration of the existing Mais House layout.

7.2.3 Affordable Housing

Affordable Housing Tenure

Policy

181 The NPPF expects LPAs to specify the type of affordable housing required (para 62).

182 Core Strategy Policy 1 states that the affordable housing component is to be provided as 70% social rented and 30% intermediate housing although it also states that where a site falls within an area which has existing high concentrations of social rented housing, the Council will seek for any affordable housing contribution to be provided in a way which assists in securing a more balanced social mix. The London Plan has a 60%-40% split to allow a higher percentage of intermediate housing or other arrangements as considered appropriate.

General Background

183 The applicant, City of London has approached Lewisham Council regarding a funding contribution to the minimum 55 units for Lewisham allocation, these would need to be agreed with a 'plot plan' identifying the allocations for Lewisham and would be secured through s106 in consultation with the Strategic Housing department. The Councils Strategic housing department has suggested that this may be possible using s106 funding from other schemes offsite affordable housing contributions. This funding at £30,000 per unit (£1,650,000) would need to be formally agreed at Mayor and Cabinet. This decision lies outside the scope of the planning application which remains submitted as 100% affordable at social rent and will be secured accordingly.

Discussion

184 The application proposes that 100% of the 110 residential units proposed would be socially rented which is a significant planning benefit. Whilst this is technically non-compliant with Core Strategy Policy 1, it is considered acceptable given that there is not an existing high density of socially rented units in the area generally and that the current context and significant demand for socially rented units in Lewisham and London.

185 For information, the social rent cap levels for Lewisham (2020/2021) are included below:

Table 3: Social Rent Caps per unit per week (2020/21)

Unit	Social Rent Cap (Target Rent)
1 bed	£145.96
2 bed	£154.53
3 bed	£163.12

4 bed	£171.69
5 bed	£180.28
6 bed	£188.86

Affordable Housing Percentage

Policy

- 186 LPP 3.10 defines affordable housing. LPP 3.12 states the maximum reasonable amount of affordable housing should be sought, having regard to several criteria in the policy.
- 187 CSP1 and DMP7 reflect the above, with an expectation of 50% affordable housing, subject to viability.
- 188 The Mayor of London's Affordable Housing and Viability SPG states that the Mayor has an expectation that residential proposals on public land should deliver at least 50 per cent affordable housing to benefit from the Fast Track Route, and thus not be subject to viability review.

Discussion

- 189 The scheme proposes 100% of the residential units to be socially rented. This is a significant offer in terms of affordable housing delivery for Lewisham and means the application qualifies for 'fast tracking' in accordance with the London Plan and thus not subject to a viability review.

7.2.4 Residential Quality

General Policy

- 190 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).
- 191 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity; and (vii) children's play space.

Internal and Private Amenity Space Standards

Policy

- 192 Nationally Described Space Standards (NDSS) were released by the Department of Communities and Local Government in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation requirement, and remains solely within the planning system as a new form of technical planning standard. The national housing standards are roughly in compliance with the space standards of the London Plan and its Housing Supplementary Planning Guidance (2016).
- 193 In addition to this, DM Policy 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and includes space suitable for children's play.

- 194 With regard to private amenity space, 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'.
- 195 Standard 31 of the London Plan Housing SPG states that "A minimum ceiling height of 2.5 metres for at least 75% of the gross internal area is strongly encouraged".
- 196 London Plan Policies require 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings' i.e. being designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% being designed to M4(2) 'accessible and adaptable'.

Discussion

- 197 All units have been designed to meet or exceed the National Technical Standards in terms of overall unit sizes and the internal space standards of individual rooms and storage space as set out in Policy 3.4 of the London Plan (2016) and DM Policy DM 32. All residential units would have a minimum ceiling height of 2.5 metres.
- 198 All units meet London Plan amenity space standards and are provided with private balconies or terraces with the exception of a one bed unit at first floor level of Block B in order to retain an existing Category A tree. As the wider Site is well provided for and a good aspect is provided overlooking the shared estate garden between Block A, B, C and Otto Close properties a departure from private amenity space standards is considered acceptable for this single unit. The balance of protecting the tree in this instance is considered the priority.
- 199 The development has been designed to accommodate 10% wheelchair user dwellings (M4(3)) with the remaining 90% achieving accessible and adaptable standard (M4(2)) An appropriate obligation is recommended to secure the details.

Outlook & Privacy

Policy

- 200 Standard 28 of the Housing SPG requires that design proposals demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.
- 201 DM Policy 32 requires new residential development provides a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours.

Discussion

- 202 The proposed scheme presents a good level of outlook and privacy for all proposed residential units. The layout and floorplan has been designed in such a way so as to reduce overlooking between proposed units. Where tight adjacencies exist between the proposed blocks, habitable rooms and windows have been orientated away from adjacent blocks so as to minimise overlook and to maximise outlook. This is assisted by the low degree of proposed single aspect north facing units.

Overheating

Policy

- 203 The Building Regulations Part F: Ventilation control the construction of buildings in England. Policy 5.9: Overheating and cooling of the London Plan provides the policy basis for considering development proposals, with a focus on energy efficient design, elevational design, passive ventilation, mechanical ventilation (where essential) and other measures.

DM Policy 32 outlines a presumption against single aspect units to, amongst other factors, help prevent overheating.

Discussion

- 204 The application has been submitted with an overheating analysis in accordance with TM59 requirements. The analysis has been reviewed by the Council's Sustainability Manager and indicates that the proposed development is acceptable with regard to overheating.

Noise & Disturbance

Policy

- 205 With regard to internal noise levels of the residential units, Part E of the Building Regulations controls noise transmission between the same uses and is usually outside the scope of Planning.
- 206 Planning controls the effect of noise from external sources on residential uses and noise transmission between different uses. The relevant standard is BS: 8233:2014. This states the internal noise levels within living rooms must not exceed 35dB(A) during the daytime (0700-2300) and 30 dB(A) in bedrooms during the night –time (2300-0700).
- 207 With respect to external areas, BS 8233:2014 recommends that external noise level does not exceed 50dB LAeq,T with an upper guideline of value of 55dB LAeq,T.

Discussion

- 208 A Noise Assessment has not been provided with this application however it is recommended that a condition is secured ensuring that the internal and external areas proposed are within the relevant range as set out within BS8233.

Daylight and Sunlight (Proposed Units)

Policy

- 209 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards. This is not formal planning guidance and should be applied flexibly according to context. The BRE standards set out below are not a mandatory planning threshold.
- 210 In new dwellings, the BRE minimum recommended average daylight factor (ADF) is 1 % for bedrooms, 1.5% for living rooms and 2 % for kitchens.

Discussion

- 211 The application has been submitted with an Internal Daylight, Sunlight and Overshadowing Report prepared by Anstey Horne. Daylight, Sunlight and Overshadowing of the proposed units and external spaces are discussed in turn below.

Daylight

- 212 The results of the technical assessments show that almost all proposed rooms meet the BRE guidelines with only seven rooms that falling beneath these, including one bedroom and six Living / Kitchen / Dining areas (LKDs). The bedroom narrowly falls beneath the 1% ADF target with 0.82% ADF. The six LKDs range from 1.16% to 1.99% ADF against the target of 2% ADF. These LKDs are large, deep, open-plan rooms with internalised kitchens.

- 213 It is also noted that these LKDs and those on the floors above have direct access to a balcony. Balconies provide much-needed private amenity space, but there is always a trade-off with daylight because they will, by their design, limit the available daylight which gets into a unit. In the case of projecting balconies they affect the rooms beneath and in the case of recessed balconies, they affect the windows to the flat served by the balconies that are recessed back from the façade of the building. Where rooms will be below the guideline, they predominately sit beneath projecting balconies, which will inevitably blinker the view of sky. The level of adherence to the guidelines would otherwise be better, but there is a trade-off between daylight and important private amenity space for the occupants.

Sunlight

- 214 The results of the technical assessment show that in relation to annual probable sunlight hours, 87% of the rooms with southerly orientated windows achieve the guideline target level of 25%. For the winter guidelines, 94% of rooms achieve the target level of 5%. The Otto Close terrace properties achieve 100% adherence.
- 215 The rooms which fall below the BRE guidelines are located within Blocks A, B and C. Where these transgressions occur, the vast majority of the rooms still achieve APSH levels in the mid-teens and above and all rooms will be provided with a good level of daylight and an overall high quality of residential accommodation.

Overshadowing

- 216 All areas of communal amenity within the scheme have been assessed for overshadowing. BRE guidance recommends that, in order for an area to appear well sunlit, at least half to see at least two hours of sunlight on 21st March as per the BRE recommendations.
- 217 The results of the assessment show that 95.5% of the communal amenity space would achieve two hours of sunlight on 21st March which is significantly in excess of the BRE guidelines of 50% and shows that a good quality of communal amenity space is provided and retained.

Accessibility and Inclusivity

Policy

- 218 London Plan Policies require 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings' i.e. being designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% being designed to M4(2) 'accessible and adaptable'.

Discussion

- 219 The development has been designed to accommodate accessibility and inclusivity. An appropriate condition is recommended to secure the details.
- 220 There is level access from all Ground Floor entrance locations as well as to all communal area. 11no. Wheelchair (WCH) units are provided (10%) meeting M4(3), all remaining units (90%) would be adaptable M4(2).
- 221 In accordance with Standard 4 of the Housing SPG (2016) the communal space is accessible to disabled people including people who require level access and wheelchair users. In accordance with Standard 16, every wheelchair dwelling is served by more than one lift.

Children's play space

Policy

- 222 LPP 3.6 states housing proposals should make provision for play and informal recreation
- 223 The Mayor's Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG recommends 10sqm of play space per child. The GLA divide the requirements of children's play space into three categories: (i) under 5s, described as doorstep play and generally considered as part of the plot; (ii) ages 5-11; and (iii) children 12 plus.
- 224 The child occupancy and play space requirement for the proposed dwelling and tenure has been calculated using the Mayor's Play Space Calculator Tool, as below.

Table 4: Children's Playspace Requirements and Provision

	No. of Children	Playspace Requirement (sqm)
Under 5s	38.5	385
5-11 years	30.6	306
12+ years	15.5	155
Total	92.8	928

- 225 Table 4.7 of the Mayor's Play and Informal Recreation SPG states that for new developments with a child yield of 10-29, on-site playable space is required as 'doorstep play'. For 5-11s it is permissible for facilities to be provided off-site, providing they are within 400m of the Site. For 12+years, facilities can be provided off-site, providing they are within 800m of the Site. The application proposes in excess of the London Plan requirements for all age groups (including 12+ years) to be provided on-site. In addition to the playspace to be provided on site, the following open spaces are located within walking distance from the application site:

Table 5: Open space within walking distance

Open Space	Walking Distance from nearest part of the Site
Baxter Field	100m
Horniman Play Park and Gardens	400m
Sydenham Wells Park	500m
Dulwich Park	1.3km
Dalmain Play Area	1.6km
Southwark Sports Ground	1.6km
Trevor Bailey Sports Ground	1.6km
Pyners Close Playing Fields	1.6km

Discussion

- 226 The applicant has outlined that the existing playable space across the Sydenham Hill Estate totals 8,950 sqm and that the child's playspace requirement for the existing unit mix at Otto Close and Lammas Green would total 740 sqm. The existing estate is therefore

well provided for in terms of playable space and could accommodate the additional 928 sqm required for child's play space for the proposals.

Image 3: Existing Open Space on Estate



- 227 Whilst the proposals provide for younger children's playspace it does not include a larger play space or Multi Use Games Area (MUGA) for older children. The applicant outlines that there was a lack of resident support for a larger play space on the estate during pre-application discussions and that residents considered that a larger play area would impact on the open green character and trees within the existing space, encourage non-residents to use the facilities and potentially increase noise disturbance from ball games and more users.
- 228 Notwithstanding the above, the scheme in terms of quantity of space provided is well in excess of the playspace required by the London Plan. It is also considered that there are many larger areas for children to play in the existing area, and that it is not necessary or desirable to provide additional ball courts or other larger playspaces on the existing estate.
- 229 Given the above, the proposed development is in accordance with the relevant playspace policy and acceptable with regard to playspace provision.

7.2.5 Housing conclusion

- 230 It has been demonstrated that the proposed development would provide a substantial uplift in housing over that which existed previously. The proposed housing would be 100% socially rented, a significant planning merit
- 231 The proposals would optimise the site, providing an appropriate dwelling mix and tenure split with a high-quality standard of residential accommodation provided for all potential future occupiers providing a substantial number of high-quality new homes within the Borough. This material public benefit is afforded substantial weight by officers.

7.3 SOCIAL INFRASTRUCTURE

7.3.1 Healthcare facilities

Policy

232 CSP 19 states that the Council will work with its partners to ensure a range of health, education, policing, community, leisure, arts, cultural, entertainment, sports and recreational facilities and services are provided, protected and enhanced across the borough.

233 CSP 20 also promotes healthcare provision and healthy lifestyles.

Discussion

234 The application does not propose any healthcare facilities but representations have been received objecting to the strain which the increase in population would place on existing GP surgeries.

235 The applicant has provided an infrastructure study of exiting healthcare facilities within close proximity to the site.

236 The ratio of patients to GPs varies significantly throughout the UK. However, it is estimated that the average number of patients per GP in the UK is 1,734. Most of the practices in the Study Area have a similar ratio. None of the practices have a substantially higher average, and three – Wells Park Practice, Woolstone Medical Centre, and Forest Hill Group Practice – all have a more favourable ratio than the UK average.

Table 6: Healthcare Facilities in proximity of Site

Name	Distance from site (mi)	Number of GPs	Registered Patients	Patients per GP	Accepting new patients
Wells Park Practice	0.4	9	11862	1318	Y
Vale Medical Centre	0.9	8	13967	1746	Y
Lordship Lane Surgery	0.9	3	5335	1778	Y
Paxton Green Group Practice	1.0	11	19856	1805	Y
Sydenham Green Group Practice	1.2	10	17243	1724	Y
Woolstone Medical Centre	1.2	5	7598	1520	Y
Forest Hill Group Practice	1.2	8	12057	1507	Y

237 The applicant has also demonstrated that there are 5 dental practices in close proximity to the site with Forest Hill Dental Clinic and Family Dental Care and Sedation Clinic within 800m of the site. All practices provide appointments for private and NHS services.

238 Given the above, the applicant has demonstrated that there is sufficient existing capacity in relation to healthcare facilities in the area.

7.3.2 School Place Provision

239 The Infrastructure Study indicates that there are 11,121 pupils at schools within 1,600m of the site with 11,343 places available. This represents 98.04% of capacity with less capacity available within the Study Area compared with Lewisham as a whole.

240 This is partly due to an anomaly with data identified for the Kingsdale Foundation School which the dataset identifies has 1,900 pupils for only 1,200 spaces. Additionally, Dulwich Wood Nursery School has no data for number of pupils. When these anomalies are discounted, the total number of pupils is 9,221 and spaces 10,020, meaning 92.03% of all spaces are occupied at schools within 1,600m of the Study Area.

241 Using the proposed development mix, the proposals will yield 271 (271.4) additional residents, including 93 (92.8) children. The age distribution of the population is shown below. The GLA population calculator estimates that 14% of the additional population resulting from the proposals will be 0-3 years and therefore of a nursery age. A further 11% of the additional population are estimated to be 5-11 years and 9% of the additional population will be children aged 12-17 years.

242 Nursery and primary school age children are well provided for in the local area. Lammas Green Nursery is a local nursery located at Lammas Green part of the Sydenham Hill Estate. There are two primary schools located within 400m – Eliot Bank Primary School and Kelvin Grove Primary School – which both incorporate nurseries. Two other primary schools are located within 800m of the site.

243 In terms of secondary school age children, there are three dedicated secondary schools within 1600m of the site. Two other multiple phase schools also provide for this age group. Additionally, Dulwich Prep London and Dulwich College are two fee-charging schools located in this area that provide for this age group (only until 14 for Dulwich Prep). It is considered that children of this age generally have less localised needs in terms of schooling because they are schooling because they are of an age where it is more feasible to travel to other wards or boroughs as required.

244 Given the above, the applicant has demonstrated that there is sufficient existing capacity in relation to school places in the area.

7.4 URBAN DESIGN

General Policy

- 246 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.
- 247 Urban design is a key consideration in the planning process. The NPPF makes it clear that Government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 124 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 248 London Plan Policy 7.6 Architecture requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design.
- 249 Policy 7.7 of the London Plan (2016) sets out the requirements for tall building development.
- 250 DM Policy 33 seek to protect and enhance the Borough's character and street frontages through appropriate and high-quality design.
- 251 Core Strategy Policy 15 High quality design for Lewisham repeats the necessity to achieve high quality design but also confirms a requirement for new developments to minimise crime and the fear of crime.
- 252 CS Policy 18 provides parameters associated with the location and design of tall buildings. It identifies that the location of tall buildings should be informed by the Lewisham Tall Buildings Study (2012). It sets out a clear rationale for tall buildings in design terms, outlining where tall buildings might be considered as being inappropriate.
- 253 DMLP Policy 30, Urban design and local character states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. The London Plan, Lewisham Core Strategy and Lewisham DMLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.

7.4.1 Layout

Policy

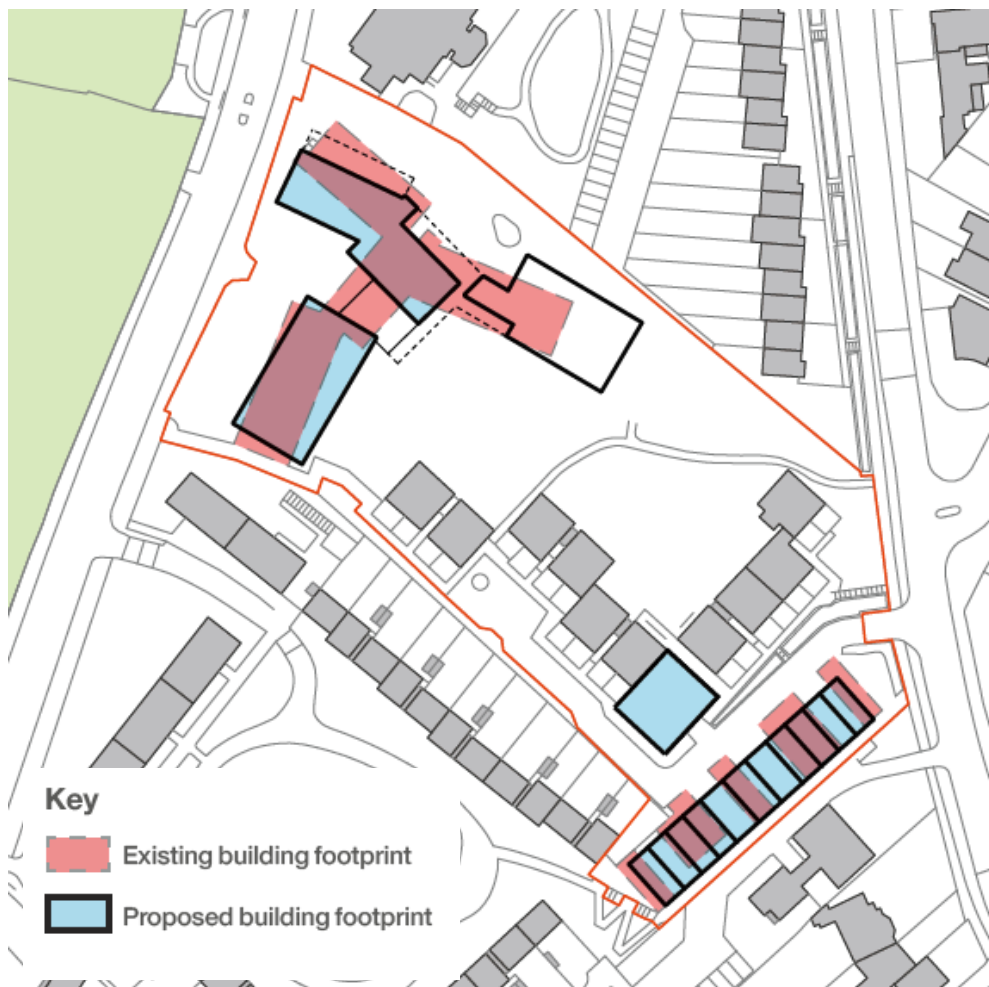
- 254 LPP 7.1(d) states the design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood.

Discussion

- 255 The proposed layouts reflects and iterative design approach and comments received from the Design Review Panel as well as Planning Officers through the pre-application process. In relation to the proposals at Mais House, it was considered most appropriate to reflect the existing footprint of Mais House in order to minimise impact on occupants of existing residential units, to retain as many mature trees as possible and to ensure the existing open space provided at the estate was not diminished or compromised. Similarly, the proposals for the terrace at Otto Close were encouraged not to extend beyond the

footprints of the existing garages in this location. The proposed footprints overlaid with the existing footprints are indicated in Image 4 below:

Image 4: Proposed footprints and existing footprints



256 The main building has been positioned to minimise the impact to existing residents from overlooking meaning that the majority of the proposal is more than 21m from adjacent properties. Where the distance is less than the windows have been positioned so there is not overlooking or the facade has been rotated to reduce direct sight lines.

257 The position of the Otto Close terrace has a closer relationship with the existing neighbouring properties. The buildings position is the result of an ambition to create a safe legible street replacing the rear alleyway/footpath behind the existing garages which leads up to Lammas Green. To mitigate the impact of overlooking the key reception rooms; Living Room and Kitchen/Diner are located at ground with bedrooms on the first and second floor.

258 Overall, through exploration of many alternative layout studies, the design team have demonstrated that the layout now proposed is optimum for the site, providing a high quality of residential accommodation, attractive central communal space.

7.4.2 Form and Scale

Policy

259 LPP 7.7 states that tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Several criteria for tall buildings are listed in LPP 7.7.

- 260 DLPP D9 recognises the role tall buildings have to play in helping accommodate growth as well as supporting legibility.
- 261 CSP 18 relates to tall buildings: these need to be of the highest design quality and appropriately located. Regard will be had to flight path safety and microclimate effects. CS18 defines tall buildings as:
- Buildings which are significantly taller than the predominant height of buildings in the surrounding area and/or
 - Buildings which have a notable impact on the skyline of the borough and/ or
 - Buildings that are more than 25 metres high adjacent to the River Thames or more than 30 metres high elsewhere in the borough.

Discussion

- 262 Building heights, scale and massing vary across the surrounding context but the majority of surrounding buildings are 3-4 storeys in height plus a roof pitch. It is noted that some flat roofed towers stand at 6-7 storeys in height further northwest of the site on Sydenham Hill, albeit these are not located within the Conservation Area.
- 263 The proposed building heights are indicated in Image 2 above. The proposals in relation to the Mais House block are to have a shoulder height of 4 storeys with a central point stepping up to 7 storeys in height and stepping down to 6 storeys on the Sydenham Hill Road frontage. The proposed terrace at Otto Close would be 3 storeys in height, stepped down to 2 storeys in height in order to help mitigate impact on the occupants of Rose Court.
- 264 The proposals have been significantly revised from previous iterations of the design which proposed at total of 150 units and a maximum height of 9-12 storeys at Block B.
- 265 The approach to height and massing at the Sydenham Hill frontage is outlined in Image 5 below.

Image 5: Approach to height and massing at Sydenham Hill



- 266 As above, the main block on the Mais House part of the site has been positioned to provide new homes while allowing the retention of a significant number of the existing trees and landscaping. The building negotiates the trees creating a non-orthogonal plan and the arrangement of the plan also reduces the perceived mass of the proposed buildings.
- 267 With regard to height, the tallest part of the proposal at Block B is intentionally set back from the street by circa. 25-33 meters so as to be located towards the centre of the proposed building. The frontage onto Sydenham Hill steps down by a storey and Block A towards Lammas Green steps down to 4 storeys to negotiate this transition and also to improve amenity for occupants of Lammas Green.
- 268 Whilst taller than buildings in the immediate vicinity, and on the upper end of the scale of what could be considered acceptable, the design and positioning of the massing acknowledges the existing built environment by stepping down towards Lammas Green and to a lesser extent, stepping down to 6 storeys at where block B meets Sydenham Hill. As above, the proposed 7 storey point of massing is located back from the streetscene, reducing its visibility.
- 269 In relation to the proposals at Otto Close, the form and scale of this terrace in relation to the existing built context is indicated in Image 6 below:

Image 6: Form and Scale of Proposed Otto Close Terrace



- 270 The proposed terrace is considered to be an appropriate architectural response in this location and the height and massing sits comfortably within the existing built context.
- 271 The applicant has submitted a Townscape and Visual Impact Assessment (TVIA) to fully examine the impact of the proposals on the immediate and wider area. This demonstrates that whilst visible from certain vantage points, the proposals will be largely obscured from long views. It is noted that the impact on Heritage Assets will be discussed separately below.
- 272 In relation to long views offered towards the proposed development, of particular concern is the impact on Sydenham Ridge and if the proposals would be visible would break through the existing tree line and building canopy on Sydenham Hill.
- 273 The TVIA outlines that in relation to views from the opposite side of the ridge, to the northwest of the application site at Dulwich Park, that the proposed development would just be visible above the existing tree canopy. Whilst it would be preferable that no part of the development was visible at all, only a very small portion of the proposals would be visible from very long-range views. It is also acknowledged that further north east and south west of the application site along Sydenham Hill, that some buildings (the highest of such being 9 storeys in height) can also be seen on the horizon through tree canopy. Additionally, it is acknowledged that the building would also be visible on the horizon when viewed from the opposite side of the ridge, from the south. Whilst the proposals will just be visible and would have some impact upon the appearance of Sydenham Ridge, no unreasonable harm is identified here that would warrant refusal of the scheme. Impact of the proposals on heritage assets specifically is considered below.
- 274 Whilst the scale of the proposed development is generally larger and more dense than that of the existing built context. The design team have sought to reduce the buildings impact on the surrounding area by through careful articulation of the massing, combined with a very high quality of detail and materiality as outlined below. Overall, the proposals are considered to sit relatively comfortably within the existing built context and would make a positive contribution to the character and appearance of the surrounding area whilst

optimising the quantum of development on site. The impacts of the proposals on heritage assets are considered below.

7.4.3 Character, Detailing and Materiality

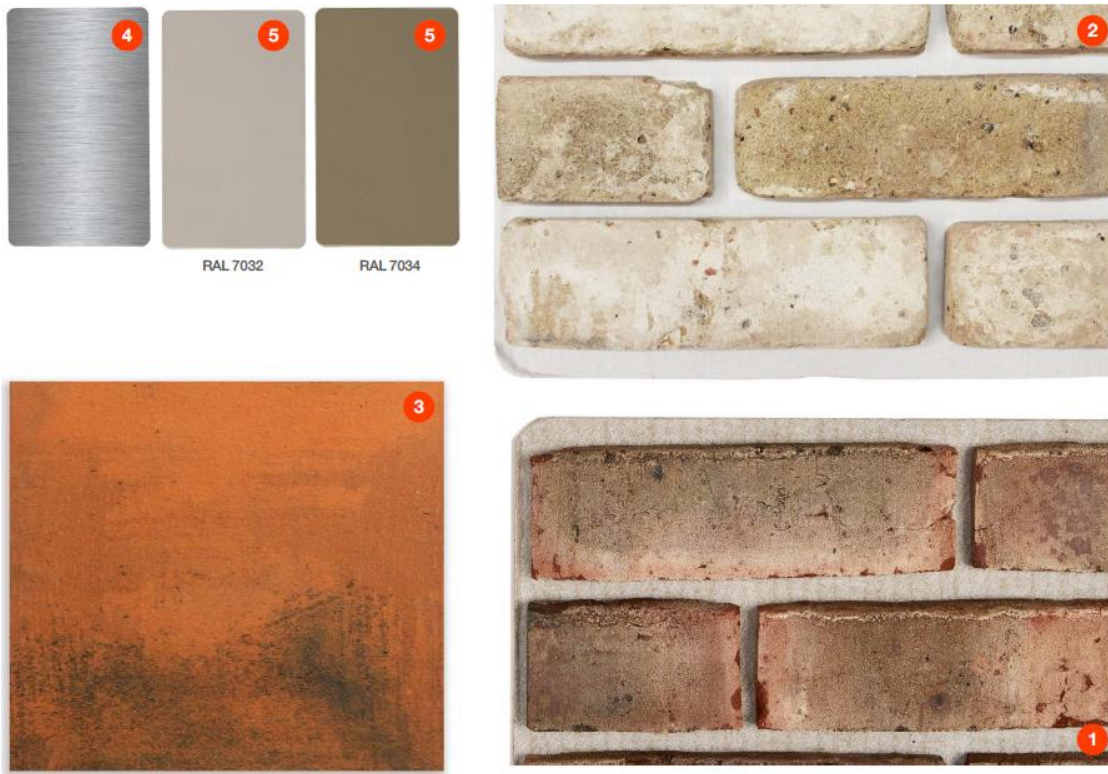
Policy

- 275 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG).
- 276 In terms of architectural style, the NPPF encourages development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 127). At para 131, the NPPF states great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area.
- 277 Attention to detail is a necessary component for high quality design. Careful consideration should be given to items such as doors, windows, porches, lighting, flues and ventilation, gutters, pipes and other rain water details, ironmongery and decorative features. Materials should be practical, durable, affordable and attractive. The colour, texture, grain and reflectivity of materials can all support harmony (NPPG).
- 278 LPP 7.6 expects the highest quality materials and design appropriate to context.

Discussion

- 279 The buildings are proposed to be constructed mainly of brick - a robust material, which is the prevalent material in the area and Sydenham Hill / Kirkdale Conservation Area.
- 280 In terms of character, the proposed terrace with pitched roof is considered to be an appropriate design response and an attractive contemporary reflection of the typical terraces found in the wider area and South London generally.
- 281 With regard to the Mais House proposals, the design team have worked to ensure that the character and appearance of the proposed development is reflective of the surrounding area and have undertaken a thorough contextual analysis as well as an iterative design process.
- 282 The design team has proposed gable ends with tiled pitched roofs and hips to respond to the scale and aesthetic of the surrounding buildings. The gables to the front of Block B acknowledge the importance of Sydenham Hill, echoing the gables of Castlebar and Lammas Green they add to a consistent language of forms along the street. The tiled pitched roofs reinforce this contextual dialect and respond to adjacent sensitive height relationships with hips.
- 283 A simpler building form and roof are proposed to the rear of the block facing the communal amenity area. A continuous 4 storey eaves level with pitched roof is proposed where the buildings are adjacent to sensitive height relationships. Where the building steps down to respond to topographic changes (Block C) the roofs are hipped to mitigate their impact.
- 284 The taller part of Block B has gables which create a simple, interesting form where the building meets the sky. The Block B gables break down the mass and define the new building in context.
- 285 In relation to materiality, the proposed material palette is outlined in Image 7 below:

Image 7: Proposed materiality



Key

- 1** Brick Type A
Pale red horizontal stretcher-bonded brickwork.
Type: Ibstock Birtley Olde English Buff or similar
approved
- 2** Brick Type B
Pale yellow stretcher-bonded brickwork. Type:
Wienerberger 65mm White Tumbled Facing or similar
approved
- 3** Roof Tiles
Red clay roof tile with weathered finish. Type: Marley
Clay Plain Ashdowne Roof Tile with Ashurst Finish
- 4** Rain Water Pipes and Gutters
Galvanised steel
- 5** Metal Work
PPC aluminium. Colour refer to section 7.12

286

Image 8 below shows a CGI of how the proposed materiality would be deployed on the proposed building at the Mais House site. The image is taken looking towards the communal amenity space at ground floor level:

Image 8: Proposed use of materiality



287 The design team has demonstrated a high quality of materiality and detailing, appropriate for the location and form of building proposed. Exact specifications of all materials would be captured by condition to ensure that this design quality is carried through to construction of the proposals.

288 Overall, the scheme is considered to be sympathetic to the prevalent local character, expressing this in a modern and respectful fashion. The appearance and character of the proposed development are considered an appropriate response to the existing built environment.

7.4.4 Impact on Heritage Assets

Policy

289 Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives LPAs the duty to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

290 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a LPA in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

291 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that relate to heritage assets. This includes giving great weight to the asset's conservation, when considering the impact of a proposed development on the significance of a designated heritage asset. Further, Paragraph 196 states that where

a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal.

292 LPP 7.8 states that development should among other things conserve and incorporate heritage assets where appropriate. Where it would affect heritage assets, development should be sympathetic to their form, scale, materials and architectural details. DLPP HC1 reflects adopted policy.

293 CSP 16 ensures the value and significance of the borough's heritage assets are among things enhanced and conserved in line with national and regional policy.

294 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.

Discussion

Heritage Significance

295 The existing building at Mais House is of no historic or architectural interest, and does not contribute positively to the Conservation Area architecturally or historically. The applicant's Heritage Statement asserts that it detracts from the Conservation Area, which is agreed in terms of architecture, but the arrangement of its form on the plot serves to preserve important aspects of this part of the Conservation Area. Namely, the historic pattern of development of large detached buildings set back behind a front garden area in large plots with a screen of mature trees that provides the dominant visual element in views along the street.

296 The brick boundary walls and gate piers with stone coping pre-date the building and are of historic interest, dating to the previous house on the site which was built between 1896 and 1915.

297 The existing single storey garages proposed to be demolished (part of the later 1970s Otto Close development) are of no heritage significance. The majority are outside the Conservation Area, with a small number just within the western end.

298 The western, upper most part of the site is within Sydenham Hill Conservation Area, for which there is no adopted Appraisal. Whilst not formally appraised or adopted, it is acknowledged that there are three distinct areas within this Conservation Area, referred to as character areas: Mount Gardens, Mount Ash Road and Lammas Green. The development falls within the Lammas Green character area, which addresses Sydenham Hill at its top extent, and adjacent to the northern terrace of Lammas Green at its south east extent. The north east extent of the site adjacent to Otto Close falls outside the Conservation Area, but the Conservation Area boundary wraps around it on the south and east side.

299 The Lammas Green character area is characterised by large detached houses in a rather elaborate style, set back from the road behind large front gardens, and with large gaps between the houses. Mature large canopy trees partially screen their presence on the street, particularly in oblique views as one moves along Sydenham Hill where the dominant feature is the continuous tree screen on both sides of the road. The trees in front gardens provide a visual and historic link with Sydenham Hill Wood on the north side of Sydenham Hill, a large and important remnant of the former Great North Wood which formerly stretched across this part of south London.

- 300 This character area also contains Lammas Green, a high quality grade II 1950s housing scheme of the City of London. It comprises three terraces set round a village green, with views of the North Downs, and two blocks of flats to the west and north, which enclose the green and serve as a buffer to the road. This estate sits to the south side of the development site. The scheme bears no historical association with any other period of development within the conservation area but its 'village green' typology extends the 'rural' character of adjacent parts of the Conservation Area, and the broad grassed areas and mature trees fronting Sydenham Hill responds well to the established pattern of development.
- 301 A number of locally listed substantial Victorian dwellings are within proximity of the site. To the north is Castlebar, a large detached dwelling, 2.5-3 storeys, (local list states 1879). To the south of Lammas Green is no.34a, 3 storeys (plus 4th storey in a tower element), 1899. To the south of that is The Cedars (no. 34), 3 storeys, 1898-9. These buildings are all architecturally flamboyant and set in spacious and verdant grounds with large mature trees along the front boundary.
- 302 Nos 34 and 34a are noted as 'scoped out' in the applicant's Heritage Statement, but it is considered that they are important to include in assessment of the setting of the site as they contribute to the historic pattern of development on Sydenham Hill which the proposed development will need to be sensitive to in order to preserve or enhance the Conservation Area's character and appearance.
- 303 No. 36, set immediately to the south of Lammas Green, comprises a later 20th century group of 3 storey dwellings set behind a dense evergreen high hedge such that the buildings themselves have minimal impact on the streetscene. They are of no heritage significance.
- 304 The Mount Gardens character area downhill to the east is on the site of the original Sydenham Common which was enclosed in the early 19th century, and developed from about 1833. The area covers a nearly rectangular site with unmade roads on three sides. It is covered with dense vegetation and many mature trees which give it a rural appearance. The detached properties are of varied design but each possess interesting architectural character and quality. Close to the southeast extent of the site are four locally listed dwellings – Ashtree and Rouselle Cottages (c1815). Lynton Cottage and The Cottage (e-mid C19th) – their relationship with the site is visually minimal but their form contributes to the overall character of the Conservation Area.
- 305 Outside the Conservation Area to the south along Sydenham Hill are 6 storeys (and one 7 storey) blocks of 1950-60s, close to junction with Crescent Wood Road. Similar to the current Mais House their footprint is oriented at an angle from the back edge of pavement which allows a sense of spaciousness, creates views between buildings and results in the landscaping and trees playing a dominant role in the street view.
- 306 Bridge House Estate Boundary stone on the pedestrian path from Lammas green to Kirkdale – is a Non-designated Heritage Asset.

Impact on Listed Buildings

- 307 The Sydenham Hill frontage of the new development will change the context of Lammas Green as seen from the road by introducing a significantly higher building in close proximity. The setting will be mediated by a lower, 4 storey block adjacent to the 3 storey northern block of Lammas Green, which could create a successful transition to additional height, however, the scale of the 6 storey block is that it appears higher than the listed buildings at Lammas Green, and it does not preserve the setting of the listed buildings. It is considered that the relationship would cause a less than substantial harm to the setting of the listed building in terms of the NPPF definition.

308 The TVIA view from within Lammas Green to the southeast corner of the site shows the extent of blocking of the view from within Lammas Green over South London towards the North Downs. This is regrettable and also would cause a degree of less than substantial harm to the setting of the listed buildings.

309 Additionally, the TVIA view from within Lammas Green looking towards the proposed 6 and 7 storey building on high ground demonstrates that the buildings will be visible and that the proposed height is at odds with the scale of the listed buildings. Whilst it is not harmful in principle to see new development beyond the boundary of Lammas Green the proposed relationship would cause a degree of less than substantial harm to the setting of the listed buildings.

Impact on the Sydenham Hill Conservation Area

310 The Heritage Statement states that the proposed front building line on Sydenham Hill is approximately in line with the existing on-site building frontage, and very approximately matches the building line of the former Otto House... and is considered to preserve the character and appearance of the conservation area.

311 The comparison with the adjoining site does not pick up the impact of the change in orientation, nor the impact of the loss of landscaping and trees to the front of the proposed block.

312 It is considered that the edge of the Conservation Area along Sydenham Hill is significant. The whole frontage was included in the Conservation Area (rather than omitting Mais House) and the loss of trees here and introduction of development that introduces a visual gap in the tree screen and whose height exceeds the tree canopy will detract from the character and appearance of the Conservation Area. It is however acknowledged that trees will be retained insofar as possible and that new trees, albeit of smaller species would be planted. The floorplan of the proposed development is also cranked to make views of the proposed development oblique where possible.

313 In the immediate context of the conservation area, the height is not contextual and could cause a degree of less than substantial harm to this part of the Conservation Area. It is however acknowledged that taller buildings are located to the northeast of the application site on Sydenham Hill, but these fall outside of the Conservation Area.

314 On the Kirkdale frontage the development is well set back: the northern flank wall of Otto Place will be visible behind a landscaped area, which will effectively replicate the current situation of built to unbuilt space. It is considered that this layout, massing and scale will preserve the character and appearance of the Conservation Area in this view.

Impact on non-designated Heritage Assets

315 The impact on the neighbouring locally listed buildings on Sydenham Hill detracts from the group's unplanned yet strong composition by virtue of the height and proximity to the road of the northern most part of the proposed building. The introduction of the proposed taller building to the group which will be prominent in views from both directions will erode their settings and weaken the strength of the group as a whole. It is considered that this will cause a degree of less than substantial harm to their settings.

316 It is not considered that the proposal will cause harm to the locally listed buildings in Mount Gardens.

Impact on Heritage Assets Conclusion

- 317 In light of the above, officers consider that the current proposal would lead to less than substantial harm to the Sydenham Hill Conservation Area, Grade II Listed buildings at Lammas Green and Non-designated Heritage Assets on Sydenham Hill.
- 318 The applicant has provided substantive evidence of the wider public benefits of the proposal including most significantly, the provision of 110 socially rented new homes, which meet an evidenced and clear identified need in place of the existing Mais House building which is again clearly evidenced as not serving local need or demand.
- 319 As such, officers must weigh the public benefits of the scheme against the harm identified to heritage assets as identified above. The harm is weighed against the public benefits in the report conclusion and urban design conclusion below.

7.4.5 Public Realm

Policy

- 320 Streets are both transport routes and important local public spaces. Development should promote accessibility and safe local routes. Attractive and permeable streets encourage more people to walk and cycle.
- 321 LPP 7.5 relates to public realm and expects public spaces to among other things be secure, accessible, inclusive, connected, incorporate the highest quality design and landscaping.

Discussion

- 322 The proposed development would provide an area of communal amenity space as part of the proposals, but as with the current arrangement on the estate, the right of way across the estate would be maintained and the spaces through the site would be publicly accessible.
- 323 The proposed areas of communal amenity through the estate are outlined in Image 8 below.

Image 9: Proposed communal amenity spaces and public realm



324

A CGI of how the central communal amenity space would appear is included below in Image 9:

Image 10: CGI of central communal amenity space



- 325 The proposals include a new entrance space and communal lobby, a new shared amenity space with seating and a new toddlers playspace – additionally, the existing open lawn would be retained and the existing ballcourt on the estate would be refurbished. These spaces would be connected by an existing path through the estate which would be reconfigured towards the Mais House side of the estate.
- 326 The proposed public realm overall is considered to be a high quality, multifunctional accessible and inclusive space, connecting existing public space and providing increased permeability to the area. Full details of all hard and soft landscaping would be secured by condition.

7.4.6 Urban Design Conclusion

- 327 The overall design approach has sought to ensure that in urban design terms, the scheme would result in a form of development that sits comfortably the wider character and appearance of the local area.
- 328 The proposals achieve a high quality design in both the proposed building and public realm, and the scheme overall presents significant planning benefits as outlined in detail above. In accordance with Paragraph 196 of the National Planning policy Framework the harm to heritage assets has been weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 329 Whilst less than substantial harm to heritage assets has been recognised above, the significant public benefits presented by the proposed development in the provision of 110 new social rented homes are considered in this instance, to outweigh this harm.
- 330 As such, it is considered that on balance that the proposal is acceptable with regard to urban design and impact upon heritage assets, and accords with the Development Plan.

7.5 TRANSPORT IMPACT

General policy

- 331 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. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.
- 332 Para 109 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 333 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.
- 334 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

Background

- 335 Public Transport Accessibility Levels (PTALs) are a detailed measure of the accessibility of a site to the public transport network, taking into account walk access times and service availability, frequency and reliability. A PTAL can range from 1a to 6b, where a score of 1 indicates a “very poor” level of accessibility and 6b indicates “excellent” provision.
- 336 The PTAL level for the application site is 2, which indicates relatively low access to public transport
- 337 With regard to buses, the nearest bus stop is located immediately adjacent to the site along Sydenham Hill at Sydenham Hill Kirkdale stop (southbound stop MS and northbound stop MV) and services the 356, 363 and N63. Both stops have a seating area and shelter. There are additional stops to the south-east of the site along Kirkdale / A2216 at Sydenham The Woodman stop (northbound stop E and southbound stop R) approximately 400m away or a 7-minute walk.
- 338 With regard to rail connections, the Sydenham Hill estates is located near two existing national rail stations; Forest Hill to the north-east and Sydenham to the south-east. Both of these lines are served by the London Overground Line and Southern Railway Line. Both stations are located within zone 3. It is recognised that the local area has quite steep a topography which may increase travel times for pedestrians and cyclists. Sydenham Hill Station is located 1.4km away from the development site (a 21-minute walk). Forest Hill Station is located nearest to the development site (1.2km away, or a 17-minute walk). Forest Hill Station can be accessed via the A205 / London Road which connects to Sydenham Rise which leads to the development site via Sydenham Hill.
- 339 Forest Hill station is located within zone 3 and consists of two platforms with a canopy partially covering the west side platform. There is a footbridge to connect both platforms and a small station building on the western platform that includes a ticket office. There are no waiting rooms or toilet facilities. There is a station car park with 24 bay parking spaces, including one disabled bay and sheltered cycle parking adjacent to the western platform. Forest Hill is a heavily used commuter station with approximately 5,500,000 annual entries and exits in 2016-2017. At peak AM periods, rail services at Forest Hill provide up to 41

services an hour to / from London Bridge, London Victoria, Coulsdon Town, Highbury and Islington, West Croydon and Crystal Palace.

7.5.1 Access

Policy

- 340 The NPPF requires safe and suitable access for all users. Paragraph 108 states that in assessing applications for development it should be ensured that appropriate opportunities to promote sustainable transport modes can – or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users.
- 341 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised; that a restrained approach to parking provision will adopted; and that car-free status for new development can only be assured where on-street parking is managed so as to prevent parking demand being displaced from the development onto the street.
- 342 DMP 29 identifies that car limited major residential will be supported in areas with a PTAL of 4 or above and that amongst other factors development should not have a detrimental impact on on-street parking provision in the vicinity. It outlines that measures such as car-clubs and cycle storage will be expected to ensure that sustainable transport modes are encouraged.

Discussion

- 343 Pedestrian and cycling access to Blocks A, B and C will be from Sydenham Hill. A secondary access was originally proposed which would have resulted in the relocation of the existing bus stop and bus stand. However, it is understood that after consultation and feedback from the Residents Steering Group there were concerns that relocating the bus stand and bus stop would severely impact upon residents. In response to this feedback it was decided that the bus stand and bus stop would not be relocated and all access to the site would be consolidated through one access.
- 344 For Otto Close, pedestrians and cyclists will access the site via Kirkdale. As part of the proposals, the existing pedestrian footpath running from Lammas Green around the back of the existing Otto Close Garages would be relocated to the street in front of the proposed terrace houses to improve safety and security along this footpath. New landscaping and paving on this footpath where it joins the proposed Otto Close terraces would also be provided.
- 345 Pedestrian paths through the communal landscaped area between Block A, B, C and the existing Otto Close properties would also be retained with some reconfiguration to link them to the upper terrace and play area.
- 346 Vehicular access into the site would be maintained and where appropriate, improved and widened. There would be one vehicular access point to the Mais House part of the site from Sydenham Hill. This access would serve Blocks A, B and C. One access will be provided to Otto Close from Kirkdale.
- 347 It is noted that the estate has various land level changes and steep gradients. Within the representations received, some have queried what the gradients are and how affects mobility and step-free access. The applicant has confirmed that the levels are challenging and the present step free access route between Kirkdale and Sydenham Hill follows the alleyway, through the garages and onto Otto Close. There is a second route through the community gardens, which is very steep and has steps at one end. The proposed building would connect into the existing network. Residents would be able to access the step free

route along the western boundary onto Otto Close and down onto Kirkdale. The gradient of this route is determined by the site topography and is on average a gradient of 1 in 11 and there are no level landings on this route.

348 The applicant has also confirmed that it is not possible to construct shallower ramped route, owing to the site conditions. The possibility of a shallower route has been explored and was considered unachievable given the existing slopes are steeper than 1 in 6. In order to provide a suitable ramp the communal gardens would need to be remodelled and given over to a 275m zig-zag ramp across the lawns.

349 The proposals for access have been reviewed by officers, including the Council's Highways Officer and Transport for London and are considered to be safe and appropriate for the proposed development and make effective use of the varying site levels.

7.5.2 Local Transport Network

Policy

350 The NPPF states that significant impacts on the transport network (in terms of capacity and congestion) should be mitigated to an acceptable degree.

Discussion

351 The applicant's Transport Assessment indicate that the greatest impact on any link in either the AM or PM vehicular peak is a 3% impact on Sydenham Hill northbound to the north of the site. This impact is 3% which would fall within a 5% impact of daily variation and also only relates to 18 trips in the AM peak. It is not felt that this level of traffic will have a significant impact on the highway network.

352 At Otto Close a total of 25 parking spaces would be provided. This comprises 10 existing parking spaces to the north of Otto Close (retained as existing), 10 spaces provided in beneath the re-configured ball court as well as 5 on-street spaces opposite the proposed terrace houses. All of the proposed spaces at the Otto Close part of the site will be for the existing residents who either currently have a permit for Otto Close or currently park within the garages and would be allocated accordingly. Based on independent parking surveys, and details provided, the level of provision proposed In Otto Close would meet the existing resident demand. The application proposes a further 30 parking spaces for the 110 new units proposed.

353 In terms of impact on parking pressure, the applicant has undertaken a parking survey have been undertaken in accordance with the industry standard Lambeth Council Parking Survey Guidance and the methodology agreed with both Transport for London (TfL) as the strategic highway authority and London Borough of Lewisham as the local highway authority.

354 Providing a low car parking ratio is considered acceptable in principle in this location and is consistent with the parking policies in the London Plan. However, the proposal does have the potential to have an impact on on-street parking in the vicinity of the site, particularly as the roads in the vicinity of the site are not within a Controlled Parking Zone (CPZ).

355 In accordance with the Lambeth methodology a survey area representing a 200m radius the Site was selected and agreed with the highway authorities. The results of the survey indicate that average overnight parking stress for unrestricted spaces is at 65% which is below the Lewisham Highways threshold of 85%. The results of the surveys confirm there is capacity on the streets that surround the site to accommodate any overspill parking generated by the proposed development.

- 356 It is noted that planned works to Sydenham Hill may result in reduction of on-street parking by 44 spaces. The Council's Highways Officer has reviewed the survey results and is satisfied that even if these spaces were to be removed, there would be adequate parking on-street and the proposed development would not result in an unreasonable impact on the Highways network which would warrant refusal of the application.
- 357 Although the proposal may increase parking stress on the surrounding streets, this approach to parking is consistent with the policies in the London Plan. The restrained approach to parking isn't considered in isolation, a package of mitigation measures are sought to mitigate the impact and to encourage sustainable travel from the site – these are discussed further below.
- 358 A full Residential Travel Plan is recommended to be secured to help promote sustainable and active travel and discourage car-use. This will help further mitigate against increased on-street demand for parking.
- 359 Additionally, a Construction Traffic Management Plan would be conditioned requiring approval of the Local Planning Authority in consultation with Transport for London and the Councils Highways Authority, this would provide a detailed set of construction routing once a contractor is appointed.
- 360 Subject to the above, the proposed development is acceptable with regard to impacts on the Local Transport Network.

7.5.3 Servicing and refuse

Policy

- 361 The NPPF states development should allow for the efficient delivery of goods and access by service and emergency vehicles.
- 362 DLPP Policy T6(G) and T7(B)(3) state that rapid electric vehicle charging points should be provided for servicing vehicles.
- 363 LPP 6.13 requires schemes to provide for the needs of businesses and residents for delivery and servicing and LPP 6.14 states that development proposals should promote the uptake of Delivery and Service Plans.
- 364 DMP 17 requires applications for A3 uses to provide acceptable arrangements for the collection, storage and disposal of bulk refuse.
- 365 Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Buildings in accordance with London Plan Housing Supplementary Planning Guidance (2016) standard 23.

Discussion

- 366 All delivery and servicing activities will take place within the site. Delivery and servicing vehicles will access Block A, B and C from Sydenham Hill. There are two refuse stores proposed for Block A, B and C with one store in Block B and one store in Block C. The refuse vehicle can easily collect refuse from this area, whilst having room to turn.
- 367 Refuse vehicle swept path analysis have been undertaken as part of the Transport Assessment. Refuse trucks are to access the Otto Close site from Kirkdale. They will then be able to turn and utilise Otto Close to collect refuse from individual units.
- 368 Subject to securing a Delivery and Servicing Plan and a refuse management condition, the proposed development is acceptable in this regard,

7.5.4 Transport modes

Walking and cycling

Policy

- 369 DLPP T5 cycling states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.¹⁸⁶ Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.
- 370 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised.

Discussion

- 371 The current pedestrian provision surrounding the development site is relatively good with footpaths being provided on both sides of the road for most roads in the surrounding area. The majority of the footpaths in the area are over 2-metres in width, are well lit and maintained. There are off-street footpaths situated within the site linking Sydenham Hill to the west to Mais House. The pedestrian path to the east links Kirkdale to Mais House and Otto Close.
- 372 A further footpath is provided from Sydenham Hill via Lammas Green and running behind the existing Otto Close garage units via steps and ramps. Current footpaths within the site are lacking in lighting and surveillance. Footpaths are also provided within the landscaped area between Mais House and Otto Close properties. There are footpaths located either side of Sydenham Hill with a Zebra Crossing located just outside the pedestrian entrance to Mais House.
- 373 Towards the north-eastern side of Sydenham Hill between the Sydenham Hill / Kirkdale roundabout there are comprehensive dropped kerbs and tactile paving with pedestrian islands in the centre of the roads. Kirkdale has footpaths on either side of the road with the middle section of the road on the western side occupying a grass verge. Pedestrian islands and traffic calming measures such as speed bumps are situated along the road. Along the walking route to Forest Hill rail station, the A205 / London Road has puffin and toucan crossings located at various points along the road.
- 374 The 'Green Chain Walk' is a 5.4-mile pedestrian route located west of the site and runs from Crystal Palace Park through to Nunhead Cemetery and connects to the Horniman Museum. The route also runs through Sydenham Hill Wood to the west of the development site. The route through Sydenham Hill Wood also connects to the Dulwich Park Link which runs from Sydenham Hill Wood to Dulwich Park and covers 1.2 miles.
- 375 There is relatively poor cycle infrastructure surrounding the site. The local area has quite a steep topography which could be considered as a disincentive to some cyclists. Cycling to Forest Hill Station takes approximately 8-minutes from Mais House. There is a designated bus lane running along the length of the A205 / London Road which can be utilised by cyclists in the westbound direction. There are cycle lanes in an eastbound direction, with a mixture of on and off-road sections. Wells Park to the south of the Site connects the south of Sydenham Hill to Sydenham rail station has a signed route for cyclists along the road. Wells Park also connects to Sydenham Park and Dacres Road to the east. Dacres Road has a signed cycle route which runs north towards Honor Oak Park and south towards the A213 / Leonard Road.

- 376 In relation to cycle parking, the proposals should provide a minimum of 192 long stay spaces and a minimum of 3 short stay spaces. For Block A, B and C, a total of 174 cycle spaces are proposed which is in accordance with the Draft London Plan Standards. There are 2 bike stores located at Block A, B,C with one store in Block B and one store in Block C. A total of 22 spaces will be provided at Otto Close. All bike storage will be located in secure facilities at the ground floor of each block and buildings in accordance with London Cycling Design Guidance. 5% of all spaces, including short stay, will also be provided for oversized bikes.
- 377 Following comments from Transport for London and the Council's Highways Officer, the scheme was amended to provided a total of 11 accessible spaces, in excess of the 5% minimum required by the London Cycle Design Standards. The Council's Highways department and Transport for London have outlined that they are satisfied with the proposed cycle parking arrangements.
- 378 Furthermore, the Council's Highways Officer has requested the following S278 works and contributions in relation to the proposals which would improve the local walking and cycling environment:
- 379 Section 278 public realm improvements, highway works and financial contributions are to include:
- Improvement works to the vehicular access points to the site from Sydenham Hill, including the provision of tactile paving.
 - Improvement works to the existing crossing facilities at the Kirkdale / Thorpewood Avenue junction including improvements to the existing tactile paving
 - The provision of a new informal crossing on Kirkdale (refuge and tactiles) close to the Kirkdale / Otto Close junction to improve access to the southbound bus stop on Kirkdale.
 - Improvement works to the existing zebra crossing on Sydenham Hill - replacing/upgrading the existing white markings and improvement to the tactile paving on the west side of the crossing, to provide tactile paving for the full width of the crossing.
 - Cycle infrastructure - A £10,000 contribution towards cycle signs and lines to improve the cycle facilities on Kirkdale and Sydenham Hill. To reinforce the presence of cyclists on these roads
- 380 Subject to the above, the proposed development is acceptable with regard to walking and cycling.

Car clubs

Discussion

- 381 There are currently 3 car club spaces within approximately 1.2km of the site. All 3 of the car club spaces are with Zipcar. The car club spaces are located on:
- Panmure Road – 1 space (300m)
 - Perry Vale – 2 spaces (1.2km)
- 382 To further discourage car ownership and promote more sustainable modes of transport, the applicant has offered a 3 year car club membership for the 110 proposed units as well as the existing 30 units on Otto Close.
- 383 The applicant has agreed to the Car Club Strategy which would be secured by planning obligation.

Private Cars (including disabled and electric charging points)

Policy

- 384 LPP 6.13 seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use and through the use of well-considered travel, plans aim to reduce reliance on private means of transport.
- 385 DLPP T6 states that 20% of parking spaces should be provided with Electric Vehicle Charging points with the remaining spaces providing passive provision
- 386 DLPP T6 also states that disabled persons parking should be provided for new residential developments. Residential development proposals delivering ten or more units must, as a minimum:
- 1) Ensure that for three per cent of dwellings, at least one designated disabled persons parking bay per dwelling is available from the outset
 - 2) Demonstrate as part of the Parking Design and Management Plan, how an additional seven per cent of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient. This should be secured at the planning stage.
- 387 CSP 14 states that the Council will take a restrained approach to parking provision. DMP 29 requires wheelchair parking to be provided in accordance with best practice standards and London Plan Standard 18 requires designated wheelchair accessible dwellings to have a designated disabled car parking space.

Discussion

- 388 A total of 30 car parking spaces with seven disabled parking bays inclusive, are proposed at surface level at Block A, B and C. 25 spaces are proposed at Otto Close, of which 10 are existing. The spaces proposed at Otto Close will be for existing residents who currently park within the garages or have permits for Otto Close.
- 389 With regard to the existing provision to be lost due to demolition of garages, the applicant's survey indicates that only 9 of the existing 39 garages are used for parking purposes meaning that the level of provision proposed is envisaged existing resident in demand with no loss of parking spaces given the 10 spaces to be provided below the existing ballcourt plus additional 5 on-street.
- 390 It is noted that TfL have stated that whilst this complies with policy T6.1 of the intend to publish London Plan, they would strongly encourage the applicant to reduce this to reflect the Mayor's strategic mode shift target of 80 per cent of all trips in London to be made by sustainable modes. In this instance, a further reduction in car parking spaces has not been sought given the low PTAL of the application site.
- 391 With regard to accessible parking spaces, 6% provision would be provided on site which is in excess of the DLP standards. A Car Park Management Plan should be secured by condition requiring the following details:
- How the off-street parking will be allocated / managed, ensuring existing residents are prioritised.
 - How informal parking (I.e. in the public realm) will be enforced.
 - A review mechanism that ensures any increase in demand for disabled or electric vehicles parking is addressed.
 - How access to the parking beneath the re-configured ball court will be controlled.
- 392 Electric car charging provision will be provided in accordance with Draft London Plan Standards with 20% active provision from the outset and 80% passive provision. This provision would be secured by condition

7.5.5 Transport Impact Conclusion

393 The proposal would not result in unreasonable harm to the local highway network or pedestrian or highway safety subject to the imposition of conditions and financial contributions. The planning obligations sought are summarised as follows:

- Improvement works to the vehicular access points to the site from Sydenham Hill, including the provision of tactile paving.
- Improvement works to the existing crossing facilities at the Kirkdale / Thorpewood Avenue junction including improvements to the existing tactile paving
- The provision of a new informal crossing on Kirkdale (refuge and tactiles) close to the Kirkdale / Otto Close junction to improve access to the southbound bus stop on Kirkdale.
- Improvement works to the existing zebra crossing on Sydenham Hill - replacing/upgrading the existing white markings and improvement to the tactile paving on the west side of the crossing, to provide tactile paving for the full width of the crossing.
- Cycle infrastructure - A £10,000 contribution towards cycle signs and lines to improve the cycle facilities on Kirkdale and Sydenham Hill. To reinforce the presence of cyclists on these roads.

394 Additionally, a delivery and servicing strategy, construction logistics plan, car parking management plan and travel plan would all be secured by condition.

395 Given the above, it is considered that the proposed development is acceptable with regard to transport impacts.

7.6 LIVING CONDITIONS OF NEIGHBOURS

General Policy

- 396 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.
- 397 This is reflected in relevant policies of the London Plan (LP7.6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).
- 398 LPP 7.6(b)(d) requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing.
- 399 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 400 Further guidance is given in Housing SPD 2017, GLA; Residential Standards SPD 2012, LBL. The Council has published the Alterations and Extensions SPD (2019) which establishes generally acceptable standards relating to these matters (see below), although site context will mean these standards could be tightened or relaxed accordingly.
- 401 *Overview*
- 402 The relationship of the proposed development with surrounding buildings and residential uses is outlined in image 6 below:

Image 11: Relationship of the proposed development with surrounding built context



unreasonable impact on the occupants of Castlebar as a result of the proposed development.

Lammas Green

- 406 The proposed residential block closest to Lammas Green would be located in excess of 15m at the closest point to the buildings on Lammas Green. The gable of proposed Block A would face Lammas Green in a perpendicular relationship to the rear of buildings on Lammas Green meaning that the impact by way of enclosure and outlook would be mitigated by this arrangement. It is noted that the footprint of the proposed building here would be further away from the boundary with Lammas Green over the existing Mais House building on the application site. The relationship would be further mitigated and screened by existing trees on the boundary.

Otto Close

- 407 The proposed Block A would be located some 20m from the flank of the closest building on Otto Close with the proposed Block C being located some 25m from the buildings on Otto Close at the closest point. Given the relationship of Block A with the flank of the closest building at Otto Close it is unlikely to result in any unreasonable impact by way of enclosure or loss of outlook.
- 408 The proposed building at Block C would be located 25m from the corner of the closest building at Otto Close. Given the oblique nature of this relationship the proposals would be acceptable with regard to outlook and enclosure. The buildings on Otto Close whose front elevations directly face the proposed Block C would be located in excess of 32m away from Block C, an acceptable and usual relationship and arrangement in urban and suburban environments.

Kirkdale

- 409 The closest residential buildings on Kirkdale would be located 25m at the closest point to Block C. Block C would be 4 storeys in height and on higher ground than the residential terrace on Kirkdale meaning that the proposals would be notably visible from the rear of these properties.
- 410 However, given the separation distance of 25 plus metres from these buildings, and the oblique arrangement of Block C in relation to Kirkdale, with the proposed corner facing towards these residential properties, this relationship is considered to be acceptable on balance.

Rose Court

- 411 The existing residential block at Rose Court would be located 7-9m away from the proposed terrace along the south-eastern boundary of the application site. The proposed terrace would be 3 storeys in height stepping down to 2 storeys in height mid-terrace at the point closest to Rose Court in order to help mitigate impact on the occupants of these properties.
- 412 Whilst the relationship here is proximate, the rear elevations of the proposed terrace would face onto the flank elevation of the Rose Court residential building. The impact of the proposed terrace is mitigated by the reduction in height to 2 storeys and the use of a pitched roof form.

7.6.2 Privacy

Policy

- 413 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.
- 414 DMPP 32 states that adequate privacy is an essential element in ensuring a high level of residential amenity. Unless it can be demonstrated that privacy can be maintained through design, there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development.

Discussion

Castlebar Care Home

- 415 The proposed residential block (Block B) closest to Castlebar would be located some 20m from the flank of the Castlebar building and would have a perpendicular relationship with such. The proposed footprint of Block b would then crank away from Castlebar creating a more open relationship between the two buildings. The relationship would be further mitigated and screened by existing trees on the boundary as well as new trees proposed as part of the landscaping scheme.
- 416 There would be some overlooking to the rear of Castlebar from the proposed upper floors in particular; however, given the movement of the footprint of Block B away from Castlebar and the perpendicular relationship of the two buildings, as well as existing and proposed screening by trees and vegetation, it is not considered that there would be an unreasonable impact on the occupants of Castlebar by way of loss of privacy.
- 417 In response to some of the representations received, the applicant has revised the landscape proposals along the north eastern boundary which abuts Castlebar and rear gardens of Kirkdale. The proposal has been revised to relocate the plant room access and remove in its entirety the service yard and ramp. This provides additional open soil bed measuring 70sqm, allowing 3 additional tall woodland species to be planted. These provide improved screening from Block C to properties on Castlebar and Kirkdale which will further mitigate the impact of development and is a supported amendment.

Lammas Green

- 418 The proposed residential block closest to Lammas Green would be located in excess of 15m at the closest point to the buildings on Lammas Green. The gable of proposed Block A would face Lammas Green in a perpendicular relationship to the rear of buildings on Lammas Green.
- 419 There would be some proposed windows facing the properties on Lammas Green, however it is proposed that these windows are screened using vertical fins which would mitigate any loss of privacy. Full details of these fins would be required by condition.

Otto Close

- 420 The proposed Block A would be located some 20m from the flank of the closest building on Otto Close with the proposed Block C being located some 25m from the buildings on Otto Close at the closest point. Given the relationship of Block A with the flank of the closest building at Otto Close it is unlikely to result in any unreasonable impact by way of enclosure or loss of privacy.
- 421 The proposed building at Block C would be located 25m from the corner of the closest building at Otto Close. Given the oblique nature of this relationship the proposals would be acceptable with regard to privacy. The buildings on Otto Close whose front elevations directly face the proposed Block C would be located in excess of 32m away from Block C, an acceptable and usual relationship and arrangement in urban and suburban

environments. Privacy for the properties on Otto Close would be further protected by proposed defensible space and planting to the rears of these properties – full details of the defensible space and planting would be required by soft and hard landscaping conditions.

Kirkdale

- 422 The closest residential buildings on Kirkdale would be located 25m at the closest point to Block C. Block C would be 4 storeys in height and on higher ground than the residential terrace on Kirkdale.
- 423 There would be a degree of overlooking to the rear gardens on Kirkdale as a result of the proposed balconies on Block C facing north east. Whilst it is acknowledged that there would be a degree of overlooking, the orientation of the proposed balconies would mean that the balconies would not be facing directly towards the rear elevations of the Kirkdale terrace. Rather, the views would largely be orientated along the rear gardens of these properties which would assist in mitigating the loss of privacy to these units. Notwithstanding, the separation distance here is considered to alleviate any perceived loss of privacy. As set out above, the applicant has revised the landscape plan to allow the planting of further woodland trees which will provide additional screening to properties on Kirkdale.

Rose Court

- 424 The existing residential block at Rose Court would be located 7-9m away from the proposed terrace along the south-eastern boundary of the application site. The proposed terrace would be 3 storeys in height stepping down to 2 storeys in height mid-terrace at the point closest to Rose Court in order to help mitigate impact on the occupants of these properties.
- 425 There would be a degree of overlooking to the occupants of Rose Court given the proximity of the proposed terrace to the existing building here. The impact is mitigated to a degree by the orientation of the Rose Court building as the flank faces the proposed development. It is also noted that the majority of overlooked windows serve dual aspect rooms and a stair well.

7.6.3 Daylight and Sunlight

Policy

- 426 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards however this is not formal planning guidance and should be applied flexibly according to context.
- 427 The NPPF does not express particular standards for daylight and sunlight. Para 123 (c) states that, where there is an existing or anticipated shortage of land for meeting identified housing need, LPAs should take a flexible approach to policies or guidance relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site.
- 428 The GLA states that 'An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.' (GLA, 2017, Housing SPG, para 1.3.45).

429 Alternatives may include ‘drawing on broadly comparable residential typologies within the
area and of a similar nature across London.’ (ibid, para 1.3.46).

430 It is therefore clear that the BRE standards set out below are not a mandatory planning
threshold.

431 In the first instance, if a proposed development falls beneath a 25 degree angle taken from
a point two metres above ground level, then the BRE say that no further analysis is
required as there will be adequate skylight (i.e. sky visibility) availability.

432 Daylight is defined as being the volume of natural light that enters a building to provide
satisfactory illumination of internal accommodation between sun rise and sunset. This can
be known as ambient light. Sunlight refers to direct sunshine.

Daylight Guidance

433 The three methods for calculating daylight are as follows: (i) Vertical Sky Component
(VSC); (ii) Average Daylight Factor (ADF); and (iii) No Sky Line (NSL).

434 The VSC is the amount of skylight received at the centre of a window from an overcast
sky. The ADF assesses the distribution of daylight within a room. Whereas VSC
assessments are influenced by the size of obstruction, the ADF is more influenced factors
including the size of the window relative to the room area and the transmittance of the
glazing, with the size of the proposed obstruction being a smaller influence. NSL is a
further measure of daylight distribution within a room. This divides those areas that can
see direct daylight from those which cannot and helps to indicate how good the distribution
of daylight is in a room.

435 In terms of material impacts, the maximum VSC for a completely unobstructed vertical
window is 39.6%. If the VSC falls below 27% and would be less than 0.8 times the former
value, occupants of the existing building would notice the reduction in the amount of
skylight. The acceptable minimum ADF target value depends on the room use: 1% for a
bedroom, 1.5% for a living room and 2% for a family kitchen. If the NSL would be less than
0.8 times its former value, this would also be noticeable.

436 While any reduction of more than 20% would be noticeable, the significance and therefore
the potential harm of the loss of daylight is incremental. The following is a generally
accepted measure of significance:

- 0-20% reduction – Negligible
- 21-30% reduction – Minor Significance
- 31-40% reduction – Moderate Significance
- Above 40% reduction – Substantial Significance

437 It is important to consider also the context and character of a site when relating the degree
of significance to the degree of harm.

438 It is also noted that recent planning decisions (including appeal decisions made by the
Planning Inspectorate) in London and Inner London have found retained VSC values in
the mid-teens to be acceptable.

Sunlight Guidance

439 Sunlight is measured as follows: (i) Annual Probable Sunlight Hours (APSH); and (ii) Area
of Permanent Shadow (APS)

440 The APSH relates to sunlight to windows. BRE guidance states that a window facing within
90 degrees due south (windows with other orientations do not need assessment) receives

adequate sunlight if it receives 25% of APSH including at least 5% of annual probable hours during the winter months. If the reduction in APSH is greater than 4% and is less than 0.8 times its former value then the impact is likely to be noticeable for the occupants. The APS relates to sunlight to open space: the guidance states that gardens or amenity areas will appear adequately sunlit throughout the year provided at least half of the garden or amenity area receives at least two hours of sunlight on 21st March.

Daylight

Castlebar Care Home

- 441 For daylight analysis the applicant had originally undertaken both VSC and daylight distribution assessments using assumed internal layouts. The results for VSC, 77 of the 92 (84%) windows tested adhere to the BRE guidelines. The remaining 15 windows achieve between 0.56 and 0.78 times their former VSC value, thus transgressing the 0.8 guideline. These windows are typically on the flank elevation facing towards the main development site, with many appearing to serve dual aspect rooms. Those with the greater VSC reductions are located at the ground level, at first floor level the transgressions are much closer to the 0.8 guidelines, achieving between 0.71 and 0.78 times their former value.
- 442 In terms of the daylight distribution results, all of the 25 (100%) rooms assessed would adhere to the BRE guidelines. This demonstrates that the light levels received within the room will be adequate and the occupants will not experience a noticeable alteration as a result of the proposed development. These values were based on assumed layouts after an external inspection and subject to criticism from the representations received.
- 443 Following the public meeting, where objectors stated that the Daylight and Sunlight report was not sufficient in terms of the detail of Castlebar. The applicant has reviewed this and updated the report with new information using the floorplans from the layout drawings from the recent planning approval for the extension and new garden outbuilding at Castelbar. The Daylight and Sunlight addendum report states that the layouts and building massing were built into the 3D CAD model to test. The results show that the rooms closest to the Sydenham Hill Estate would receive good levels of sunlight. In terms of VSC the main house has 76 windows and 73 (96%) adhere to the BRE guidelines. Three windows at ground floor show transgression of the guidelines, however, this room is also lit by a larger window facing west away from the Mais House site, meaning that 92% of that room would receive good levels of daylight.
- 444 Daylight distribution has been tested with 26 rooms in the main house, all of which adhere to the guidelines and all retaining over 90% of their room area or receive no loss of daylight.
- 445 Part of the recent planning permission for Castlebar involves the construction of a new garden outbuilding with further residential accommodation. This has 90 windows, 46 of these would adhere to BRE guidelines, however, it is important to note that the design of that building with it overhanging roof would affect a BRE result. Daylight distribution has been tested which shows that all room meet the test. The addendum report is considered to provide robust detail, now that detailed floorplans are incorporated and verify the results.

1 to 12 Lammas Green

- 446 These residential properties lie to the southwest of the current Mais House block. The floorplans of these properties show that the habitable rooms on the boundary elevation with the development site are either bedrooms or kitchens. All of the main habitable living rooms are facing away from the development site. For VSC, all of the windows tested adhere to the BRE guidelines.

447 For daylight distribution, the results demonstrate that 29 out of 32 (91%) rooms tested would adhere to the BRE guidelines. The remaining three rooms fall very marginally below the guidelines, with all three rooms achieving 0.79 times their former value against the recommendation of 0.8 times.

Otto Close (19 to 20, 30)

448 These are three storey residential properties which lie to the south of the current Mais House block. For VSC, nine out of 12 (75%) windows tested would adhere to the BRE guidelines. The remaining 3 windows achieve between 0.71 and 0.76 times their former value which is marginally below the BRE recommendation.

449 For daylight distribution, seven out of nine (78%) rooms tested would adhere to the BRE guidelines. The remaining 2 rooms fall marginally below the guidelines with the rooms achieving 0.73 and 0.77 times their former values which is still considered to be a very good level of daylight

Otto Close (17 to 18, 29)

450 These are three storey residential properties which lie to the south of the current Mais House block. For both VSC and daylight distribution, all of the windows and rooms tested would adhere to the BRE guidelines.

Otto Close (15 to 16, 28)

451 These are three storey residential properties which lie to the south of the current Mais House block. For both VSC and daylight distribution, all of the windows and rooms tested would adhere to the BRE guidelines.

Otto Close (9 to 10, 25)

452 These are three storey residential properties which lie to the northwest of the proposed Otto Close terraced houses. For both VSC and daylight distribution, all of the windows and rooms tested would adhere to the BRE guidelines.

Otto Close (7 to 8, 24)

453 These are three storey residential properties which lie to the northwest of the proposed Otto Close terraced houses. For both VSC and daylight distribution, all of the windows and rooms tested would adhere to the BRE guidelines.

Otto Close (5 to 6, 23)

454 These are three storey residential properties which lie to the northwest of the proposed Otto Close terraced houses. For VSC, all of the windows tested adhere to the BRE guidelines. In terms of daylight distribution, 16 out of 17 (94%) rooms tested will adhere to the BRE guidelines. The one remaining room falls marginally below the guidelines, retaining 0.78 times the former value which is still considered to be very good.

23 Lammas Green

455 This is a two-storey residential property which lies to the west of the proposed Otto Close terraced houses. For VSC, 4 out of 5 (80%) windows will adhere to the BRE guidelines. The 1 remaining window will achieve 0.58 times the former value. However, it is worth noting that this window receives a very small amount of light in the existing condition that any small loss translates to a large percentage reduction. In this case, the window has an existing VSC result of 0.48% and is reduced to 0.28% in the proposed condition.

456 The daylight distribution results demonstrate all 3 rooms will adhere to the BRE guidelines. This shows that even though 1 window has a low VSC value, as the room is served by multiple windows the distribution of light throughout the space will remain adequately lit.

21 and 22 Lammas Green Estate

457 These are two-storey residential properties which lie to the west of the proposed Otto Close terraced houses. For both VSC and daylight distribution, all of the windows and rooms tested would adhere to the BRE guidelines.

1 to 8 Rose Court

458 This is a two to three storey residential building which lies to the southeast of the proposed Otto Close terraced houses. For VSC, 12 out of 17 (71%) windows tested would adhere to the BRE guidelines. One room at first floor narrowly misses the 27% VSC target with 26.83%. The four remaining windows are all located on the ground floor level, retaining between 0.59 and 0.71 times their former values. The retained VSC values for these windows are all in excess of 19.27% which is a reasonable level particularly for an urban context.

459 The daylight distribution results demonstrate that nine out of ten (90%) rooms tested would adhere to the BRE guidelines. The one remaining ground floor kitchen falls below the BRE guidelines and retains 0.65 times the former value. The kitchen is single aspect and is on the boundary elevation, facing directly towards the development site.

20A, 20, 18A and 18 Kirkdale

460 These two storey residential properties lie to the east of the proposed development site, to the west side of Kirkdale. The VSC and daylight distribution results demonstrate all windows and rooms tested will adhere to the BRE guidelines.

Sunlight

461 In relation to sunlight testing, the BRE guidelines require that only rooms of existing dwellings that have windows facing within 90 degrees due south of any part of a new development should be tested. The results of testing for these rooms and buildings are as below.

Castlebar Care Home

462 The APSH results demonstrate that all of the windows tested would adhere to the BRE guidelines for the annual sunlight hours. There are four windows that transgress the BRE guidelines for the winter sunlight hours, however when one looks at the sunlight analysis by room aggregate, these rooms would all adhere to the guidelines.

463 As such, on balance the impact in terms of light to Castlebar is considered acceptable.

Otto Close

464 All of the rooms and windows on the existing residential properties on Otto Close fully adhere to the BRE guidelines.

Lammas Green

465 All of the rooms and windows on the existing residential properties on Lammas Green fully adhere to the BRE guidelines.

1 to 8 Rose Court

466 For sunlight, the majority of the windows and rooms will adhere to the BRE guidelines for both the annual and winter sunlight hours. There are three windows which fall below the BRE guidelines, retaining between 0.55 and 0.78 times their former values for the annual sunlight hours. When considering the room-based aggregate analysis, all rooms will adhere for the annual sunlight hours, with the ground floor living room reducing from 4% in the existing condition, to 3% in the proposed condition for the winter sunlight hours. On balance, the impact on these dwellings is considered acceptable.

Daylight and Sunlight Conclusion

467 The submission has been accompanied by a comprehensive Daylight and Sunlight assessment in relation to the Proposed Development. The technical analysis has been undertaken in accordance with the BRE Guidelines.

468 Throughout the design process at a pre-application stage, the scheme has been subjected to extensive testing to minimise the Daylight and Sunlight impacts to the surrounding residential properties.

469 The majority of the existing surrounding properties would not experience a noticeable reduction in terms of daylight and sunlight. Overall for daylight, 231 out of 255 (91%) windows tested for VSC and, 147 out of 156 (94%) rooms tested for daylight distribution will adhere to the BRE guidelines. For sunlight, 137 out of 140 (98%) windows tested for annual probable sunlight hours will adhere to the BRE guidelines. In terms of the winter sunlight hours, 133 out of 140 (95%) windows tested would adhere and maintain good sunlight results.

470 However, it is acknowledged that when constructing buildings in an urban environment particularly on vacant sites, alterations in Daylight and Sunlight to adjoining properties are often unavoidable. As outlined above, the numerical guidance given in the BRE document should be treated flexibly, especially in urban environments. Nonetheless, the proposed development demonstrates a very good level of compliance with the BRE guidelines.

471 Overall, whilst some properties would experience a degree of loss of sunlight and daylight, based upon the existing context of the application site and the existing surrounding built environment, the proposed development would have impacts within a range that would be expected for a development of this nature. It is not considered that the proposed development would give rise to an unreasonable degree of loss of light or such that would warrant refusal of the proposed development, particularly when considered against the significant planning merits of the scheme outlined in detail elsewhere in this report.

7.6.4 Overshadowing

Policy

472 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards however this is not formal planning guidance and should be applied flexibly according to context.

473 The BRE Guidelines suggest that Sun Hours on Ground assessments should be undertaken on the equinox (21st March or 21st September). It is recommended that at least half of a garden or amenity area should receive at least two hours of sunlight on 21st March, or that the area which receives two hours of direct sunlight should not be reduced to less than 0.8 times its former value (i.e. there should be no more than a 20% reduction).

474 Again, it must be acknowledged that in urban areas the availability of sunlight on the ground is a factor which is significantly controlled by the existing urban fabric around the site in question and so may have very little to do with the form of the development itself. Likewise there may be many other urban design, planning and site constraints which

determine and run contrary to the best form, siting and location of a proposed development in terms of availability of sun on the ground.

Discussion

- 475 The submitted overshadowing assessment has identified and tested the following spaces in accordance with the BRE Sunlight Hours on Ground assessment.
- 476 The assessment has calculated the effect of the proposed development on the amenity spaces at 20A, 20, 18 and 18A Kirkdale, 21-24 Lammas Green Estate and Rouselle Cottage by plotting the two-hour sun contour on 21 March in the existing and proposed condition. The figures as set out in the assessment indicate that all existing amenity spaces would retain sunlight on ground in excess of the BRE guidelines.
- 477 The amenity area of Castlebar has been re-tested and 96% of the amenity area received 2 hours of direct sunlight on March 21st in the existing condition (i.e. existing Mais House), which would fall to 92% with the proposed development. This remains well above the 50% of amenity areas as stated within BRE guidance.

7.6.5 Noise and disturbance

Policy

- 478 PPG states LPAs should consider noise when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.
- 479 Construction and demolition activity can result in disturbance from among things noise, vibration, dust and odour. This can harm living conditions for the duration of construction. Since some disturbance is inevitable, such impacts are usually not considered to be material planning considerations. In certain circumstances, particularly large or complex works may require specific control by planning.
- 480 A range of other legislation provides environmental protection, principally the Control of Pollution Act. It is established planning practice to avoid duplicating the control given by other legislation.
- 481 Further guidance is given in the Mayor of London's The Control of Dust and Emissions during Construction and Demolition SPG (2014).

Discussion

- 482 Given the nature of the proposed development itself, being a residential led scheme in a largely residential area, it is unlikely that the proposals would result in unreasonable levels of noise pollution.
- 483 Any noise or dust associated with construction would be controlled by the relevant environmental health and building control statutory protections. To ensure that demolition and construction is undertaken in a manner that does not affect the wider highway and utilises best practice a condition requiring the submission to the LPA for approval of a demolition and construction management plan should be imposed were the application to be approved.
- 484 A condition would also be attached requiring details of fixed plant to be submitted to and approved by the Local Planning Authority.

7.6.6 Impact on neighbours conclusion

- 485 As above, it is acknowledged that when constructing buildings in an urban environment particularly on vacant sites, alterations in Daylight and Sunlight to adjoining properties are often unavoidable. As outlined above, the numerical guidance given in the BRE document should be treated flexibly, especially in dense urban environments and particularly where neighbouring properties have existing architectural features (such as balconies) which restrict the availability of Daylight and Sunlight.
- 486 The submitted technical analysis shows that following the implementation of the proposals, some surrounding properties will experience changes outside of the BRE recommendations. Where breaches of guidance occur, in majority of cases it is a result of the surrounding and existing context and architectural features rather than being solely caused by the proposed development.
- 487 Overall, whilst some properties would experience a degree of loss of sunlight and daylight, based upon the existing context of the application site and the existing surrounding built environment, the proposed development would have impacts within a range that would be expected for a major development. The Sunlight and Daylight Assessment has indicated a very good level of compliance with the BRE standards
- 488 Where some impact on neighbouring amenity has been identified, it is not considered that the proposed development would give rise to an unreasonable that would warrant refusal of the proposed development, particularly when considered against the proposed planning merits of the scheme outlined in detail elsewhere in this report and summarised in the conclusion.

7.7 SUSTAINABLE DEVELOPMENT

General Policy

- 489 NPPF para 148 sets an expectation that planning will support transition to a low carbon future.
- 490 This is reflected in relevant policies of the London Plan and the Local Plan.
- 491 CS Objective 5 sets out Lewisham's approach to climate change and adapting to its effects. CSP 7, CSP 8 and DMP 22 support this.

7.7.1 Energy and Carbon Emissions Reduction

Policy

- 492 LPP 5.1 seeks an overall reduction in CO2 emissions whilst LPP 5.2 (Minimising Carbon Dioxide Emissions) states that major development proposals should make the fullest contribution to minimising CO2 in accordance with the following hierarchy: (1) be lean: use less energy; (2) be clean: supply energy efficiently; and (3) be green: use renewable energy.
- 493 In addition, LPP 5.2 sets targets for CO2 reduction in buildings, expressed as minimum improvements over the Target Emission Rate (TER) outlined in national building regulations. The target for residential buildings is zero carbon from 2016 and non-domestic buildings from 2019, prior to which the target is as per building regulations (35%).
- 494 LPP 5.7 presumes that all major development proposals will seek to reduce CO2 by at least 20 per cent through the use of on-site renewable energy generation wherever feasible.
- 495 CSP8 seeks to minimise the carbon dioxide (CO2) emissions of all new development and encourages sustainable design and construction to meet the highest feasible environmental standards.
- 496 DMP22 require all developments to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy.

Discussion

- 497 The application is accompanied by an Energy Assessment which sets out the measures to be taken to reduce carbon emissions. These are outlined below.

Be Lean

- 498 The energy efficiency measures achieve an improvement of 14.5% over the baseline for domestic and 15% for non-domestic areas. The total site achieves a 14.5% improvement.
- 499 The proposed savings are higher than the GLA's Lean Stage saving target of 10% for domestic and 15% for non-domestic.

Be Clean

- 500 The proposed energy strategy for the Blocks A, B and C is to provide heating and hot water via a heat network. Air source heat pumps (ASHP) will supply low grade heat via pipework to all dwellings. A hybrid system has been developed with ASHP proposed to be sized to provide 60% of the peak load to prevent oversizing, with natural gas fired boilers

sized to deliver the remaining 40% of the peak load. The ASHP's are proposed to be located on the roof and the boilers and plant located in associated plant rooms.

- 501 The emissions for the 'clean' stage of the hierarchy also result in an improvement of 14.5% over the baseline for domestic and 15% for non-domestic areas.

Be Green

- 502 As above, the proposed renewable energy source for the scheme is to be Air Source Heat Pumps – the applicant has demonstrated that renewable energy technologies achieve a further 24.3% reduction in Site Total CO2 emissions.

- 503 The Council's Sustainability Manager has questioned why the applicant has not chosen to also install photovoltaic panels. The applicant has outlined that using Air Source Heat Pumps, the scheme was able to demonstrate an overall improvement of 39% and therefore the scheme is policy compliant in this regard. They have also outlined that there are limited flat surfaces available for PV panels and that there is a balance to be achieved between visual impact on heritage assets and achieving further carbon reductions. This point has been accepted.

Carbon Offset

- 504 In accordance with the Council's Planning Obligations SPD, the applicant is required to make a payment of £254,903 towards carbon offsetting.

Summary

- 505 The proposal would meet the carbon reduction targets and would contribute towards sustainable development, subject to a condition securing full details of the Heat Interface Unit as well as and an obligation securing the carbon offset payment.

7.7.2 Urban Greening

Policy

- 506 LPP 5.10 requires development to contribute to urban greening, including tree planting, green roofs and walls and soft landscaping, recognising the benefits it can bring to mitigating the effects of climate change.
- 507 LPP 5.11 encourages major development to include planting and especially green roofs and walls where feasible, to deliver as many of the policy's seven objectives as possible.
- 508 DLPP G5 expects major development to incorporate measures such as high-quality landscaping (including trees), green roofs and green walls.
- 509 CSP 7 expects urban greening and living roofs as part of tackling and adapting to climate change. DMP 24 requires all new development to take full account of biodiversity and sets standards for living roofs.

Urban Greening Factor

- 510 The applicant has submitted details indicating that the proposed development would achieve an Urban Greening Factor of 0.3 where draft London Plan Policy G5 recommends an UGF of at least 0.4 for residential development.
- 511 Whilst the proposed development does not achieve the UGF target of 0.4, the scheme demonstrates an improvement over the existing UGF score of 0.25.

- 512 The applicant is proposing an extensive landscaping scheme which seeks to minimise the loss of existing trees and maximise greening where possible.
- 513 Given the improvement over the existing UGF score, and the draft nature of the London Plan policy, as well as other planning benefits presented by the scheme, the proposed development is considered acceptable in this regard.

7.7.3 Flood Risk

Policy

- 514 NPPF para 155 expects inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Para 163 states development should only be allowed in areas at risk of flooding where mitigation measure can be included.
- 515 LPP 5.12 requires the mitigation of flooding, or in the case of managed flooding, the stability of buildings, the protection of essential utilities and the quick recovery from flooding.
- 516 LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including flooding.
- 517 DLPP SI12 expects development proposals to ensure that flood risk is minimised and mitigated.
- 518 CSP 10 requires developments to result in a positive reduction in flooding to the Borough.
- 519 Further guidance is given in the NPPG and the GLA Sustainable Design and Construction SPG.

Discussion

- 520 The proposed development has been submitted with a Flood Risk Assessment.
- 521 The closest watercourse to the site is Pool River which is located approximately 2.3km to the east of the site. The Pool River has been classified as an Environment Agency (EA) Main River. The proposed development is located within Flood Zone 1 (Figure 2).
- 522 Given the Site is located in Flood Zone 1, and is therefore considered to be at low risk of flooding, no specific mitigation measures will be required.
- 523 The EA's Risk of Flooding from Surface Water map shows the site to be primarily within an area of primarily 'Very Low' risk of flooding from surface water. There is a small isolated area of 'Low' risk in close proximity. Areas identified to be at 'Very Low' risk of flooding have a less than 0.1% chance of flooding annually and areas identified to be at 'Low' risk have between a 0.1% and 1% chance of flooding annually, and no specific mitigation measures will be required.
- 524 The Environment Agency's flood risk from reservoir mapping, shows that the Site lies outside of the maximum extent of the reservoir flood risk extent, and is therefore considered, not to be at risk of flooding from this source, and no specific mitigation measures will be required.
- 525 The Site is located above London Clay, and review of historic borehole records indicate that groundwater levels, are significantly below ground level, and therefore it is considered that the risk of groundwater flooding is low, and no specific mitigation measures will be required.

- 526 The Lewisham SFRA (2015) states that ‘developers should be encouraged to demonstrate that their proposal will deliver a positive reduction in flood risk to the Borough, whether that be by reducing frequency or severity of flooding (for example, through the introduction of SuDS). As a minimum, the implementation of sustainable drainage systems (SuDS) must be ensured and overland flow routes during events which exceed a site’s drainage capacity must be carefully considered as part of the site design’.
- 527 Additionally, the applicant has provided a separate Surface Water Drainage Strategy in relation to the proposed development which is assessed below.
- 528 The Environment Agency were consulted on the proposed application and had no comments to make given the nature of the development and the low flood risk area that the application site is situated within.

7.7.4 Sustainable Urban Drainage

Policy

- 529 The NPPF at para 165 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 530 LPP 5.13 requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy’s drainage hierarchy.
- 531 DLPP SI13 expects development to achieve greenfield run-off rates in accordance with the sustainable drainage hierarchy.
- 532 CSP 10 requires applicants demonstrate that the most sustainable urban drainage system that is reasonably practical is incorporated to reduce flood risk, improve water quality and achieve amenity and habitat benefits.
- 533 Further guidance is given in the London Plan’s Sustainable Design and Construction SPG, the London Sustainable Drainage Action Plan, the Non-Statutory Technical Standards for Sustainable Drainage Systems and CIRIA C753 The SuDS Manual.

Discussion

- 534 The application is accompanied by a Surface and Foul Water Drainage Report, prepared by Ambiental. The submission has been reviewed and is found to require further information with regard to SuDS.
- 535 The applicant is advised that the following detail would be required by the detailed microdrainage condition:
1. A detailed drainage design plan and the attenuation volume that will be provided by each drainage feature. This should be based on the 100 year critical storm duration with climate change for the site and the allowable discharge rate. Flood Studies Report (FSR) rainfall data should be used for storm durations less than 1 hour and Flood Estimation Handbook (FEH) rainfall data should be used for storm durations greater than 1 hour when identifying the critical storm duration.
 2. Demonstrate the infiltration rate on site if infiltration is part of the final drainage design.
 3. Show a drainage map that includes a clear exceedance route for flood waters.
 4. Provide the existing surface water run-off rates from the site (whole area of contributing runoff). Provide detailed calculations of the post development discharge rates and an explanation of methodology of the calculation. It is

expected this should be at greenfield rate for existing greenfield sites and it is strongly encouraged that brownfield sites discharge at the original pre-development (greenfield) rate where possible.

5. Modelling of all the proposed SuDS system for the site (e.g. Microdrainage), showing the behaviour of the site for the main rainfall events (Qbar, 30 year, 100 year, 100 year + climate change).
6. Typical operation of the system for low rainfall and first-flush events, with indication of how treatment of surface water will be achieved
7. Demonstrate how runoff will be treated of pollutants and explore the risk to groundwater flooding if infiltration is to be utilised.
8. A site-specific Maintenance Plan is required from the applicant, which includes:
 - i. Description of maintenance schedule
 - ii. Please provide details of who will maintain the proposed drainage system together with the full list of Sustainable Urban Drainage System elements over the lifetime of the development, confirming any adoption arrangements.
 - iii. Confirm who will maintain the proposed drainage system with individual SuDS elements over the lifetime of the development, confirming any adoption arrangements.
 - iv. Provide evidence that access (e.g. easement or rights of way for access) will be physically possible for maintenance to be carried out as SuDS features should be located within public space.
 - v. Provide a plan for the safe and sustainable removal and disposal of waste periodically arising from the drainage system. A maintenance manual should also be produced to pass to the future maintainer. If other parties are responsible for different parts of a scheme, this should be clearly shown on the plan.
 - vi. Outline clearly the frequency of maintenance activities/timetables associated with each drainage system and SuDS elements, linking these into the site plan. Some of these information can be obtained through each proprietary product's manufacturer's instructions and specifications.

536 Subject to securing the above detail by condition, the proposed application is considered acceptable with regard to Sustainable Urban Drainage.

7.7.5 Sustainable Infrastructure Conclusion

537 Overall, the proposed development would achieve a 39% reduction in carbon emissions over the 2013 Building Regulations and subject to condition such is acceptable with regard to Energy and Carbon Emission reduction.

538 Subject to the condition as outlined above, the proposed development is acceptable with regard to Flood Risk and Sustainable Urban Drainage.

7.8 NATURAL ENVIRONMENT

General Policy

- 539 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 540 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 541 The NPPF at para 180 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.
- 542 LPP 2.18 sets out the Mayor of London's vision for Green Infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

7.8.1 Ecology and biodiversity

Policy

- 543 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.
- 544 NPPF para 170 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. NPPF para 175 sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 545 LPP 7.19 seeks wherever possible to ensure that development makes a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 546 CSP 12 seeks to preserve or enhance local biodiversity.
- 547 DMP 24 require all new development to take full account of biodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity.

Discussion

- 548 The application has been submitted with an Ecological Survey and Report which was informed by an ecological desk study; an extended Phase 1 habitat survey in 2017; an updated walkover in October 2019; a Habitat Suitability Index assessment of a pond; a bat building assessment and subsequent bat emergence/re-entry surveys.
- 549 The survey states that the Site was found to support features of low ecological value, intensively modified/managed habitat types (buildings, hardstanding, scattered trees, amenity grassland and ornamental shrubs) supporting common and widespread readily established plant species. The report stated that in view of the nature and scale of the Site, the proposals are considered highly unlikely to result in an effect on nearby statutory or non-statutory designated nature conservation sites in the surrounding area. The survey also identified two bat roosts on Site, as well as buildings and trees with potential roosting features.

- 550 A range of ecological initiatives and mitigation measures are proposed across the scheme as follows:
- Additional understorey planting amongst retained trees;
 - Creation of dead wood piles. Two locations have currently been proposed;
 - Creation of a rain garden to mitigate for the loss of the ornamental pond. The rain garden will be a semi-wet habitat which will hold water and will be planted with appropriate wildlife friendly planting;
 - Shrubs, rockeries and ground cover planting – plant species to be wildlife friendly and planting will look to vary plant heights to create structure and niche habitats
 - New areas of wildflower planting - the loss of some amenity grassland and introduced shrub/tall ruderal will be mitigated for by creating species-rich areas supporting wildflowers; and
 - Creation of a boundary hedge along part of the north eastern boundary – to use native species of local provenance and/or wildlife friendly species.
 - Tree bird boxes to include 4x small bird boxes, 4x starling nest boxes and 1x owl box
 - Building bird boxes to include 3x swift boxes, 2x swallow boxes, 2x house martin boxes
 - 5x tree mounted bat boxes
 - Minimum 5x building bat boxes
- 551 The Council's Ecological Regeneration Manager has been consulted in relation to the proposed development and commented on the Ecological Report. It was agreed with the applicant that the significance of the bat roosts found on site should be increased from 'Less than local' to 'Local' significance but ultimately that this did not result in any changes to mitigation measures required.
- 552 Following the amendment as outlined above, the Ecological Regeneration Manager confirmed that the proposed development was acceptable with regard to impact on Ecology and Biodiversity subject to the following being secured by condition:
- Construction Environmental Management Plan (CEMP)
 - Ecological Mitigation and Management Plan
 - Lighting design strategy
- 553 Full details of landscaping and species selection is also recommended to be captured by condition to ensure native species are promoted and that species selection promotes biodiversity across the application site and wider area.
- 554 Subject to the above, the application is acceptable with regard to ecology and biodiversity.
- 7.8.2 Green Spaces and Trees**
- Policy*
- 555 S.197 of the Town and Country Planning Act gives LPAs specific duties in respect of trees.
- 556 NPPF para 170 expects development to contribute to and enhance the natural and local environment.
- 557 LPP 7.21 protects trees of value and replacements should follow the principle of 'right place, right tree'. New development should include additional trees wherever appropriate, particularly large-canopied species. Additionally, LPP 7.22 encourages the innovative use of space for growing food.

558 DLPP G7 expects development proposals to ensure that, wherever possible, existing trees of value are retained. Where it is necessary to remove trees, adequate replacement is expected based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or other appropriate valuation system.

559 CSP 12 seeks to protect trees and prevent the loss of trees of amenity value, with replacements where loss does occur.

560 DMP 25 states that development schemes should not result in an unacceptable loss of trees, especially those that make a significant contribution to the character or appearance of an area, unless they are considered dangerous to the public by an approved Arboricultural Survey. Where trees are removed as part of new development, replacement planting will normally be required. New or replacement species should be selected to avoid the risk of decline or death arising from increases in non-native pests and diseases.

Discussion

561 There scheme has been designed in order to minimise the loss of trees insofar as possible. The extent of tree removal and trees proposed is outlined in Image 12 below.

Image 12: Extent of trees proposed and to be removed and proposed



562 The diagram shows the tree category of all the trees on site and which ones will be removed. The proposal includes some tree planting with a total uplift of 24 trees. In total;

- 19 trees would be removed
- 48 replacement trees would be planted

- 563 The site has a variety of existing mature trees and some represent the residue of former grounds of an old estate. Some have an incongruous relationship with Mais House due to proximity of buildings or being surrounded by car parking. Multiple other trees have been planted or naturally regenerated since Mais House was built and contribute to the setting of the buildings and to screening it from the highway. Many large third party trees of variable quality grow along the northern boundary and overhang the site. The site is located next to the ancient woodland at the Great North Wood which is on the opposite side of Sydenham Hill.
- 564 A number of representations received have requested that the Council designated these formally via Tree Protection Order. The Tree Officer for the Council has reviewed the suitability of the trees for TPO using a TEMPO assessment (Tree Evaluation Method for Preservation Order). The 4 proposed trees/group for TPO are:
- 565 T31 Red Oak – does not merit TPO. This has limited visibility from the public realm and has significant lateral reduction. No signs of decay, may need investigation for internal decay.
- 566 T35-T41 group oak and sycamore – TPO defensible. These have limited visibility from the public realm, but seen from the footpath from Sydenham Hill to Kirkdale and is a roundel of trees in the grounds. These are identified for removal to extend Block C.
- 567 T48 Horse Chestnut – TPO defensible. Tree contributes to public realm amenity being visible above the roofline on Kirkdale. This is to be retained in the development but will require lateral reduction. Most of the root protection area will be in the construction exclusion zone and a new path and bin store over in the landscape construction phase.
- 568 T50 Robinia – definitely merits TPO. Visible above the roofline from Kirkdale and contributes to public realm amenity. Tree is not proposed for felling and will be protected within a construction exclusion zone.
- 569 The assessment of these trees finds that whilst some may merit protection on amenity grounds, it may not be expedient to make a formal Tree Preservation Order. This is because it is unnecessary where trees are subject of existing good arboricultural management. In this instance, the trees and wider estate are under good management by City of London. The TPO requests for the trees identified do not reflect the wider importance of trees throughout the estate. Whilst some are defensible, two of the more significant trees to public realm amenity are to be retained. TPO regulations guide against making TPOs where trees are under good management. Therefore the Tree Officer has declined to make a Tree Preservation Order in this case.
- 570 The TEMPO sheets and assessment are attached as Appendix 2.
- 571 The proposals require the removal of one A2 grade tree T69, six B grade trees and twelve C grade trees. It is noted that one of the category B trees has fungal growth at the base of the tree which could limit its longevity and would require regular inspection. The majority of the trees proposed for removal are C grade trees and impact on landscape amenity will be limited largely to the grounds and to residents overlooking the site.
- 572 It is acknowledged that the loss of the trees along the frontage to Sydenham Hill would have some impact on the street scene until replacements become established; retention of T6, however, would assist to mitigate this impact. Multiple tree replacements are proposed in the soft landscape scheme that will be appropriately juxtaposed with the new scheme and this would assist to mitigate the tree loss.
- 573 Most of the trees removed are non-native and the introduced trees, other than resulting in a greater overall number, significantly increases the species diversity of trees on site and include tree species that can adapt to changing climatic condition providing greater long

term resilience. Additionally, these trees are carefully positioned to develop in the longer term into fine specimens, unlike many of the tree to be removed that are self-set and in in close competition with one another.

574 The Council's Tree Officer has reviewed the application and raised concern with regard to the limited space on the Sydenham Hill frontage for additional tree planting in order to provide screening for the proposed development, as well as concerns in relation to pressure on the trees at the Kirkdale frontage as a result of the proposed terrace of houses on Otto Close. Comments were also received in relation to ensuring that replacement planting achieved sufficient woodland screening and reflected the arboretum quality of the former Victorian Villa landscape character.

575 It should also be recognised that reducing the scale of Block B and the terrace block would reduce the number of larger/ family units provided with the overall unit mix. The end terrace unit nearest to Kirkdale is a 4B6P unit and Block B provides all of the larger 3B5P units (11 x 3B5P) within the proposals. Similarly, if the footprint at Sydenham Hill were to be reduced, this would result in 6 storeys of 3 storey units, becoming smaller 2 bedroom or 1 bedroom units. This would result in a negative impact on the social housing mix.

576 The layout of the planting areas around the Block B gable elevation have been revised and the tree species amended to increase the extent of visual screening. Large species trees are included on both corners to provide screening on the long view along Sydenham Hill. Tall fastigate varieties of *Fagus* (beech) are included in the gap between the boundary and the building, replacing smaller ornamental specimens.

577 In response to Tree Officer comments the scheme has the following amendments have been made and points raised, which are all supported.

- The bed to the east of the main entrance gate has been increased in size and additional large species trees added, to create a stronger tree group which will mature into woodland character specimens. These include two *Tilia cordata* (small leaved lime) within open planting beds, and a group of 4 *Alnus glutinosa* 'lacinata' (alder). The existing *Prunus* sp [Tree T6] is retained to maintain existing screening, eventually to be overtaken by the new trees.
- The bed to the west of the entrance gate has also been increased, with soft planting extended to meet the building, and wrap around the corner. The path approach to the main building entrance from the existing gates has been reduced in width. A maintenance path to the building frontage of block A to allow access is provided using grass matrix paving system.
- The position of the proposed terrace is located over areas of existing built structures, which are solid sealed surfaces and foundations. It is not clear if the active rooting area of the trees extends below these structures but our assumption is that these areas are hostile to live tree roots.
- The root zone of T64 and T66 is enhanced by the proposal due the removal of the garages and alleyway path hard surface. However, the future crown expansion of both trees is a concern. Remedial tree works that address this are included within the Tree Protection Report.
- The vehicular route into the site is constrained by upstand kerbs, behind which are areas of grass and the main root zones. The ground is locally sculpted in places. The proposals have been amended to avoid incursion into the rootzone behind the kerb lines. Hard landscape proposals are to renew the existing surface only.
- The tree list has been revised to increase to range of tree species to make a truly diverse collection
- The proposal includes an additional collection of shrub specimens, planted around the open lawn perimeter. These specimens form a composition alongside the simple blocks of clipped hornbeam hedge and ground cover and are selected for seasonal impact.

- Amendments to planting along Sydenham Hill frontage to provide a total of 4 replacement trees which would be planted in pairs with irregular spacing which would grow to form a single feature of good height to provide a screen to the lower and middle portions of the elevations
- Along the north-eastern boundary which abuts Castlebar and rear gardens of Kirkdale, the proposal has been revised to relocate the plant room access and remove in its entirety the service yard and ramp. This provides an enhanced open soil bed of an addition 70m², allowing the planting of an additional 3 tall species woodland trees which would provide:
 - Improved screening of block C from the properties on Kirkdale
 - Improved screening of block C from Castlebar
 - Enhanced green corridor along the north east boundary. The new planting fills a gap in the planted edge, and helps establish a continuous planted ecological corridor, linking the Great North Wood on Sydenham Hill and the boundary planting to Kirkdale.
 - Mitigation planting for trees removed from the tree group at the end of block
 - Additional woodland edge ground flora and wildlife refuges within the planting bed.

578 On the 13 August, a further set of landscape revisions were received, where the north eastern boundary which abuts Castlebar and Kirkdale been revised to relocate the plant room access and remove in its entirety the service yard and ramp. This provides additional open soil bed measuring 70sqm, allowing 3 additional tall woodland species to be planted. This has the support of the Tree Officer who on revision of these plans has also requested that:

Sydenham Hill

- One parking space nearest to the vehicular entrance adjacent to Block B is removed to allow a large canopy tree
- At least one large canopy tree is planted in the General Arrangement and hardworks between the pedestrian entrance and Block B adjacent to the frontage with Sydenham Hill. The frontage elevations of Block B are fitted with wires for extensive climbers for climbers such as wisteria, ivy, roses, Virginia creeper, Russian wine etc to 'green' the elevations

North-East boundary

- Details of hard surfacing and soft planting between Block C and north eastern boundary to be further refined to reduce hard surfacing, incorporate space for climbers.
- Extent of crown reduction to the existing trees being retained shown on marked photographs.
- Possibility for arrangements for off-site planting in rear gardens of owners of properties on Kirkdale.
- Elevations to be fitted with wires for extensive climbers.
- Degree of crown reduction to be shown on a marked photograph.
- Consideration to be given to the loss of an end unit, or reducing its scale. Fitting the frontages with wire for extensive climbers.
- Large canopy tree to be established at corner in Otto Close by footpath to Lammas Green. T70 should be retained with crown reduction.

579 The landscaping scheme has been redesigned to ensure that the maximum amount of replacement planting has been provided in terms of both quality and quantity – the number of replacement trees has increased from 39 to 48. Whilst it is unfortunate that any trees must be removed, the applicant has demonstrated that the design has evolved in manner to reduce the number of tree removals and ensure the maximum number of trees can be

retained. Officers do not support the omission of units or reduction, as this would compromise the exceptional housing offer. The loss of a parking space is neither considered to be acceptable given the parking pressures on site and locally, which have been identified in the representations received. The proposed landscaping scheme, including revisions is of a very high quality and considered adequate mitigation alongside the significant planning benefit of 110 new socially rented homes.

580 The final details of the soft and hard landscaping would be reserved by condition, as would the proposed Tree Protection Plan and Arboricultural Method Statement.

7.8.3 Ground pollution

Policy

581 Failing to deal adequately with contamination could cause harm to human health, property and the wider environment (NPPG, 2014). The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil pollution. Development should help to improve local environmental conditions.

582 The NPPF states decisions should contribute to and enhance the natural and local environment by remediating and mitigating contaminated land, where appropriate (para 170). Further, the NPPF at para 178 and NPPG states decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination.

583 Contaminated land is statutorily defined under Part 2A of the Environmental Protection Act 1990 (EPA). The regime under Part 2A does not take into account future uses which need a specific grant of planning permission. To ensure a site is suitable for its new use and to prevent unacceptable risk from pollution, the implications of contamination for a new development is considered by the LPA.

584 The test is that after remediation, land should not be capable of being determined as "contaminated land" under Part 2A of the EPA.

585 If there is a reason to believe contamination could be an issue, developers should provide proportionate but sufficient site investigation information (a risk assessment) to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an acceptable level. Defra has published a policy companion document considering the use of 'Category 4 Screening Levels' in providing a simple test for deciding when land is suitable for use and definitely not contaminated land. A risk assessment of land affected by contamination should inform an Environmental Impact Assessment if one is required.

586 The risk assessment should also identify the potential sources, pathways and receptors ('pollutant linkages') and evaluate the risks. This information will enable the local planning authority to determine whether further more detailed investigation is required, or whether any proposed remediation is satisfactory.

587 At this stage, an applicant may be required to provide at least the report of a desk study and site walk-over. This may be sufficient to develop a conceptual model of the source of contamination, the pathways by which it might reach vulnerable receptors and options to show how the identified pollutant linkages can be broken.

588 Unless this initial assessment clearly demonstrates that the risk from contamination can be satisfactorily reduced to an acceptable level, further site investigations and risk

assessment will be needed before the application can be determined. Further guidance can be found on the Environment Agency website.

Discussion

- 589 The application has been submitted with a 'Preliminary Geo-Environmental and Geotechnical Risk Assessment Report' (PRA) by AECOM (reference 60595628 Rev 2 dated 18/10/2019). The report has indicated the potential for historic ground contamination to be present and has recommended a comprehensive intrusive investigation to assess this.
- 590 The Environment Agency and the Council's Environmental Protection Officer have reviewed the PRA as submitted by the applicant and have no objections to the proposed development subject to a planning condition securing a full desktop study and site assessment, site investigation report and closure report including verification details have been submitted to and approved by the local planning authority.
- 591 Subject to the above, the proposed development is acceptable with regard to ground pollution.

7.8.4 Air pollution

Policy

- 592 NPPF para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality. Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality. Poor air quality affects people's living conditions in terms of health and well-being. People such as children or older people are particularly vulnerable.
- 593 LPP 7.14 states new development amongst other requirements must endeavour to maintain the best ambient air quality (air quality neutral) and not cause new exceedances of legal air quality standards. DLPP SI1 echoes this.
- 594 CSP 7 reflects the London Plan. CSP 9 seeks to improve local air quality. DMP 23 sets out the required information to support application that might be affected by, or affect, air quality.
- 595 Further guidance is given in the Mayor of London's Air Quality Strategy.

Discussion

- 596 The application has been submitted with an Air Quality Assessment which assesses existing air quality within the study area, considers the suitability of the site for the redevelopment, and assesses the impact of the demolition and construction of the development on air quality in the surrounding area. The main air pollutants of concern related to construction are dust and particulate matter (PM10), for road traffic are nitrogen dioxide (NO2), PM10 and PM2.5 and for gas-fired heating plant is limited to NO2.
- 597 The Air Quality Assessment indicates that the proposed development would achieve the London Plan target of being 'Air Quality Neutral' and due to the limited provision of onsite combustion based heating plant, emissions of both NOx and PM10 are below the relevant benchmarks.

- 598 There needs to therefore be a proportionate cost towards the management of air quality and where development increases the number of people being exposed to poor air quality and/or increases transport trips to and from the area then costs towards management is important.
- 599 The Council has an existing air quality monitoring network, which allows for verification and validation of air quality prediction models. This is important for assessing the affects and changes to transport schemes and other actions being introduced that are aimed to improve the air quality in the Borough and within the development area. It also is introducing air quality actions within the area, which need to be funded.
- 600 There are also construction management responsibilities that the Environmental Protection Team have, these consist of monitoring and on-site meetings with the Contractors in order to check compliance with the Council's 'Good Practice Guide – Control of pollution and noise from demolition and construction sites'.
- 601 The Council's Environmental Protection Officer has reviewed the proposed application and has stated to ensure the above can be carried out there would need to be £11,000. It was also considered that the proposed Air Quality Assessment demonstrated that the proposed development would comply with the relevant Local Plan policies with regard to air quality.
- 602 Subject to the above being secured by legal agreement, the proposed development would be acceptable with regard to air quality.

7.8.5 Water quality

Policy

- 603 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution or. Development should, wherever possible, help to improve local environmental conditions such as water quality, taking into account relevant information such as river basin management plans

Discussion

- 604 Given the nature of the proposed development, a residential led mixed-use scheme, the proposals are not considered to give rise to potential unacceptable impacts on water quality.
- 605 Thames Water have been consulted on the proposed application and have raised no objections subject to the inclusion of an informative on any recommendation for approval.

7.9 PUBLIC HEALTH, WELL-BEING AND SAFETY

General Policy

- 606 The NPPF and NPPG promote healthy communities. Decisions should take into account and support the health and well-being of all sections of the community. The NPPG recognises the built and natural environments are major determinants of health and wellbeing. Further links to planning and health are found throughout the whole of the NPPF. Key areas include the core planning principles (para 15) and the policies on transport (chapter 9), high quality homes (chapter 5), good design (chapter 12), climate change (chapter 14) and the natural environment (chapter 15).
- 607 The NPPG sets out a range of issues that could in respect of health and healthcare infrastructure, include how development proposals can support strong, vibrant and healthy communities. Development, where appropriate, should encourage active healthy lifestyles that are made easy through the pattern of development, good urban design, good access to local services and facilities; green open space and safe places for active play and food growing, and is accessible by walking and cycling and public transport. The creation of healthy living environments for people of all ages can support social interaction.
- 608 Para 127 Good design create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 609 LPP 3.2 seeks to ensure development is designed, constructed and managed in ways that improve health and promote healthy lifestyles to help reduce inequalities.
- 610 LPP 7.1 requires development to contribute to health, well-being and public safety.

Policy

- 611 Para 127 Good design create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 612 Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder
- 613 LPP 7.3 seeks to ensure that developments are designed to reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including crime and terrorism and fire.
- 614 DLLP D10 states measures to design out crime should be integral to the proposals, taking into account the principles of the Secured by Design scheme. Development should maintain a safe and secure environment and reduce the fear of crime.
- 615 CSP 15 requires development to minimise crime and the fear of crime.

Discussion

- 616 The applicant team have met with the Metropolitan Police's Designing Out Crime Officer who has had input on the design of the proposals from an early stage in the process.
- 617 The current proposal has been assessed by the Metropolitan Police Designing Out Crime Officer who has stated that the design of the development has considered opportunity for

natural surveillance, incorporates excellent lines of site and the development should 'activate' this area. These are all excellent crime prevention measures. The ground floor footprint has also been designed in such a way that there are no alcoves or secluded areas that are often crime and ASB generators. This is considered extremely positive in relation to crime prevention.

- 618 The Officer noted no objections to the proposed development but would seek to have a planning condition attached where this development should incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design.
- 619 As such, it is recommended that a Secured by Design condition be secured.

8 LOCAL FINANCE CONSIDERATIONS

620 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).

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

622 The CIL is therefore a material consideration.

623 The application is liable for Lewisham CIL and MCIL however would be applicable for exemption due to 100% affordable housing provision subject to application for relief or exemption. The applicant has indicated that they will apply for exemption on the CIL form submitted with this application.

9 EQUALITIES CONSIDERATIONS

- 624 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.
- 625 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.
- 626 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.
- 627 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>
- 628 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
- 629 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>
- 630 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

631 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
- Article 9: Freedom of thought, belief and religion
- Protocol 1, Article 1: Right to peaceful enjoyment of your property
- Protocol 1, Article 2: Right to education

632 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.

633 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.

634 This application has the legitimate aim of providing a new building with employment and residential uses. The rights potentially engaged by this application are not considered to be unlawfully interfered with by this proposal.

11 LEGAL AGREEMENT

635 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

636 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.

637 It is recommended that the following items are secured by legal agreement:

Housing

- 100% affordable housing (by unit and habitable room)
- Dwelling mix: 110 Social Rent residential units with at least 50% of nomination rights to Lewisham Council. The mix of such units to be as follows:

Affordable Housing Mix	
Unit Type	Social Rent
1B1P	10
1B2P	37
2B3P	10
2B4P	31
3B5P	11
4B5P	3
4B6P	8
Total	110

- Wheelchair accessible homes to meet M4(3): 11 and remaining units to meet M4(2)

Transport and Public Realm

- Car club membership for all residents for 3 years
- Section 278 public realm improvements and highway works to include:

- Improvement works to the vehicular access points to the site, including the provision of tactile paving.
- Improvement works to the existing crossing facilities at the Kirkdale / Thorpewood Avenue junction including improvements to the existing tactile paving
- The provision of a new informal crossing on Kirkdale (refuge and tactiles) close to the Kirkdale / Otto Close junction to improve access to the southbound bus stop on Kirkdale.
- Improvement works to the existing zebra crossing on Sydenham Hill.
- Cycle lane improvements to Kirkdale and Sydenham Hill

Employment & Training

- Local labour and business contribution of £58,300 prior to commencement (110 residential units x £530)
- Local Labour and Business Strategy

Carbon Offset Payment

- Financial contribution of £254,903

Air Quality Monitoring

- Financial contribution of £11,000

Monitoring and Costs

- Meeting the Council's reasonable costs in preparing and monitoring the legal obligations

638 Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

12 CONCLUSION

- 639 The application has been assessed against the adopted Development Plan, as required by Section 38(6) of the Planning and Compulsory Purchase Act.
- 640 The proposals have been developed in the context of extensive pre-application consultation with Council Officers, the Greater London Authority and following two presentations to Lewisham's Design Review Panel. The applicant has also held three public exhibitions to which local residents and stakeholders were invited.
- 641 The Proposal would provide a substantial quantum of socially rented residential units to help meet the Borough's housing needs. This is a significant benefit to be weighed in the planning balance as the proposal will assist in addressing its housing need which is set to increase substantially under the draft London Plan housing targets.
- 642 The proposals reflect the principles of the highest quality design, ensuring an exemplary built environment for visitors and residents. The impacts upon heritage assets in the vicinity of the application site have been fully considered and it is concluded that less than substantial harm will be caused. The officer assessment has also identified some impacts upon occupants of neighbouring residential properties in relation to loss of light and overshadowing. However, on balance the benefits and planning merits of the scheme are considered to substantially outweigh any harm identified.
- 643 The proposed development would also result in the delivery of significant public realm enhancements, specifically through the delivery of the communal amenity space. Improvements to the existing highways network would also be secured by legal agreement.
- 644 In conclusion, the proposed development is considered to be in accordance with the relevant national planning policy guidance and development plan policies. The proposals are wholly sustainable development in accordance with the NPPF and will make an important contribution to the borough, in respect of housing supply and importantly the wider borough community. The proposals are therefore considered to be both appropriate and beneficial. Therefore, on balance, any harm arising from the proposed development is considered to be significantly outweighed by the benefits listed above.

13 RECOMMENDATION

- 1 That the Committee resolve to **GRANT** planning permission subject to a S106 Legal Agreement and to the following conditions and informatives:

13.1 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. Drawing Numbers

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

SYDH-HBA-SW-XX-SH-A-08-0901 rev 01; SYDH-HBA-SW-XX-SH-A-08-0902 ref 01;
SYDH-HBA-SW-XX-SH-A-08-0903 rev 01

Existing plans

SYDH-HBA-SW-ZZ-DR-A-08-0001 rev 00; SYDH-HBA-SW-ZZ-DR-A-08-0001 rev 00;
SYDH-HBA-SW-ZZ-DR-A-08-0003 rev 01

SYDH-HBA-MH-LG-DR-A-08-0005 rev 00; SYDH-HBA-MH-00-DR-A-08-0006 rev 00;
SYDH-HBA-MH-01-DR-A-08-0007 rev 00; SYDH-HBA-MH-02-DR-A-08-0008 rev 00;
SYDH-HBA-MH-03-DR-A-08-0009 rev 00; SYDH-HBA-MH-XX-DR-A-08-0020 rev 00;
SYDH-HBA-MH-XX-DR-A-08-0021 rev 00; SYDH-HBA-MH-XX-DR-A-08-0022 rev 00;
SYDH-HBA-MH-XX-DR-A-08-0023 rev 00; SYDH-HBA-MH-XX-DR-A-08-0030 rev 00;
SYDH-HBA-MH-XX-DR-A-08-0031 rev 00

SYDH-HBA-OC-00-DR-A-08-0010 rev 00; SYDH-HBA-OC-01-DR-A-08-0011 rev 00;
SYDH-HBA-OC-XX-DR-A-08-0024 rev 00; SYDH-HBA-OC-XX-DR-A-08-0025 rev 00;
SYDH-HBA-OC-XX-DR-A-08-0026 rev 00; SYDH-HBA-OC-XX-DR-A-08-0027 rev 00;
SYDH-HBA-OC-XX-DR-A-08-0032 rev 00; SYDH-HBA-OC-XX-DR-A-08-0033 rev 00

Proposed plans

SYDH-HBA-SW-ZZ-DR-A-08-0004 rev 02

SYDH-HBA-MH-LG-DR-A-08-0100 rev 02; SYDH-HBA-MH-00-DR-A-08-0101 rev 03;
SYDH-HBA-MH-01-DR-A-08-0102 rev 02; SYDH-HBA-MH-02-DR-A-08-0103 rev 02;
SYDH-HBA-MH-03-DR-A-08-0104 rev 02; SYDH-HBA-MH-04-DR-A-08-0105 rev 02;
SYDH-HBA-MH-05-DR-A-08-0106 rev 02; SYDH-HBA-MH-06-DR-A-08-0107 rev 02;
SYDH-HBA-MH-RF-DR-A-08-0108 rev 02; SYDH-HBA-MH-XX-DR-A-08-0200 rev 02;
SYDH-HBA-MH-XX-DR-A-08-0201 rev 00; SYDH-HBA-MH-XX-DR-A-08-0202 rev 01;
SYDH-HBA-MH-XX-DR-A-08-0203 rev 00; SYDH-HBA-MH-XX-DR-A-08-0301 rev 01;
SYDH-HBA-MH-XX-DR-A-08-0302 rev 01; SYDH-HBA-MH-XX-DR-A-08-0401 rev 00;
SYDH-HBA-MH-XX-DR-A-08-0402 rev 00; SYDH-HBA-MH-XX-DR-A-08-0403 rev 00;
SYDH-HBA-MH-XX-DR-A-08-0410 rev 00

SYDH-HBA-OC-00-DR-A-08-0110 rev 00; SYDH-HBA-OC-01-DR-A-08-0111 rev 00;
SYDH-HBA-OC-02-DR-A-08-0112 rev 00; SYDH-HBA-OC-RF-DR-A-08-0113 rev 00;
SYDH-HBA-OC-XX-DR-A-08-0210 rev 00; SYDH-HBA-OC-XX-DR-A-08-0211 rev 00;

TS067-1-HW-01; TS067-1-HW-02; TS067-1-SW-01; TS067-1-HW-02

Air Quality Assessments (dated Nov 2019), Arboricultural impact assessment (dated 12 Dec 2019), Arboricultural Method Statement (dated April 2019), Archaeology desk based assessment (dated 11.11.19), Design and Access Statement (dated 17.12.19), Daylight sunlight assessment (dated 16.12.19), Daylight sunlight within proposed dwellings and sunlight to amenity spaces (dated 16.12.19), Daylight sunlight addendum (dated 12.08.20), Ecological Assessment Report (dated Nov 2019), Ecology Technical Note (dated 07.05.20), Energy Assessment (dated Nov 2019), Flood Risk Assessment (dated 12.11.19), Surface Water drainage strategy (dated 10.12.19), Drainage LLFA response (dated 14.04.20), External Lighting - DAS Addendum (dated Jan 2020), Landscape maintenance report Rev01 (dated June 2020), Proposed Planting Schedule (dated June 2020), Phase 1 ground conditions assessment (dated Sept 2019), Ground conditions factual report (dated 5.09.19), Heritage Statement (dated Dec 2019), Planning Statement (dated Dec 2019), Social infrastructure survey (dated Dec 2019), Statement of community involvement (dated Dec 2019), Sustainability Statement (dated Dec 2019), Townscape Visual Impact Assessment (dated Dec 2019), Transport Assessment (dated Dec 2019), Outline Car Park Management Plan (dated Dec 2019), Urban Greening Factor Assessment (dated June 2020) and Thames Water Pre-Planning confirmation of sufficient capacity (dated 14.05.20).

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. Materials

No development of the relevant part of the development above ground (excluding demolition) shall take place until a detailed schedule and samples have been submitted to and approved in writing by the local planning authority. The details should generally accord with the Design and Access Statement. The development shall be carried out in complete 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 Lewisham Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

4. Soft Landscaping

- a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to commencement of the above ground works. The landscaping scheme should include details of wires for extensive climbers to Block B on the Sydenham Hill frontage, Block C on the north-eastern boundary and terrace frontage.
- b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

5. Hard Landscaping (excluding Section 278 works)

- a) No development above ground level shall take place until detailed design proposals for hard landscaping have been submitted to the local planning authority for their approval. The detailed designs should keep hard surfacing to a minimum and maximise the extent of soft landscaping in conjunction with condition 4.
- b) The development shall be implemented in accordance with the details approved by the local planning authority.

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

6. Construction Logistics Plan (Stage 1 and 2)

(a) No development shall commence on site until a Construction Logistics Plan for Stage 1 of the construction works (demolition and ground works) has been submitted to the Local Planning Authority and approved in writing. The plan shall cover:-

- a) Rationalise travel and traffic routes to and from the site.
- b) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity.
- c) Measures to deal with safe pedestrian movement.

(b) The measures specified in the approved Construction Logistics Plan for Stage 1 shall be implemented prior to commencement of any demolition or groundworks and shall be adhered to during the period of the Stage 1 works.

(c) Stage 2 of the construction works (being all and any construction-related activity not comprised within Stage 1) shall not commence on site until a Construction Logistics Management Plan for Stage 2 of the construction works, has been submitted to the Local planning Authority to include the same level of detail as specified by part (a)(a-c) of this condition. The Stage 2 works shall be carried out in accordance with the approved details.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2016).

7. Construction Environmental Management Plan (Stage 1 and 2)

(a) No development shall commence on site until a Construction Environmental Management Plan for Stage 1 of the construction works (demolition and ground works) has been submitted to the Local Planning Authority and approved in writing. The plan shall cover:-

- a) risk assessment and appropriate mitigation measures to minimise dust and emissions based on the Mayor's Best Practice Guidance (The Control of Dust and Emissions from Construction and Demolition) of the London Plan 'Control of emissions from construction and demolition' SPG
- b) An inventory and timetable of dust generating activities
- c) Dust mitigation measures
- d) Emission control measures
- e) Air Quality Monitoring
- f) The location and operation of plant and wheel washing facilities
- g) Details of best practical measures to be employed to mitigate noise, vibration and air quality arising out of the construction process
- h) Details of the training of site operatives to follow the Construction and Environmental Management Plan requirements
- i) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.

The works shall only be carried out in accordance with the approved plan agreed under Parts (a – i) of this condition.

(b) The measures specified in the approved Construction Environmental Management Plan for Stage 1 shall be implemented prior to commencement of any demolition or groundworks and shall be adhered to during the period of the Stage 1 works.

(c) Stage 2 of the construction works (being all and any construction-related activity not comprised within Stage 1) shall not commence on site until a Construction Environmental Management Plan for Stage 2 of the construction works, has been submitted to the Local planning Authority to include the same level of detail as specified by part (a)(a-i) of this condition. The Stage 2 works shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2016), Policy 9 Improving local air quality of the Lewisham Core Strategy (June 2011) and DM Policy 23 Air Quality of the Development Management Local Plan (November 2014).

8. Site Contamination

- a) No development or phase of development (including demolition of existing buildings and structures, except where prior agreement with the Council for site investigation enabling works has been received) shall commence until :-
 - i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
 - ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted, (including subsequent correspondences as being necessary or desirable for the remediation of the site) to and approved in writing by the Council.
- b) If during any works on the site, contamination is encountered which has not previously been identified ("the new contamination") the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- c) The development or phase of development shall not be occupied until a closure report for the development or phase has been submitted to and approved in writing by the Council.

This shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

Reason: To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

9. Delivery and Servicing Strategy

Prior to the first occupation of the development, a Delivery and Servicing Management Plan, including the proposed location of delivery and service areas, shall be submitted to and approved in writing by the local planning authority, to include details of how deliveries and servicing will be effectively managed at the development bays and any required changes to parking restrictions surrounding the development. The development shall be operated in full accordance with the approved Delivery and Servicing Management Plan.

Reason: To accord with Policy 14 Sustainable movement and transport in the Lewisham Core Strategy (June 2011) and Policy 6.3 of the London Plan (2016).

10. Cycle Parking

- a) Prior to first occupation, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.
- b) No development shall commence on site 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 14: Sustainable movement and transport of the Core Strategy (2011).

11. Car Parking Management Plan

A Parking Management Plan must be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwellings hereby approved. The plan must include:

- a) Details of how informal parking would be managed and enforced;
- b) Details of how active and passive provision for Electric Vehicle Charging Points will be provided in accordance with London Plan;
- c) How informal parking will be enforced;
- d) How the management of informal parking will ensure service/emergency access; and
- e) How it will improve pedestrian accessibility.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure adequate provision for disabled parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011)

12. Travel Plan

(a) Prior to first occupation of the dwellings hereby approved, a Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' must be submitted to and approved in writing by the Local Planning Authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

(b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.

(c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

Reason: In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

13. Secured by Design

Prior to the commencement of above ground development (excluding demolition), details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers. Once approved, the development shall be carried out in accordance with the agreed details.

Reason: In order to ensure that the development is safe, secure and appropriately accessible in accordance with London Plan Policy 7.3

14. Fire Statement

No above ground development shall commence (except demolition) until a Fire Statement for the relevant uses has been submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The relevant uses of the development shall be carried out in accordance with the approved details.

Reason: To ensure that the risk of fire is appropriately addressed in the proposed development, in accordance with the Intend to Publish London Plan Policy D12.

15. Lighting Strategy

- a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
- b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

16. Tree Protection and Arboricultural Method Statement

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

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

17. Refuse Management Plan

- a) Details for the on-site storage, disposal and collection of refuse and recycling facilities shall be submitted to and approved in writing by the local planning authority prior the commencement of above ground works of development (excluding demolition) hereby approved.
- b) The approved details shall be carried out in full prior to occupation of each phase of development and retained thereafter.

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

18. Electric Vehicle Charging Points

- a) Details of the number and location of electric vehicle charging points to be provided on and off street, and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to commencement of the above ground works (excluding demolition).
- b) The electric vehicle charging points as approved shall be installed prior to occupation of the Development and shall thereafter be retained and maintained in accordance with the details approved under (a).

Reason: To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (July 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

19. Heat Interchange Unit Specification

- a) Prior to development above first floor level the applicant shall provide details of a selected make and model of Heat Interface Unit (HIU) that has passed all the elements of the BESA UK HIU test have been submitted to and approved in writing by the local planning authority.
- b) The details shall include the commissioning of the HIU in accordance with CIBSE guidance CP1 and the published BESA UK HIU test results for the HIU make and model selected.
- c) The HIU shall be provided and installed in accordance with the approved details and maintained thereafter.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.5 Decentralised energy networks and 5.7 Renewable energy in the London Plan (2016) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency

20. Fixed Plant Noise Control

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

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

21. No External Plumbing or Pipes

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater pipes, shall be fixed on the external faces/front elevation of the building hereby approved, without the prior written consent from the Local Planning Authority(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).

22. Satellite Dishes and Antenna

Notwithstanding the Provisions of Article 4 (1) and part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, no satellite antenna shall be erected or installed on the building hereby approved. The proposed development shall have a central dish or aerial system (for each relevant block) for receiving all broadcasts for the residential units created: details of such a scheme shall be submitted to and approved by the local planning authority prior to first occupation of any block, and the approved scheme shall be implemented and permanently retained thereafter.

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 Lewisham Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

23. Retention of Amenity Spaces

The whole of the amenity space (including communal garden and balconies) shall be retained permanently for the benefit of the occupiers of the residential units 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 Lewisham Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards of the Development Management Local Plan (November 2014).

24. Landscape and Ecological Management Plans (LEMP)

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development [or specified phase of development]. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

25. Lighting Design Strategy for Light-Sensitive Biodiversity

Prior to occupation, a “lighting design strategy for biodiversity” for the development hereby approved shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

26. Details of Drainage

Above ground development shall not commence until full details of a detailed drainage and microdrainage plan (including site-specific maintenance plan) have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and retained in perpetuity.

Reason: In order to ensure that the development incorporates sustainable urban drainage systems in accordance with paragraph 165 of the NPPF, London Plan Policy 5.13 and Core Strategy Policy 10

27. Noise Assessment

- (a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmax (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
- (b) Evidence outlining compliance with the standards above shall be submitted to and approved by the Local Planning Authority.
- (c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

Reason: To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration, DM Policy 31 Alterations and extensions to existing buildings including residential extensions and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

28. Details of Screening – Block A

Details of screening proposed to the southwest facing windows of Block A, orientated towards Lammas Green, shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development hereby approved and retained in perpetuity.

Reason: To protect the amenity of occupants of existing neighbouring properties.

29. Details of Screening – Block C

Details of balcony detailing to the gable end balconies on Block C facing Kirkdale properties, shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development hereby approved and retained in perpetuity.

Reason: To protect the amenity of occupants of existing neighbouring properties.

29. Details of Defensible Planting

Details of defensible planting proposed to the rear of existing properties on Otto Close, shall be submitted to and approved to the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development hereby approved and retained in perpetuity.

Reason: To protect the amenity of occupants of existing neighbouring properties.

31. Hours of Construction

No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm 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 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm 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 DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

13.2 **INFORMATIVES**

A. Positive and Proactive Statement

The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.

B. Community Infrastructure Levy

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

C. Construction – Pollution and Noise

You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.

D. Thames Water

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after

construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=OMjwGp47Ad5otWI0__lpOg&r=A6bK4sK7myXptjA_uaaZPj7OE6BO0ng5QMu6ha_RdQ&m=El6EE1MpOgiSZbdXmETHkfSjSmnsj_UTB_vZiQ3F6qg&s=CFwijBpWwX3mMjN86QsJ7FaJSwlhGz6mNyt5n9WHaZ4&e=

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=OMjwGp47Ad5otWI0__lpOg&r=A6bK4sK7myXptjA_uaaZPj7OE6BO0ng5QMu6ha_RdQ&m=El6EE1MpOgiSZbdXmETHkfSjSmnsj_UTB_vZiQ3F6qg&s=CFwijBpWwX3mMjN86QsJ7FaJSwlhGz6mNyt5n9WHaZ4&e=

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

E. S106 Agreement

You are advised that the approved development is subject to a Section 106 agreement. Please ensure that the obligations under the Section 106 agreement are addressed in accordance with the details and timeframes set out in the agreement. If you have any questions regarding the agreement or how to make a payment or submission required under the agreement, please contact the S106/CIL team on CIL@lewisham.gov.uk.