

Committee	PLANNING COMMITTEE (C)	Item No.5
Report Title	FORMER GREEN MAN PUBLIC HOUSE, 355-357 BROMLEY ROAD SE6	
Ward	Whitefoot	
Contributors	Glen Rollings	
Class	PART 1	Date 9 NOVEMBER 2006

Reg. Nos. DC/05/60486, DC/05/60486A & DC/05/60486B

Application dated 18.8.05 revised 12.4.06 and 15.8.06

Applicant Hepher Dixon on behalf of Renewal Beckenham Ltd

Proposal The demolition of the existing building and the construction of a part four/part five storey plus basement building, comprising 13, one bedroom, 30, two bedroom, 8, three bedroom and 3, four bedroom self-contained flats, together with associated landscaping and provision of a bin store, 60 bicycle and 45 car parking spaces at basement level with access onto Bromley Road.

Applicant's Plan Nos. 2(12)00/D, 01/A, 02/A, 03/A, 04/B, OB/A, RF/A, 2(13)01/A, 02/B, 03/A, 04/A, 2(14)01/A, 02/B, 03/A, 04/A, Un-numbered Landscape Plan, Planning Statement, Design Report partly revised, Transport Assessment, Daylight and Sunlight Report, Air Quality Assessment, Noise Assessment.

Background Papers

- (1) Case File LE/472/V/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) The London Plan (2004)
- (4) PPS1: Delivering Sustainable Development
- (5) PPG3: Housing
- (6) PPG13: Transport
- (7) Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice

Zoning Adopted UDP – Existing use

1.0 Introduction

1.1 This item was previously on the agenda for the Planning Committee (A) meeting of 31 August 2006, but was not considered at that meeting. The reason for this was that further consideration was needed regarding this application being a departure from the Unitary Development Plan, on the grounds of its above average residential density. More detailed information on density and the reasons for the departure can be found in section 7 of this report.

2.0 Property/Site Description

2.1 The application site is located on Bromley Road, approximately 2 km south of Catford Town Centre and 250 metres north-west of Downham Town Centre. It is opposite Peter Pan Pool/Southend Pond and the Bromley Road Homebase store. The area is traditionally referred to as Southend Village.

- 2.2 The site presently contains a disused public house known as The Green Man. There has been a pub on or very close to this site for more than 200 years and the current building dates from the interwar period, being constructed in a mock-Tudor coaching inn style. The main building is aligned with the site's rear boundary and to the south east, with car parking towards the north west of the building and within a 'U' shape formed by the south eastern wing of the building. This smaller wing, abutting the south eastern boundary of the site, was occupied until recently as a beauty shop and salon.
- 2.3 The site is generally flat and is abutted on the south-west by Bromley Road. A car showroom is sited to the south-east and a Grade II-listed church hall and church building (St John the Baptist) is located to the north-west. A cluster of three-storey residential buildings, known as Radley Court, abuts the site's rear boundary to the north-east.
- 2.4 The surrounding area is typically terraced suburban dwelling houses built in the interwar period. Bromley Road is the exception; the stretch between Catford and Downham Town/District Centres generally displays more urban characteristics with mixed-use elements. Residential development along this route is denser and there are many blocks of flats built between 1955-1975 of between three and six storeys in height.
- 2.5 Bus routes 54, 136, 181, 208 and 336, as well as two night bus routes pass the site and allow access to Catford, Downham, Lewisham, Bromley and Beckenham Town Centres, as well as retail facilities at Bell Green. Beckenham Hill railway station is 500 metres southeast of the site; trains from this station generally run at a half-hourly frequency and provide access to Catford, Bromley and Central London.
- 2.6 The site is within an area of archaeological priority but does not have any other designation within the UDP. It is opposite an area of public open space and a site of nature conservation importance (Southend Pond). It is not located within a Conservation Area. The site is next to a defined Air Quality Management Area (Bromley Road).

3.0 Planning History

- 3.1 The earliest recorded planning history for the site dates from 1973. All of the approvals/consents between 1973 and 2002 were for minor improvements directly relating to the operation of the public house. Several of these made alterations to the fabric of the building, such as small porch additions, new entrances and windows, a conservatory addition and disability access.
- 3.2 An application for the demolition of the existing buildings on the site and replacement with residential flats was considered by the Council in 2002/2003. This was for a part-three, part-four storey building comprising 5, one and 23, two-bedroom flats, together with 12 car parking spaces and cycle parking space and a separate terrace of 5 two-bedroom houses adjacent to the northern boundary of the site. Planning permission was refused for the following reasons:

1. The demolition of the existing group of buildings on the Green Man site is contrary to Policies BLT.ENV.1: Urban Design and HSG 18: Residential Environment in the Council's adopted Unitary Development Plan and URB 2 Urban Design, HSG 3 Residential Amenity and HSG 4 Layout and design of New Residential Development of the Revised Deposit Draft Unitary Development Plan (August 2001).
2. The proposed development, by virtue of its layout, massing, design and impact upon existing buildings, would be detrimental to the visual amenities and character of the locality contrary to Policies BLT.ENV.1: Urban Design and HSG 18: Residential Environment in the Council's adopted Unitary Development Plan and URB 2 Urban Design, HSG 3 Residential Amenity and HSG 4 Layout and Design of New Residential Development of the Revised Deposit Draft Unitary Development Plan (August 2001).
3. The proposed development, by virtue of its layout, massing, design and impact upon existing buildings, would be detrimental to the setting of the Grade 2 Listed Buildings located immediately to the north on the site of St. John the Baptist Church and Church Hall, contrary to Policies BLT.ENV.1: Urban Design and BLT.ENV 13: Listed Buildings in the Council's adopted Unitary Development Plan and URB 2 Urban Design and URB 17 Preserving Listed Buildings of the Revised Deposit Draft Unitary Development Plan (August 2001).
4. The proposed development, by virtue of its bulk, design and proximity to the eastern boundary would be detrimental to the amenities of residents in Radley Court, located immediately to the east, contrary to Policies BLT.ENV.1: Urban Design and HSG 18 Residential Environment & HSG 19 Layout and Design of New Residential Development in the Council's adopted Unitary Development Plan and URB 2 Urban Design and HSG 3 Residential Amenity of the Revised Deposit Draft Unitary Development Plan (August 2001).

4.0 Present Application

- 4.1 The application was submitted in August 2005 and advertised for public comment with the following description:

“The demolition of the existing building at the Former Green Man PH, 355-357, Bromley Road SE6 and the construction of a part four/part five storey, plus basement building, comprising 22, one bedroom and 43, two bedroom, self-contained flats, together with associated landscaping and provision of a bin store, 65 bicycle and 44 car parking spaces at basement level with access onto Bromley Road.”

- 4.2 The application has since been altered and the current description accurately reflects the proposed development as it is presented to the Planning Committee. The amended scheme was advertised for public comment as described in section 4 of this report. The current scheme is for the demolition of the existing buildings on the property and the development of a part-four/part-five storey block of 54 flats, with underground car parking.

- 4.3 The proposed flats would be arranged in L shaped building. The main length of the 'L' would be generally parallel with and directly adjacent to Bromley Road, leaving a garden area to the rear of the building, alongside the rear boundary. The short leg of the 'L' would be at right angles to Bromley Road, approximately 14 metres from the north western boundary. The area would be used for the proposed underground car park ramp and an additional area of landscaping.
- 4.4 The development is described on a floor-by-floor basis in the following paragraphs.
- 4.5 Basement: Access from Bromley Road would be via a curved ramp to the north of the building, leading into a fully covered car park containing 45 bays. Lift and stair access would be available in two locations. Two separate bicycle stores, together capable of accommodating approximately 60 bicycles, would be provided.
- 4.6 Ground floor: All flats at this level would have independent front entrances. Those flats directly accessed from Bromley Road would have front courtyards with small front porches and rear terraces. All flats bar one would be dual-aspect, with windows on either side of the building. The one flat with a single-aspect would have west facing windows. Two main entrances, each leading to a lift and stairwell, would serve as common access points to the car park and upper floors and would also allow through access to the rear garden (around 400 square metres in area). This garden would have a mix of hard landscaping and lavender/shrub planter boxes, as well as ventilation zones for the car park below. The ramp to the car park would be separated from the building and surrounded by an informally landscaped area. Bin storage would be incorporated within the front garden, within a triangular area between the cutaway corner of the building and the car park access ramp. A loading/service bay would be provided on Bromley Road.
- 4.7 First floor: Only two flats would be accessible on this level; the majority of accommodation forming part of duplex flats, with the main entrances for these flats being on the second floor. The two flats would be single-aspect and have west-facing windows and balcony areas. Most of the duplex flats have front balcony areas on this floor; several have rear balconies as well. All duplex flats would have west-facing (south-west or north-west) living rooms.
- 4.8 Second floor: A central corridor would link the two access cores and run the length of the building, allowing access to the duplex flats on the south and east sides of the building and single aspect flats on the western sides of the building. All flats on this floor would have balcony space either on this level, or on the floor below. Several of the duplex flats would have two balconies.
- 4.9 Third floor: A central corridor would link the two access cores and run the length of the building. All bar one of the flats would be single-aspect and those facing the north-east at the rear of the building (which would receive the least amount of light) would be fitted with 'sun pipes' leading directly to the roof of the building, which would allow maximum light access.
- 4.10 Fourth floor: A central corridor, with a glazed roof, would run through the southern half of the building. This floor would contain single-aspect flats, accessed from the corridor. East-facing flats would have roof lights. The northern section would be used as an outdoor garden deck for residents.

- 4.11 Roof: There would be no general access to the roof. Sun pipes and roof lights serving the third and fourth floors would have their main openings at this level.
- 4.12 The accommodation is summarised in the following table. Flats arranged over two levels are included only on the floor of their main entrance door.

Floor	Accommodation
Ground floor	6 x 3-bed 2 x 4-bed Total: 8 flats (34 habitable rooms)
First floor	2 x 2-bed Total: 2 flats (6 habitable rooms)
Second floor	7 x 1-bed 2 x 2-bed 12 x 2-bed (duplex) 1 x 4-bed (duplex) Total: 22 flats (61 habitable rooms)
Third floor	3 x 1-bed 9 x 2-bed 1 x 3-bed Total: 13 flats (37 habitable rooms)
Fourth floor	3 x 1-bed 5 x 2-bed 1 x 3-bed Total: 9 flats (25 habitable rooms)
Total	13 x 1-bed 30 x 2-bed 8 x 3-bed 3 x 4-bed Total: 54 flats (163 habitable rooms)

- 4.13 External materials would include wood veneer cladding, brickwork at ground floor level and extensive use of glazing on the street-facing elevation. Much of this glass would be coloured (purple has been used on the application drawings).
- 4.14 The applicant has submitted the following documents in the support of the application. The conclusions of each are summarised in the following paragraphs.
- 4.15 Planning Statement (Prepared by Hephher Dixon): The scheme would result in the regeneration of an underutilised and unattractive site. The proposal is sustainable, would provide an element of affordable housing and would provide a high-quality

design which could act as a catalyst for further regeneration. The loss of the existing facilities on the site is considered acceptable due to the existence of nearby alternatives.

- 4.16 Design Statement (prepared by Hawkins Brown Architects): A substantial reasoning of the design approach has been set out, as well as an indication of the proposed materials. The report sets out urban design justification for the proposal. A schedule of pre-application public consultation is also included.
- 4.17 Transport Assessment (prepared by WSP): Evidence has been included to assert that the site is in a sustainable location. The site is accessible by foot and in proximity to identified cycle routes. There is a medium level of transport accessibility with significant potential for additional trips. The proposed parking ratio of 0.65 spaces per flat is within the Council's standards and matches the average level of car ownership within the ward. An assessment of the impact of additional trips on the highways network indicates that there would be no adverse impact on Bromley Road during peak hours.
- 4.18 Noise Assessment (prepared by RPS): The site is within category 'C' of the assessment scheme set out by the government in PPG24 and would provide suitable living standards subject to mitigation. The additional sliding balcony screens would successfully provide the levels of insulation required. The levels of noise in the outdoor amenity areas would be acceptable subject to enclosure of these areas.
- 4.19 Air Quality Assessment (prepared by RPS): The proposal would not compromise air quality at existing residential properties. The site has high levels of pollutants associated with vehicle emissions, but the proposed levels will accord with Government objectives and the site is considered suitable for residential development.
- 4.20 Daylight and Sunlight Report (prepared by Anstey Horne & Co Chartered Surveyors): The proposed development would comply with BRE guidelines with respect to its impact on the church hall and vicarage. Although BRE compliant, there would be some impacts on the residential properties in Radley Court to the rear of the site: no impact at second floor level, minor losses of light at first floor level and further losses at ground floor level. However, the proposed scheme is appropriate.
- 4.21 An affordable housing viability report prepared on an 'open book' basis and was submitted to the Council on a confidential basis (this is explained further in section 7 of this committee report).

5.0 Consultations and Replies

External Consultations

5.1 Transport for London

Initially had serious concerns on the basis of potential conflict between vehicles leaving the site and traffic and pedestrians on Bromley Road. However, on the basis of further research by both the applicant and TfL, the application is acceptable subject to improvement of sightlines for existing vehicles (by way of moving a nearby bus stop) and adding 'keep clear' measures to Bromley Road, at the point where the proposed crossover meets the road.

5.2 English Heritage (archaeology)

A report of an archaeology desk-based assessment was submitted by the applicant to English Heritage, which has advised that it is satisfied with the report's findings. No objections to the development were raised, and no further study is considered necessary.

5.3 English Heritage (conservation)

Has no views on the proposal and is willing to allow the local authority to determine the application.

5.4 Lewisham Primary Care Trust

A model has been used to estimate the likely need to local health resources, based on the number of likely inhabitants of the proposed development. As all facilities within the area are running over capacity, a sum of £129,840 is requested for the provision of health care to the new residents.

Neighbours and Local Amenity Societies

5.5 255 letters of consultation were sent to surrounding properties, as well as notices on site and in the local press. Ward Councillors were also consulted.

5.6 In response, 53 objections were received from owners/occupants at the following addresses:

Allerford Road: 17(x3), 53

Ansford Road: 15

Beachborough Road: 10, 13, 19, 20

Beckenham Hill Road: 20a, 52, 54

Blacklands Road: 41

Brangbourne Road: 60

Brockman Rise: 75

Bromley Road: 375, 382, 386, 394, 403; 12, 14 Langthorne Court; St John the Baptist Church; 7 Caroline Court (398)

Conisborough Crescent: 113, 117

Cotton Hill: 13 (x2), 35(x2), 38, 46, 50, 70, 88

Daneswood Avenue: 36

Haddington Road: 55, 78

Oldstead Road: 6, 14, 35, 60, 102

Somertrees Avenue 3 Napier Court

Southend Lane: 7, 11, 24a

Waterbank Road: 23,

Watermead Road: 4 (x2)

Former Councillor Kisicki

SE London London Branch of the Campaign for Real Ale (Camra)

No address given: x1

5.7 A petition containing 317 signatures was also received. This stated: "We, the undersigned, recognise that the Green Man Public House is an important local landmark and amenity and urge that any proposed redevelopment of the site should be in keeping with the character and scale of the buildings in the immediate area."

- 5.8 Officers were dissatisfied with several aspects of the application as originally submitted and suggested to the applicant that changes should be made, based on both officer and local residents' concerns. Following the revision of the application into its current form in April 2006, officers decided to re-advertise the application by way of site notice, newspaper advertisement and letters to all addresses as originally consulted, as well as those who had submitted comments the first time around. In response, 31 objections were received from owners/occupants at the following addresses:

Beachborough Road: 8, 10, 13, 19, 20, 21, St John Baptist (Southend) Primary School
Blacklands Road: 4, 35, 65
Brockman Rise: 17, 75
Bromley Road: 403, Langthorne Court 14
Conisborough Crescent: 117
Cotton Hill: 4, 13, 38, 46
Crampton Road SE20: 52
Haddington Road: 78
Oldstead Road: 2, 6(x2), 8, 12, 60(x2)
Waterbank Road: 23
Catford Southend Residents' Association
No address given: x1

- 5.9 A third round of consultation was undertaken in September 2006, during which the application was advertised with a local newspaper advertisement, white site notice and letters to previous objectors. The following 72 responses were received from people living within the Borough and surrounding areas:

Allerford Road: 17(x2), 30, 53, 114
Bamford Road: 46, 77
Beachborough Road: 21
Beaconsfield Road: 74
Beckenham Hill Road: 73
Belcroft Close: 8
Benbury Close: 1
Blacklands Road: 2c, 5, 35, 46 (x2), 65
Brangbourne Road: 8, 15 (x2), 26, 85, 121 (x2), 7 Longford House
Broadlawn: 25
Brockman Rise: 23
Bromley Road: 382, 388
Carstairs Road: 28
Chelford Road: 19
Conisborough Crescent: 164, 166, 254 (x2)
Cotton Hill: 10, 12, 22, 30, 88
Crookston Road: 106
Daneswood Avenue: 16, 17, 36, 43
Elmer Road: 58
Haddington Road: 18, 21, 50, 56, 62
Mount Pleasant Road: 5c
Oakshade Road: 5, 14
Old Bromley Road: 134
Oldstead Road: 12, 43, 68, 80, 94
Queensthorpe Road: 4
St Michael's Close: 20

Southend Lane: 7, 12, 20, 24a
Waterbank Road: 12
Watermead Road: 13, 23
Wellmeadow Road: 172
Whitefoot Lane: 79
No address given: x 1
Woodham Road: 36(x2), 37

- 5.10 The following 26 responses were received from people living more than approximately three miles from the site (ie outside the Borough, BR1 and SE9 postcodes).

Beesfield Lane DA4: Beesfield Farm
Carmelite Way DA3: 42
Chipstead Valley Road CR5: 103
Conifer Drive DA13: 15
Hatherley Road DA14: (4 Elswyn House)
Lancing Road BR6: 70
Leaves Green BR9: Wheelgate Cottage
Lynwood Grove BR6: 19
Havelock Road DA13: 69
Norheads Lane TN16: 19a
Oakley Park DA5: 64
Peterstone Road SE29: 37
Preston Drive DA7: 20
Red Street DA13: Aberdeen House
Sermon Drive BR8: 49 (x2)
Sevenoaks Road BR6: 'Romaine' (x2)
Spinney Way TN14: 8 (x2)
Stanswood Road RH8: Stanswood Cottage
Sydney Road DA14: 2
Welling Way DA16: 57
Westmoreland Road BR2: 107 (25 South Hill Court)
Wolds Drive BR6: 14
Woodview Road BR8: 24

- 5.11 The majority of third-round responses were on a pre-printed form or contained standard wording. In total, 497 petition signatures and separate letters have been received. A minority of respondents have submitted more than one signature/objection letter.
- 5.12 Additionally, the Council received a letter of objection from the Catford Southend Residents' Association and a letter of support from a local resident. While there are several issues raised in the letters, the most prevalent areas of concern were the loss of the building and the subsequent effects that this would have on the character of the area, and highway/parking consideration.
- 5.13 All comments received in the three rounds of consultation are summarised in the following paragraphs.

- 5.14 Loss of the Existing Building, Use and Employment Site: It would be better to retain the existing attractive building and refurbish it for an alternative use, or at least retain the shell of the building for residential development. There is already a complete lack of facilities for residents in this area (no cinemas, pools, skating rinks, family restaurants, etc). Insufficient approaches have been made to other pub companies to take on the lease. The building was once a generator of local employment; this would be lost. There are no other local facilities which can provide large function areas. Loss of the building would result in the destruction of a major historic landmark with a high level of local significance, having once been the centre of Southend Village (which is being eroded to the point of extinction). The building and adjacent pond and listed buildings act as a group to preserve a pleasant historic feel to the area. This deprived area is becoming a 'concrete jungle', with little or no investment in improving it, and a continual withdrawal of facilities is changing the area for the worse.
- 5.15 Density of the Proposal: The area is already overpopulated, with insufficient shops and services. Local GPs have closed their lists and schools are oversubscribed. The proposed density is out of keeping with the area. Transport is poor. The rising population of the area means that places to relax, such as The Green Man, are needed by the community.
- 5.16 Design: The proposed development is wholly out of character with the local area and would be incongruous and dominate its surroundings, with the appearance of a ugly box-like office block rather than a residential address. The proposed flat roof would be ugly and impractical, with the possibility of long-term structural problems resulting from leaks. There are too many unsightly blocks of flats in the area – another would be inappropriate, and would set a precedent for others to follow. The previous proposals for the site were refused on the basis of massing, yet the current proposal has three times the proposed floor space of previous schemes.
- 5.17 Lack of Amenity Space: There is no play space for occupants' children – there is already a problem within the area of local children wandering around and causing damage because their properties have insufficient play space.
- 5.18 Impact on the Listed Buildings: The proposed building's appearance is not sympathetic to the listed buildings.
- 5.19 Privacy and Overlooking: The proposed roof garden could compromise the privacy of occupants of Radley Court, as users of the amenity space would be able to directly overlook the property. The church warden of St John the Baptist Church expresses a concern that children in the hall, which is used every day of the week (including after school hours) could be overlooked from the flats and roof garden.
- 5.20 Social Inclusion: The proposed scheme has two entrances, the effect of which would be to separate affordable residents from others and promote exclusion. The Council should not promote such blatant discrimination. Additionally, it would appear that no car parking spaces have been allocated to the proposed affordable flats. There are no similar pub amenities within walking distance – discriminates against pedestrians, elderly and less abled.

- 5.21 Highways Considerations: Bromley Road is notorious for traffic accidents (with the intersection being a 'black spot') and adding more traffic to an already busy road is not supported. The proposed vehicular access would be unsafe, as it is close to a signalled intersection, on a red route, with limited visibility. There is an unsatisfactory level of parking provision. There is parking congestion in nearby roads (partially caused by the car showroom), which are of a poor surface quality, and congestion would be exacerbated by residents without parking spaces, as well as visitors to the building. The high level of cycling provision would lead to more cyclists on the pavement and side streets, which is unsafe for pedestrians. There would be greater conflict between cars and nearby school pupils. The existing car park could remain, without the need for an underground car park, if fewer flats were built. The proposed solution of removing the bus shelter's end panels to remove visibility would lead to a less attractive facility.
- 5.22 Pollution Concerns: The addition of this many people within the area would lead to an increase in noise and air pollution. The environment will not be pleasant for future residents, as the adjoining car sales use creates much noise and disruption, due to car unloaders and lorries.
- 5.23 Proposed Building Materials: The wood cladding would not weather well, and the lavender-coloured screens would make the building look shabby if they were allowed to become dirty and not properly maintained.
- 5.24 Effect on Local Water Infrastructure: The proposal would cause strain on local water supply and sewerage.
- 5.25 Lack of Consultation: A pre-application public meeting organised by the applicants attracted only six people and the level of local consultation/invitation to this meeting was inadequate. Insufficient levels of change and listening to residents' concerns between first and second rounds of consultation.
- 5.26 Site Description: The description on the design statement of the site as "Beckenham Cross" and the assertion that the site was once used as lavender fields, is misleading and inaccurate.
- 5.27 A letter of objection was also received from the former Councillor Kisicki of Whitefoot Ward.
- 5.28 A letter of objection was received from the South-east London branch of the Campaign for Real Ale (CAMRA) stating that public houses such as the Green Man play a vital part in local communities and that its loss is both unnecessary and that the reasons for its demolition are not supported.
- 5.29 One letter of support was received from a resident of Bamford Road. The resident states that she has lived in the area for more than 50 years. Her letter makes reference to a Conservative Party leaflet circulated within the area, which opposed the scheme, and contains the following points:
- 5.30 The façade of the existing building should not be retained. I have always considered it ugly – its mock-Tudor attachments are inappropriate within the context of the area, and it is too dominant. When the pub was built, it was itself completely out of character with the area which still had a feel of the original Southend Village. Anything on the site would be an improvement. Other original

buildings have been demolished, such as the Victorian village school, and the chapel is neglected. Additionally the loss of the village's original cedar trees is regretted. However many of the buildings within the village are likeable – the old vicarage and church, Langthorne Court and Homebase.

Catford Southend Residents' Association

- 5.31 A letter of objection was received from the Catford Southend Residents' Association. The main statements are reproduced in the following paragraphs:
- 5.32 Out of Keeping with Local Context. The modernist, flat-roofed building is out of keeping with the neighbouring pitched-roof buildings and the local area. The proposed development of a square box would position itself next to a Georgian Grade II Listed Building.
- 5.33 Too Dense a Development. Even though the density of the units in the May 2006 proposal has been reduced compared to a previous application, there are still too many people (with consequent activity) concentrated on a small area. There will be a negative impact on St John the Baptist School, which is already oversubscribed, increased demand on local secondary schools, increased waiting lists at the South Lewisham Health Centre in Conisborough Crescent, and increased traffic in and around surrounding roads, particularly Oldstead and Beachborough Roads.
- 5.34 Problems with Access to Bromley Road. There will be access to an already busy commuter route from the development. What will drivers and cyclists do if they want to travel to Catford and Lewisham? There is a central reservation preventing right turns. The Association predicts travel chaos as commuters in cars and on bicycles try to leave the development site. Bromley Road will become increasingly hazardous and an accident hotspot. Although the number of flats has been reduced, the car parking capacity has remained constant. There are 45 car parking spaces for 54 flats. Each flat may have one or two car owners and it is anticipated that the additional vehicles will migrate to the surrounding roads, causing parking problems for local residents.
- 5.35 Loss of a Social Venue. The Green Man Public House, with the Langley Rooms, offered local residents a meeting place for social activities. The proposal takes away another meeting venue in the area. St John's Hall next door is booked during the week for after-school club and youth group meetings.
- 5.36 Loss of Local Heritage. The Green Man Public House is one of the older public houses in the area, which is a landmark site for users of the Bromley Road and beyond. The proposal would erase our local heritage at a stroke, replaced by an unattractive block which adds nothing of character of interest.
- 5.37 Negative Impact on Neighbouring Buildings and Outlook. The proposed development is too close to St John's hall and Rectory. It overlooks these sites and would impact on sight lines. Local residents have expressed horror at the prospect of looking at a block of glass-fronted flats (in shades of lavender) rather than a traditional design. The development represents a design statement seeking to draw attention to itself, and not a building that complements the local area. The design is not meant to blend in with the surrounding buildings or be unobtrusive.

The architect at the public meeting stated that the building is not a pastiche – in fact it would blight our area if it is allowed to be built. Only visiting European architects may recognise the style. For local people, it is an alien concept, unfitting for an area referred to locally as Southend Village.

Councillor Julia Fletcher

5.38 Councillor Julia Fletcher responded to the first round of consultation and raised the following points on behalf of her constituents:

- The development is too large for the site. 65 units is too many and should be reduced significantly to make the development more attractive, liveable and in keeping with the area.
- The modern approach will be very different to other properties.
- The closeness to Bromley Road will lead to noise pollution problems.
- Insufficient car parking with no room for visitor parking.
- The access arrangements would result in dangers on the highway.
- The use of the site for community purposes should be retained.
- Impact of the development on local schools and medical facilities.

(Letters and petition are available to Members)

Local meeting

5.39 The application was the subject of a public meeting, which was held at the Civic Suite on 28 October 2005. The meeting register of attendance was signed by 41 people and the meeting was attended by local residents, Council officers, the applicant/agent, and Ward Councillors. A copy of the minutes is attached as an appendix to this report.

5.40 Design and Conservation Panel commenting on application as originally submitted):

“Whilst the Design Panel welcomed redevelopment of this site, it raised concern over the proposal in highlighting the following issues; sustainability and orientation of the scheme with particular reference to the internal circulation. There was a fear of creating sub-standard accommodation. Grave doubts arose over the amount of natural light and sunlight the units located in the northern corner of the block would receive. The lavender theme illustrating the use of materials/colours was much appreciated.”

Internal consultations

Highways and Transportation

5.41 Unobjectionable, subject to Transport for London's comments.

Environmental Health

5.42 Unobjectionable. Planning conditions should be added to protect future residents against external noise, and existing nearby residents of the effects of construction.

Education

- 5.43 No reply.
- 5.44 All of the above comments have been considered within the assessment of the application.

6.0 Policy Context

Government Planning Guidance

- 6.1 Most of the relevant Government Planning Policy documents are summarised in the Phase II report. However, as the Phase III proposal includes housing, further guidance is summarised below.
- 6.2 PPS 1: Delivering Sustainable Development. PPS 1 states that good design should result in attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning. Planning authorities should plan positively for the achievement of high quality and inclusive design for all development. Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take opportunities available for improving the character and quality of an area and the way it functions should not be accepted. It should be integrated into the existing urban form. Key objectives should include ensuring that developments include optimising the potential of the site to accommodate development.
- 6.3 PPG 3: Housing outlines objectives to ensure a sufficient level of good quality housing is provided for everyone. This includes affordable housing. It strongly encourages the reuse of previously developed land for housing purposes.
- 6.4 PPG 13: Transport includes advice to local authorities to encourage housing development which makes more efficient use of land and “seek greater intensity of development at places with good public transport accessibility such as city, town, district and local centres or around major nodes along good quality public transport corridors.” It also outlines the influence of parking on travel demand and states that development plan policies should set maximum levels of parking for broad classes of development.

The London Plan (2004)

- 6.5 The London Plan and the adopted UDP now both comprise the development plan. It contains various policies which seek to increase the overall supply of housing in London. Among these is Policy 3A.1 which states that the Mayor will seek the maximum provision of additional housing in London towards achieving an output of 30,000 additional homes a year from all sources. Policy 3A.2 (Borough Housing Targets) states that UDP Policies should seek to exceed the figures in Table 3A.1 (in respect of Lewisham the total target is 17,350 with an annual monitoring target of 870).
- 6.6 In respect of affordable housing the London Plan includes Policy 3A.7 which sets overall targets for UDP Policies in respect of the amount of affordable housing provision. The policy states that Boroughs should take account of the Mayor’s strategic target for affordable housing provision that 50% of provision should be

affordable and, within that, the London-wide objective of 70% social housing and 30% intermediate housing and also take account of the promotion of mixed and balanced communities.

- 6.7 Although, inevitably the London Plan Policies are very broad, there is a general encouragement for affordable housing throughout the London area. Policy 3A.8 in the London Plan states that Boroughs should seek the “maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes, having regard to their affordable housing targets (and) the need to encourage rather than restrain residential development and the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.”
- 6.8 Policy 4B.3 and the related table 4B.1 in the London Plan deal with maximising the potential of sites and state that Boroughs should ensure that development proposals achieve the highest possible intensity of use compatible with local context, the design principles in the Plan and with public transport capacity. Boroughs should develop residential and commercial density policies in line with the London Plan, and adopt the residential density ranges set out in table 4B.1, which is a 'Density Matrix' relating proposed residential density, housing type and car parking with various types of location. This is explained in more detail in section 6 of this report.
- 6.9 Policy 4A.7 supports the use of renewable energy and the reduction of pollution from all sources where feasible.
- 6.10 Table 4A.2 in Annex 4 of the Plan sets out the maximum residential car parking standards for development which comprises mostly flats, stating that it should comprise 1 to less than 1 space per unit. The figures are generalised and do not seek to differentiate between open market and affordable housing.

Adopted Unitary Development Plan

- 6.11 The UDP Part II policies relevant to this application are URB 3 Urban Design, URB 18 Preserving Listed Buildings, URB 21 Archaeology, HSG 2 Housing on Previously Developed Land, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development, HSG 6 Dwelling Mix, HSG 7 Gardens, HSG 13 Affordable Housing, HSG 14 Provision of Affordable Housing, HSG 16 Density, TRN 14 Cycle Parking, TRN 26 Car Parking Standards, STC 8 Local Shopping Parades and Corner Shops

7.0 Planning Considerations

Departure from the Unitary Development Plan and previous consideration by Planning Committee (A)

- 7.1 The application was on the agenda for the Planning Committee (A) meeting of 31 August 2006. However, following legal advice received on the day of the meeting, it was decided to withdraw the application from the agenda, as there was some doubt as to whether it constituted a departure from the UDP, on the basis that the proposed density of the development does not accord with UDP policy HSG 16 Density. Further information on density issues are contained within this section of the report (from paragraph 7.44).

- 7.2 As a departure, an application requires to be advertised as such. Additionally, departures which are considered to significantly prejudice the implementation of the Council's development plan are required, under the Town & Country Planning (Development Plans & Consultation) (Departures) Directions 1999, to be referred to the Government Office for London, in order that the Secretary of State can decide whether to exercise her 'call-in' powers.
- 7.3 The legal advice subsequently received on this issue was clear that the application is a departure from the development plan. This anomaly has arisen due to the fact that the UDP was adopted after the London Plan. The Planning & Compulsory Purchase Act 2004 states that where there is an inconsistency between a policy within the development plan documents, the policy which is in the plan which is published, approved or adopted last, shall prevail. The UDP was approved on 16 June 2004 and was adopted on 17 July 2004 and the London Plan was adopted on 10 February 2004. Therefore the UDP is the later plan.
- 7.4 Officers sought a view from the Government Office for London (GOL) on whether the departure was significant enough to warrant referral for consideration by the Secretary of State. GOL provided the following information:

"Our informal view on the basis of the circumstances described in your letter is that the proposed development appears unlikely to significantly prejudice the implementation of Lewisham's development plan. It remains for the Council to take its own view on the matter, seeking its own expert legal advice if necessary."

- 7.5 Consideration of the need for referral should also take into account the High Court decision in *R v Rochdale MBC ex parte Milne* (2000), where Mr Justice Sullivan (a judge experienced in planning matters) said:

"... I regard as untenable the proposition that if there is a breach of any one policy in a development plan a proposed development cannot be said to be 'in accordance with the plan'. Given the numerous conflicting interests that development plans seek to reconcile..., it would be difficult to find any project of any significance that was wholly in accord with every relevant policy in the development plan. ... Numerous applications would have to be referred to the Secretary of State as departures from the development plan because one or a few minor policies were infringed, even though the proposal was in accordance with the overall thrust of development plan policies. For the purposes of section 54A* it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy therein." (*now section 38 of the 2004 Act).

- 7.6 Officers consider that, although the application is a departure from the UDP, it does not constitute a significant departure which requires referral to the Secretary of State.

Main considerations

- 7.7 The main issues in the consideration of this report are:
- Whether the loss of the previous use of the land is appropriate, and if so, whether the principle of residential accommodation is acceptable;
 - Whether the demolition of the existing buildings is appropriate;

- Whether the design of the proposed new building is acceptable;
- Whether there would be any detrimental impact on the nearby listed buildings, or their setting;
- Whether the proposed residential accommodation would provide an acceptable standard of accommodation, both internally and externally, for future residents;
- Whether the proposed building would detrimentally affect the residential amenity of neighbours;
- Whether there are any highways safety concerns; and
- Whether there is acceptable parking provision.

Loss of the Existing Uses

- 7.8 The site previously operated as a public house and restaurant, with function rooms and ceased operation in 2004. A beauty salon continued operating from the site into 2005.
- 7.9 The Council does not have any policies specifically relating to the loss of public houses. As A3 and A4 use classes, the pub and restaurant are considered to be retail-based uses. The pub and restaurant were the dominant use of the site, with function rooms ancillary to the main use.
- 7.10 The site does not fall within a designated town centre or retail area. The Council's retail-based policies concentrate on development within town centres and local retail parades and protect the loss of A1 uses such as essential local services, such as newsagents. Policies based around the loss of jobs relate only to 'B' class commercial uses.
- 7.11 The Council's only policy specific to A3 and A4 uses relate to proposed new uses and the circumstances in which they may be acceptable.
- 7.12 The UDP also contains policies resisting the loss of community and leisure facilities, but would not form a policy ground for the resistance of the loss of pub and restaurant facilities. Although the function rooms within the pub would be a community use, these operated as an ancillary use to the pub and restaurant.
- 7.13 The loss of the shop unit can be assessed under policy STC 8 Local Shopping Parades and Corner Shops, which states that the Council will grant planning permission involving the loss of a Class A1 outside a town or local centre. The shop does not form part of a shopping parade and was not occupied by an essential local use such as a post office or newsagent. There is a local parade 250m north of the site, on the corner of Bromley Road and Southend Lane, which is capable of providing local shopping facilities. In this context the loss of the shopping unit is considered to be acceptable.
- 7.14 The loss of public houses within the borough has been accelerating over recent years. The loss of pubs has been mostly limited to the north of the borough, although there are many more pubs in this area than there are in the south. Downham and Bellingham have very few drinking establishments compared with most areas of London. The recent closure of The Tiger's Head PH means that there are no such facilities within walking distance of the Green Man.

- 7.15 The continued operation of the pub is subject to various market considerations and the closure of the Tigers Head is evidence in itself that the viability of public house operations, especially outside town centres, is of concern to publicans and the breweries. The application site is privately owned and a new pub would not operate unless it was commercially viable. The Sydenham/Downham/Forest Hill Town Centre Manager has noted that many pubs across the country are closing due to consolidation amongst the main operators and that the usual 20-30 year lease contracts are not being renewed. Coupled with high residential land values and a decline in numbers of visitors to such facilities, the numbers of pubs within the borough is decreasing.
- 7.16 The Council encourages the operation of uses which contribute to the night-time economy but the UDP encourages such uses only in town and local centres.
- 7.17 In summary, the loss of pub/restaurant uses are not resisted within the Council's planning policies. Although the loss of this use may be regrettable to the local community, the Council does not have any strong policy grounds to refuse the application on this basis.

Demolition and Heritage of the Existing Buildings

- 7.18 The Town and Country Planning (Demolition – Description of Buildings) Direction 1995 permits the demolition of buildings (without the need for planning permission (unless they contain or adjoin a dwelling). This exemption is also subject to other factors, such as the property's location in a conservation area. However this is not the case in this instance and the building is not listed. Planning permission is not required for the demolition of the building, which could occur at any time subject to the necessary health and safety notifications being undertaken.
- 7.19 Officers are aware that the building is considered to be an important landmark among members of the local community, having once been a focal point of the old Southend village and one of the first public houses to be built in the area, following the relaxation of previous prohibitions imposed by the area's original landowners. With this in mind, officers informally approached English Heritage to enquire into the likelihood of a statutory listing. English Heritage informed that although the building was considered important in a local context, it was not a viable candidate.
- 7.20 During the application's assessment, the possibility of locally listing the building was considered. However as this would not offer any protection against demolition of the building, this was rejected. The Council can direct refusal of applications which would detrimentally affect locally listed buildings, but the reasoned justification of policy URB 20 Locally Listed Buildings of the Unitary Development Plan states that its powers outside conservation areas are limited and that should demolition prove necessary, "a high standard of design, complementing the surrounding area and which outweighs their architectural and historic value, will be required in any replacement building".
- 7.21 The refusal for the previous proposal on the site, noted in paragraph 2.2 of this report, stated that the demolition of the existing group of buildings on the Green Man site is contrary to Council policies. This was true under the previous Unitary Development Plan, when the proposed building was considered to be of a poorer design quality than the existing building. The previous refusal did not refer to the

loss of the pub use, but rather the design quality of the proposed buildings and the effects on the listed building, which was considered to be of greatest importance. The current Unitary Development Plan refers only to demolition in conservation areas and of listed buildings. In any case, officers would be reticent to support the demolition of this building unless a building of similar or better design quality was proposed, and this is considered to be the case in this application. Design considerations are examined below.

Principle of Residential Accommodation

- 7.22 As the site is previously developed land and not specifically identified as a site for development within the Unitary Development Plan proposals schedule, it is considered to be a 'windfall' site. HSG 2 Provision of Housing Sites states that where such a site is not otherwise protected by other policies, housing is the preferred alternative use.
- 7.23 The proposal would also assist in the continuing regeneration of the area and the rehabilitation of the site. One of the reasons for the support of the Council's Design Panel was the prospect of a building more suited to the urban design characteristics of the site. Other policies recognise that new development can have regeneration benefits for the wider community.

Siting and Appearance

- 7.24 The applicant submitted a detailed design statement with the application which explains the process of the design, how it relates to the immediate and wider area, how it interacts with its setting in urban design terms and selection of external materials.
- 7.25 The applicant was advised at pre-application stage that officers would want a building which would provide a suitable termination point for the view down Beckenham Hill Road and reinforced the local node of the traditional location of Southend Village. The applicant was also advised that officers would not support an application which did not provide a design quality which exceeded that of the existing buildings on the site.
- 7.26 The proposal shifts the dominant mass of building on the site towards the junction of Bromley Road and Beckenham Hill Road, when compared with the existing development. It also creates a strong building line along Bromley Road which is not provided by the present site layout. The height is proportionate with the building's width, and is similar to many other buildings in Bromley Road. This is considered to be appropriate in an urban design context.
- 7.27 The use of sliding screens is an innovation which is untested in this borough but used widely in modern European architecture and would provide visual interest to the main façade.
- 7.28 The proposed building would utilise modern design principles and would have a distinctive identity. Although the proposed external treatment is not preferred by many local residents, this is a subjective view and its suitability has been assessed by officers in terms of its relationship with the surrounding environment. The architecture within the local area varies in age and ranges from the adjacent listed buildings through the 1930s terraced homes, 1960s blocks of flats to 1980s

design of Homebase, opposite the site. There is no one dominant style and all of the architecture is a product of its time, being recognisable from the period in which it was built. The Green Man is the exception to this, the present buildings being constructed in mock Tudor style. The proposed building is considered to be high-quality contemporary architecture and does not contain any elements which would be out of place within the local context. The Council's urban design officers and design panel have shown strong support for the appearance and design principles of the building and officers consider that the building will make a positive contribution to the street scene and become a local marker in its own right.

Effect on the listed buildings and their setting

- 7.29 The adjacent listed buildings, (the Church and Hall of St John the Baptist), were listed in 1954. The proposed building would have a cutaway corner on its northern elevation which would preserve views of the listed buildings, from the intersection of Bromley Road and Beckenham Hill Road. Unlike previous recent proposals for the area the present proposal leaves a gap on the site's northern boundary, so as not to impinge on, or be detrimental to, the setting of the listed buildings.

Renewable Energy and Sustainable Materials

- 7.30 The applicant has provided several measures to ensure that the development is sustainable:
- The provision of dual-aspect flats increases the measure of cross-ventilation and decreases the need for powered ventilation measures;
 - The orientation and layout of the flats provides for the majority of living areas to face the sun. Both this and the use of sun pipes and roof lights reduces the need for artificial lighting;
 - The timber used within the development will be from sustainable managed sources;
 - The landscaping scheme will provide large areas of lavender which is low-maintenance and does not require fertilisation;
 - Measures to reduce water usage, such as low-flush toilets and to assist sustainable runoff and drainage within landscaped areas;
 - Provision of an on-site recycling scheme/area for residents.

Suitability of Internal Accommodation

- 7.31 The current design has been substantially altered from the layout of the building as originally submitted. The original scheme proposed single-aspect flats, which would have restricted light access to several of the flats (especially those facing into the rear landscaped area). Additionally, there was some conflict between opposing flats in the corner of the building, in terms of overlooking.
- 7.32 The redesigned internal layout, which was advertised to local residents in the second round of consultation, includes dual-aspect flats, several of which are laid out over two levels. All flats would have suitable light penetration, with some using 'light pipes', which act as long, mirrored roof lights and are effective in providing light several metres below the point of access. These modifications have addressed the initial concerns raised by the Design Panel.

- 7.33 Corridors have been restricted within the revised layout. Previously there was corridor access on all floors. Almost all flats have direct access to outdoor space, either on terraces or balconies. The main access points into the building would appear legible and are logically laid out. Individual access into the family units on ground floor level would be available and add visual interest and greater activity within the street scene at this level.
- 7.34 Overlooking between different flats within the same building was a problem in the application as originally submitted; this has been eliminated through the realignment of windows and repositioning of flats within the building, as well as the use of side balcony screens and restricted openings.
- 7.35 The provision of the screened balcony areas on the front elevation of the building would also act as barriers for noise and air pollution.

External Spaces and Landscaping

- 7.36 The proposed landscaping is considered to be satisfactory and while most of the detail would be provided at approval of conditions stage, the general concept is to have clusters of lavender within separate semi-formal (rear garden) and informal (area near the underground parking access ramp) zones. Additionally, a roof garden is proposed. The landscaping within the rear garden would hide the ventilation areas required by the car park below. It is important that the developer enters into a management contract in terms of landscape maintenance and this aspect would be secured through the S.106 Agreement. Further information regarding the ventilation would need to be provided – officers are keen to ensure that this area would remain usable and not become blighted by disturbance from the car park below.
- 7.37 Provision of external space for the flats is acceptable, with balconies, and access to the rear and roof garden areas, available to all residents.

Provision of Affordable Housing

- 7.38 UDP policy HSG 14 Provision of Affordable Housing states that 35% of new dwellings within major schemes should be negotiated as affordable housing.
- 7.39 Following a request by officers, the applicant submitted a financial viability study to the Council, which was validated by the Council's surveyors. This provides information regarding the site value and viability of the scheme, with several development scenarios presented. The study indicated that provision of the 35% level of affordable housing would result in a loss-making development.
- 7.40 Within its configuration as originally presented to the Council, it may have been likely that the development would have been able to provide an affordable housing component of 35% and remain economically viable to develop. However in this case, officers recognised that there was an opportunity to provide a number of family units, for which there is a strong demand in the borough. The applicant subsequently provided these, which resulted in a reduction of the residential density (explained in more detail in the following section), but also changed the level of affordable housing to be provided.

- 7.41 The study presents the preferred viability scenario as the provision of affordable housing at a level of 21%, comprising 8 ground floor family units. This assumes that these units would have a tenure of socially rented and that the development would attract grant (Housing Corporation) funding. Whilst it would have been possible to allocate a higher number of non family units as affordable, there is a particular requirement to increase the supply of affordable family units.
- 7.42 The proposed affordable units would be among the best-quality units in the development. All would have their own front doors and external amenity area (rear terrace) and could be easily managed by a future RSL partner.
- 7.43 There is obviously a trade off between numbers of affordable housing units (irrespective of unit size) and the provision of good quality affordable family housing. The scheme as a whole has merit in terms of design quality and accommodation standards and would add valuable family accommodation to the Council's housing stock. The fact that the affordable housing would be of a high standard of accommodation is also important.

Density

- 7.44 The proposal would have a density of 556 habitable rooms per hectare (hrha) or 184 residential units per hectare (u/ha), based on a density site area of 0.293 hectares.
- 7.45 The density of 556 hrha is significantly in excess of that normally applied outside Sustainable Living Areas by the UDP. Policy UDP 16 Density sets a recommended density guideline of 180-210 hrha and allows for some variation outside this range, but the development does not fit within any of these categories.
- 7.46 As explained at the beginning of section 7 of this report, the proposed development is considered to be a departure from the UDP, as the proposed density is above the suggested range. The proposed development contains around 100 more habitable rooms than could be provided if keeping within the Council's suggested range of 180-210 hrha. However, officers consider that the density of the development is appropriate in this instance and are also of the opinion that a development of this density would not be prejudicial to the implementation of the Development Plan. This is because the applicants have demonstrated a considered approach to the design of the scheme, the level of car parking and the relationship of the development with its local context (in terms of bulk and mass). All of these are factors which contribute to determining the density outcome of a development.
- 7.47 The London Plan states that development proposals should achieve the highest possible intensity of use compatible with local context. Density guides are based on ranges which vary depending on access to public transport and the character of the surrounding area and proposed development. Table 4B.1 of the Plan states that in urban areas with a Public Transport Accessibility Level (PTAL) of 2 and 3, where the development will be mostly flats and car parking provision is less than one space per unit, a density of between 300 and 450 hrha (or 100-150 dwellings per hectare) would be expected. The site has a PTAL of 3 to 4 and its classification is 'urban' – this is the standard normally applied by officers to Bromley Road. However once away from the road, the character of the area immediately changes to 'suburban' which clearly would need to be taken into

account in terms of scale, mass and relationship. Because of the form of existing development on Bromley Road and its public transport accessibility, it is both logical and reasonable to consider schemes of a higher density than might be appropriate in the suburban streets which adjoin it.

7.48 The building's form was an outcome of extensive pre-application discussions between officers and the applicant. The applicant was advised that any new building on the site should:

- Provide a high-quality development, which exceeds the quality of the current building on the site;
- Respond to the listed buildings on the site to the north;
- Appear in an appropriate context within the street scene; and
- Respect the amenities of neighbouring residents.

7.49 Early pre-application proposals for the site included a tower of up to 12 storeys. Officers rejected these proposals on the basis that they would have represented an overdevelopment of the site, most obviously represented in damage to the street scene. The present scheme is a reflection of officers' aspirations for the site, based both on UDP policy and securing a building with a good design quality which would allow for a good standard of living for future residents. One of the outcomes of this process is that the proposal has a higher density than that recommended within the UDP, for areas located outside designated Sustainable Living Areas.

7.50 Officers believe that the site has the potential to act as a local marker, as the existing building on the site already does. The site is at the terminating point of a significant view along Beckenham Hill Road, and has the potential to be a 'gateway' site for the Borough. It therefore has considerable urban design value. Officers believe that the building effectively meets the challenge of providing such value, and that a proposal with a lower residential density in this location may not satisfactorily address the challenges proposed by the site, nor be appropriate within the context of the street scene. Furthermore, the density as provided within the development allows for a good dwelling mix, the provision of affordable family housing in a decent environment, adequate parking provision, has minimal impact on the residential amenity of adjoining owners, and is appropriate within the street scene.

7.51 The height of the proposed building is around 15 metres, which is similar to the height of the highest part of the Green Man buildings. The new building would appear bulkier, as this height would be achieved throughout 60% of the building, when compared with the existing buildings, where the height is achieved only on the main pub building's mansard roof.

7.52 Importantly, no harm to residents would arise from allowing a higher density development on this site and the proposal would contribute to increasing the housing stock within the Borough.

Residential Amenity

7.53 The only residential properties abutting the application site are those in Radley Court and a vicarage, to the rear of the site. The proposed building has been designed so that the majority of its mass is towards the front of the site, thereby keeping the impact on these properties to a minimum.

- 7.54 The proposal would comply with the parameters set out in "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice", published by the Building Research Establishment (BRE). This has been recognised as a valid tool for assessing daylight/sunlight impact on appeal. The assessment is general only and is carried out by using a 25-degree angle from a potentially affected window, extended upwards from a horizontal position. If there are any obstacles within the angle, it is assumed that light loss will occur. Effects are lessened after a distance of 20 metres, as light dispersal would be greater and is usually considered to be non-existent after 50 metres.
- 7.55 The applicant submitted a daylight and sunlight report which states that the proposed development would comply with BRE guidelines with respect to its impact on the church hall and vicarage.
- 7.56 The report contains diagrams which indicate the additional impact of the proposal on the levels daylight and sunlight reaching Radley Court properties, when compared with the existing building on the site, would also be BRE compliant. There would be some impact on these properties with minor losses of light at ground and first floor levels within the three-storey buildings. However all rooms would continue to receive direct sunlight on all days as at present and while the loss of some residential amenity is regrettable, the effects are not considered to be enough to warrant a refusal of the application. The development is within BRE guidelines even with this loss of light.
- 7.57 The smallest distance between the proposed building and Radley Court is 18 metres, although the majority of the building is separated by a greater distance. The closest proposed habitable room windows are 19 metres, although these are at an oblique angle and would not have a direct view into Radley Court properties, and the closest windows which are parallel with Radley Court are around 30 metres. Council guidelines recommend a minimum distance of 21 metres between directly opposing windows. It is not considered that there will be any unacceptable overlooking occurring between dwellings within the application and neighbouring sites.
- 7.58 The boundaries of the proposed roof garden have been set back from the edges of the building to ensure there is no direct overlooking of adjoining properties.
- 7.59 Comments have also been made that the area to the north of the site occupied by the school and church facilities, would be overlooked. Past appeal decisions have not considered overlooking of semi-private institutions to be a valid reason for refusal of applications, unless the welfare of users would be directly affected. The majority of schools within built-up areas are overlooked by adjoining residential uses.

Highways, Parking and Servicing

- 7.60 Using the standards within UDP Table TRN 1, the maximum car parking provision on the site would be 60 bays. 45 bays have been provided, which is 75% of the maximum level. This proposed level is acceptable to officers, being above the ward average for existing development and within an area which is within walking distance of a town centre, railway station and bus routes. Parking is not available on Bromley Road and although there is on-street parking capacity available on the streets behind the site, this area is not directly accessible, with the closest bays being a 150m walk from the site.

- 7.61 As no parking is allocated on the plans, the Council will require an agreement that at least one bay is provided per family unit, due to the larger size of these units, the greater number of occupants per flat, and the higher UDP level of maximum parking provision per family unit.
- 7.62 Using the standards within UDP Table TRN 2, the minimum bicycle parking provision on the site would be 54 bays. 60 spaces have been shown on the plans, which exceeds the required level and is acceptable.
- 7.63 Transport for London originally had major concerns about the application and objected to increased traffic movement and potential for conflicting traffic movements. In response, the applicant instructed its highways consultant to provide a response which addressed the points raised by TfL, specifically that:
- Vehicle visibility could be improved by relocating the bus stop to the north of the site;
 - A side road treatment such as a raised pedestrian crossing should be used;
 - TfL could prohibit right turns if it wished. Accident data is supplied for the years 2002-2004, during which there were four accidents involving right-turning vehicles in the vicinity of the road intersection. Three of these involved motorcycles;
 - A proposed roadside service bay should allay concerns about access to the site by service vehicles; and
 - Average weekday traffic volumes would be less than that generated by the previous use at the site, as assessed with the TRICS database traffic trips model. There would be a slight increase during the AM peak, but decreases at other times. The average weekday traffic comparison is shown in the table below:

Daily vehicular trips	Arrivals	Departures	Total
Pub/restaurant (36 car parking spaces)	132	131	263
Proposed development (45 car parking spaces)	51	59	110

- 7.64 TfL responded in July requesting further information regarding visibility splays, validation of the transport assessment, and potential for accidents caused by right-turning vehicles. Following further negotiations, TfL agreed to the proposal subject to the following measures being taken:
- Provision of the loading bay;
 - Provision of 'keep clear' indications in the vicinity of the proposed access point; and
 - Provision of alterations to the bus stop to improve sight lines. These alterations would involve moving the shelter to the rear of the footpath, but retaining the stop in its current position on Bromley Road. The shelter would have its end screens and advertisements removed and in the words of TfL would make it 'almost invisible' from the proposed access point.

- 7.65 The proposed alteration to the bus stop would lead to a less sheltered bus stop, which would possibly be less attractive to users. It is clearly in TfL's and the Council's interests to promote the greater use of buses, and the Council will continue to discuss whether any alternative solutions can be found which would increase the comfort of users of this facility.
- 7.66 The proposed refuse collection area is satisfactorily located in terms of distance from the flats, and the proposed raised landscaping around the enclosure would mean that bins would not be visible from flats, and only partially visible from the road. Both TfL and the Council's highways officer have considered the implications of refuse vehicles stopping on the highway to empty bins from the site, and consider that the proposed loading bay would provide an adequate solution to allow servicing of the site.

Planning Obligations

- 7.67 A section 106 agreement will be required in relation to the following:
- The provision of affordable housing;
 - No occupation of the proposed development prior to the agreement / signing of a section 278 highway agreement between the applicant and Transport for London, requiring the completion of the highway works deemed necessary by TfL, namely provision of a servicing/loading bay, works to improve sight lines (including bus stop works) and 'keep clear' road markings;
 - Parking space to be allocated to all family units;
 - Making provision for the formation of a landscape management company to ensure the upkeep of the external spaces within the development; and
 - All legal and monitoring costs associated with the agreement.
- 7.68 The request by the Lewisham Primary Care Trust for additional funding is representative of its general approach in requesting funding when consulted on major applications. This is in line with recent guidance with the Greater London Authority's health unit. While a S.106 contribution would be necessary in the case of a large number of new units, the priorities for funding in this application are affordable housing and safety alterations to the highway network and the financial viability assessment demonstrates that further contributions would make the application unviable.

8.0 Consultations

- 8.1 Officers have considered all replies and all issues raised have been addressed within the Planning Considerations section of this report.

9.0 Conclusion

- 9.1 The loss of the public house would be regretted by the local community, who view it as part of the fabric of the area. However there is no planning justification for the retention of the building within the Unitary Development Plan or other policies. The principle of residential development as the next best use of the land is considered to be appropriate.

- 9.2 The proposed development has been subject to a detailed design process and has a contemporary design which provides a building of appropriate presence and scale on this 'gateway' road intersection. The residential density has been informed by the design approach, rather than the other way round, and is sustainable in that it will not cause major detriment to the residential amenity of neighbours, or to the setting of the listed building or street scene. Although it is a departure from the UDP, it is not considered to be significant enough to prejudice its implementation.
- 9.3 The level of affordable housing to be provided is lower than the standard preferred by the Council, however a number of larger family units, of which there is an acute shortage in new development, would be provided. The findings of a financial viability study, which indicates site acquisition and building costs, along with the cost of providing affordable housing, have been accepted by officers.
- 9.4 Concerns raised by Transport for London over the impact of the proposal on the highway network have been resolved through the use of improved sight lines and provision of a separate loading bay.
- 9.5 In the context of the above and subject to the provision of a section 106 agreement, the proposal is considered to be acceptable.

10.0 RECOMMENDATIONS

10.1 RECOMMENDATION (A)

Authorise officers to negotiate a Section 106 Agreement in respect of:

- (1) The provision of affordable housing;
- (2) To ensure that the development is not occupied until the highway works deemed necessary by TfL have been completed;
- (3) Allocation of parking spaces for each of the three and four bedroom units;
- (4) The formation of a landscape management company to ensure the maintenance of the external spaces within the development and approval of the continuing role of the company; and
- (5) The developer to meet the Council's legal and professional costs associated with negotiating, drafting, finalising and monitoring the Section 106 Agreement.

10.2 RECOMMENDATION (B)

Subject to the completion of a satisfactory Section 106 Agreement, authorise the Head of Planning to **GRANT PERMISSION** subject to the following conditions:-

- (1) B01 Facing Materials – New Buildings
- (2) C10 Site Contamination

- (3) (i) The building shall be constructed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAm_{ax} (measured with F time-weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with windows shut and other means of ventilation provided.
 - (ii) Development shall not commence until details of a sound insulation scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.
 - (iii) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity.
- (4) N10 Dust Minimisation Scheme
- (5) N11 Wheel Washing
- (6) Development shall not commence until a scheme indicating the proposed construction access and exit points on Bromley Road, as well as any areas for worker / contractor parking and the details of any temporary site building, lighting and security measures has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the scheme approved pursuant to this condition.
- (7) N13 External Lighting – Residential
- (8) The dwellings shall not be occupied until the car and cycle parking accommodation shown on the drawings has been provided. Thereafter, the approved car and cycle parking shall be retained permanently for the accommodation of vehicles and cycles of the occupiers of the development.
- (9) H04 Closing of Access
- (10) H02 Vehicular Access (1)
- (11) L04 Planting and Seeding
- (12) Development shall not commence until full details of any gates, fences and boundary walls, and areas of hard landscaping, including the refuse storage area, have been submitted to and approved in writing by the local planning authority. The dwellings shall not be occupied until the said boundary to treatments, hard landscaping and refuse storage area have been erected or installed on site prior to first occupation of any of the units hereby approved.
- (13) No new windows or openings shall be created in the external walls of the building, other than those shown on the approved plans, without the prior written consent of the local planning authority.
- (14) B09 Plumbing or Pipes

(15) The use of the flat roof areas on the building shall be as set out in the application and no development or the formation of any additional door providing access to the roofs of the buildings shall be carried out, nor shall the roof terrace areas be extended onto other areas of the roof, roof garden or similar amenity area, without the prior written consent of the local planning authority.

(16) C11 Construction Hours

Reasons

(3) N08R

(6) H08R

(8) H09R

(12) L01R

(13) B05R

(15) In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policies URB 3 Urban Design and HSG 5 Layout and Design of New Residential Development in the adopted Unitary Development Plan (July 2004).

Informatives

(1) The applicant be 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", or such codes as are applicable at the time that the proposed works are carried out, available from the Environmental Health Office, 2nd Floor Laurence House, 1 Catford Road, Catford, London SE6 4SW Tel No. 020 8314 6789.

(2) Assessment of the sound insulation scheme should be carried out by a suitably qualified acoustic consultant, and should be guided by the advice in PPG24 and comply with the standards given in the current BS8233 for internal noise design levels and BS6472 for evaluation of human exposure to vibration in buildings.