

PLANNING COMMITTEE C

Date of Meeting: **THURSDAY, 17 MARCH 2016 TIME 7.30 PM**

PLACE: **ROOM 1 & 2, CIVIC SUITE, LEWISHAM TOWN HALL, CATFORD, SE6 4RU**

Members of the Committee are summoned to attend this meeting:

**Membership
Councillors:**

**Paul Bell (Chair)
Olurotimi Ogunbadewa (Vice-Chair)
Brenda Dacres
Suzannah Clarke
Maja Hilton
Simon Hooks
Ami Ibitson
Helen Klier
John Paschoud
Jamie Milne**

The public are welcome to attend our committee meetings, however, occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

**Barry Quirk
Chief Executive
Lewisham Town Hall
London SE6 4RU
Date: Tuesday, 8 March 2016**

**For further information please contact:
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Committee	PLANNING COMMITTEE (C)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 17 MARCH 2016

Members are asked to declare any personal interest they have in any item on the agenda.

(1) Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (a) Disclosable pecuniary interests
- (b) Other registerable interests
- (c) Non-registerable interests

(2) Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain.
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member's knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or

- (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council;
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party;
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

(5) Declaration and Impact of interest on member's participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.

- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception);
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt;
- (d) Allowances, payment or indemnity for members;
- (e) Ceremonial honours for members;
- (f) Setting Council Tax or precept (subject to arrears exception).

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Committee	PLANNING COMMITTEE (C)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 17 MARCH 2016

MINUTES

To approve the minutes of the meeting of Planning Committee (C) held on the 4th February 2016.

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Committee	PLANNING COMMITTEE C	
Report Title	34 Doggett Road, SE6 4QA	
Ward	Rushey Green	
Contributors	Rachel Stephenson	
Class	PART 1	17 March 2016

Reg. Nos. DC/15/094596

Application dated 24 November 2015

Applicant Mr A Williams

Proposal The construction of a single storey side infill extension and the installation of a door to the rear of 34 Doggett Road, SE6.

Applicant's Plan Nos. E-01; E-02; E-03 Rev A; E-04 Rev A; E-05; E-06; E-07 Rev A; Flood Proofing Measures Report; Householder and other minor extensions in flood Zones 2 and 3 Questionnaire received 29 October 2015; P-12B Rev B; P-13C Rev C; P-14D Rev D; P-15D Rev D received 5 February 2016.

Background Papers (1) LE/889/34/TP
 (2) Development Management Local Plan (adopted November 2014)
 (3) Core Strategy (adopted June 2011)
 (4) London Plan (March 2015)

Designation PTAL 6a
 Flood Risk Zone 2
 Major District Centre
 Area of Archaeological Priority - Lewisham and Catford/Rushey Green
 Not a Conservation Area
 Not a Listed Building

Screening N/A

1.0 Property/Site Description

- 1.1 The application relates to a two storey terraced single family dwelling located on the eastern side of Doggett Road, approximately 100m from the South Circular Road (A202) and Catford Bridge train station.
- 1.2 The rear of the property is not visible from the public highway. The footprint of the building has a distinctive L-shape due to the presence of a two storey projection which projects 6.1m from the rear wall of the main dwelling house. An original side bay window protrudes from the rear projection. These are character features for terraced properties in the area. The bay window is 700mm deep, with a maximum height of 3.35m and an eaves height of 2.6m. There is a 1.8m width from the side

wall to the boundary shared with No.32 Doggett Road and a 1.1m width from the side bay window to the same boundary.

- 1.3 The property is constructed of London stock brick with a tile roof. In the front, rear and side elevations UPVC casement windows are present.
- 1.4 The rear garden extends approximately 14m from the rear of the main wall, 8m from the rear projection and 5m wide.
- 1.5 The surrounding area is predominantly residential in nature, with commercial units at the southern end of the road.
- 1.6 The site is located within Flood risk zone 2, located approximately 85m from the Ravensbourne River.
- 1.7 The property is not located within a Conservation Area nor subject to an Article 4 Direction. The property is not a listed building, however it is located approximately 100 meters away from the Catford Tavern which is a locally listed building, which is located on the corner of Doggett Road and the South Circular Road (A202).

2.0 Planning History

- 2.1 DC/15/93406: Certificate Of Lawful Development (Proposed) refused for the construction of a roof extension to the main rear roof slope at 34 Doggett Road including the construction of a roof extension to the rear projection together with the insertion of two roof lights to the front roof slope. Reason for refusal:

The proposed roof extension when measured would have a cubic volume of 40.34m³ as a terraced property which would be contrary to Class B of Part 1 of Schedule 2 of the General Permitted Development Order.

- 2.2 DC/15/93408: Planning permission in respect of the erection of a ground floor rear and side infill extension including the erection of a ground floor rear extension to the rear back addition for 34 Doggett Road, SE6. Withdrawn by applicant.
- 2.3 DC/15/094474: Certificate of Lawful Development (proposed) issued in respect of roof extensions in the rear roof slopes and insertion of two roof lights to the front roof slope, at 34 Doggett Road, SE6.
- 2.4 DC/15/094983: Certificate of Lawful Development (Proposed) issued in respect of the construction of a single storey extension to the rear of 34 Doggett Road, SE6.

The extension would be extend from the rear projection. It would measure 3m deep. It would have pitched roof with a 3m maximum height and an eaves height of 2.45m.

3.0 Current Planning Applications

The Proposal

- 3.1 The subject application seeks approval for the construction of a single storey infill extension to the side at the rear and the installation of a door to the rear at 34 Doggett Road.
- 3.2 The proposed extension would cover the existing side return, measuring 6.1m in depth and 1.8m in width. The roof would be pitched with a maximum height of 3m

and at the boundary 2.2m. The extension would include the installation of three rooflights.

- 3.3 The proposed rear extension would be constructed with London stock brick to match existing. The flat roof would be finished in roofing felt.
- 3.4 The additional space created will be used as a kitchen/dining room.
- 3.5 A ground floor UPVC door would be installed into the rear wall of the existing projection. It would replace an existing UPVC window unit.
- 3.6 The applicant has confirmed that the floor levels of the proposed development will be set no higher than the existing levels.
- 3.7 The scheme has been revised following initial amenity concerns. The rear extension from the rear projection has been omitted and the boundary and maximum height of the infill extension has been reduced.

Supporting Documents

- 3.8 The application is accompanied by a Flood Proofing Measures Statement and Flood Risk Assessment.

4.0 Consultation

- 4.1 No pre-application advice was sought.
- 4.2 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.3 A site notice was displayed, letters were sent to adjoining residents and the local ward Councillors.

Written Responses received from Local Residents

- 4.4 Seven letters were received from the occupiers or owners of No. 10, 32, 36A and 36B Doggett Road objecting on the following grounds:
 - Structure will be overbearing and lead to loss of light and outlook from ground floor windows
 - Extending will set an inappropriate standard
 - Detrimental effect on character of this area where light, privacy, outlook and outside space are concerned
 - Size and visual impact
 - Conversion into 7 bedroom property would be unsafe and unsustainable to use the limited services and facilities (ie, water, sewage) to what was built as a 3 bedroom family house
 - Side infill will be built over the shared manhole cover. There have been previous drainage problems.
 - Such a major and long-term construction project will cause serious amenity disturbance
 - This development would be out of character and scale with the property

- Seven bedroom property goes way beyond what a residential property in Doggett Road should support, it would exacerbate parking issues
- We will feel completely entrapped in already narrow space
- The look of a tall concrete structure would be terrifying
- We do not wish to look straight into glass roof when at the top of the spiral staircase
- Utility room will produce noise and pollution
- The proposed extensions, by reason of their size, siting and design would represent an unneighbourly form of development
- The layout and siting is inappropriate and unsympathetic to the appearance and character of the local environment
- Multi-occupancy and not knowing the type of people next door will make us feel vulnerable, especially having children
- Multi-occupancy will be out of character of neighbourhood of family homes

4.5 Since the objections, the applicant has removed the rear extension proposed from the rear projection and the boundary and maximum height of the infill extension has been reduced.

Written Responses received from Local Residents since revised proposal:

- Side-infill extension will impact light on downstairs living areas and outside 'side-return'
- Such a structure less than a metre from my ground floor windows will be overbearing and lead to loss of outlook
- Will have a detrimental effect on privacy
- Size and visual impact of the development
- It is unsafe and unsustainable for at least 7 or as many as 12 to 14 adults to use the limited services
- Side infill construction will be built over the shared single access cover manhole
- A major and long-term project will cause serious disturbance (on Saturday 20 February construction continued after 1pm, contravening the Lewisham Pollution from demolition and construction guidance)
- Converting property from three to seven bedrooms is inappropriate

4.6 The objections relating to neighbouring amenity will be considered as part of the assessment of the application.

5.0 Policy Context

Introduction

5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) 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
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

- Policy 7.4 Local character
- Policy 7.6 Architecture

Core Strategy

5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the

borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan

5.8 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

DM Policy 30 Urban design and local character
DM Policy 31 Alterations/extensions to existing buildings

Residential Standards Supplementary Planning Document (amended 2012)

5.9 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

5.10 Paragraph 6.7 (Rear Extensions) states that when considering applications for extensions the Council will look at these main issues:

- How the extension relates to the house;
- The effect on the character of the area - the street scene and the wider area;
- The physical impact on the host building, and the amenity of occupiers of neighbouring properties;
- A suitably sized garden should be maintained.

6.0 Planning Considerations

6.1 The main issues to be considered in respect of this application are:

- a) Design
- b) Impact on Adjoining Properties
- c) Impact on Flood Risk

Design

6.2 Paragraph 63 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.

- 6.3 Core Strategy Policy 15 states that the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.4 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations and extensions to existing buildings. The retention and refurbishment of existing buildings that make a positive contribution to the environment will be encouraged and should influence the character of new development and a sense of place. Furthermore, building materials used should be of high quality and either match or complement the existing development.
- 6.5 DM Policy 31 Alterations and extensions to existing buildings including residential extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.
- 6.6 DM Policy 31 also states that residential extensions should retain an accessible and usable private garden that is appropriate in size in relation to the size of the property, and retain 50% of the garden area.
- 6.7 The Residential Standards SPD states in section 6.4 that extensions should be smaller and less bulky than the original building and reflect its form and shape. It states that traditionally, extensions to buildings are subsidiary to the main structure and that over-dominant extensions may destroy the architectural integrity of existing buildings.
- 6.8 The proposed extension would cover the existing side return, measuring 6.1m in depth and 1.8m in width. The roof would be pitched with a maximum height of 3m and at the boundary 2.2m. A roofing felt would cover the extension with three rooflights inserted. A UPVC door would replace an UPVC window unit on the ground floor rear wall of the existing projection.
- 6.9 The extension would measure 6.1m in depth along the south boundary. While this is a considerable depth, it would not be visible from the public realm and the extension would not extend further than the original two-storey projection. The proposed extension is considered to be subservient in scale and is not considered to detrimentally impact upon the character of the host dwelling or the surrounding development. In addition, a suitably sized rear garden (over 50% of the existing) would be retained at the property.
- 6.10 The proposed rear extension would be constructed from London yellow stock brick in keeping with the main house, retaining an aspect of similarity between the addition and the host dwelling. The use of UPVC for the rear window and door would match the existing materials and the roofing felt is considered an acceptable modern addition.
- 6.11 In summary, while the extension is relatively deep, Council Officer's are satisfied that the proposal is of an appropriate scale and proportion when compared to the existing

property. The proposed extension and door would therefore not result in any adverse design impact to the subject building or the surrounding area.

Impact on the Amenity of Adjoining Properties

- 6.12 For areas of stability and managed change, Core Strategy Policy 15 states that small household extensions and adaptations to existing housing will need to be designed to protect neighbour amenity.
- 6.13 DM Policy 31 states that residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens. This was an issue of concern raised in public submissions.
- 6.14 The proposed side infill extension would abut the boundary with No.32 Doggett Road. The proposed extension would extend the full depth of the existing rear projection and would fully infill the 1.8m width of the side return, with a maximum height of 3m and boundary wall height of 2.2m.
- 6.15 In terms of amenity impact, it is considered that, since the omission of the rear extension along the northern boundary from the proposal, the impact upon the amenity of the neighbours at No.36A+B would not be significant.
- 6.16 Concern was raised in public submissions that the close proximity and scale of the proposed ground floor rear extension would cause loss of light, loss of outlook, loss of privacy, visual impact and a sense of enclosure to adjoining property, No.32 Doggett Road. Alterations to drainage infrastructure arising from the extension is dealt with under Building Regulations, which the applicant would need to satisfy. In regards to construction disturbance, if this scheme is considered acceptable an informative will be added advising that all construction work should be undertaken in accordance with the "London Borough of Lewisham Good Practice Guide: Control of Pollution and Noise from Demolition and Construction Sites". It outlines the hours of work to safeguard the amenities of adjoining occupiers.
- 6.17 From the site visit, it was clear the property's main use was as a single dwellinghouse. In the Lawful Development Certificate (DC/15/094474) issued for a roof extension, it details that five bedrooms would be included within the layout. In regards to the multi-occupancy concerns, a dwellinghouse C3 includes "not more than six residents living together as a single household where no care is provided to residents". Therefore, due to the use class of the property not changing, it would be considered permitted development.
- 6.18 A revised maximum and eaves height of the extension's roof is now proposed. There would be a change in the outlook, visual impact and the amount of daylight experienced through the side windows and garden area. It is considered that No.32's side windows do not currently receive a significant amount of daylight due to the small separation between both two storey projections. There would be some increased sense of enclosure when viewed from the side ground floor units of the neighbouring property. However, given currently a 2m high fence separates the properties, a revised eaves height at 2.2m would not give rise to an unacceptable impact. These properties have wider garden areas to the rear and there is a window located on the rear façade of the projection that would not be impacted. Therefore, the level of change would be minor and not affect all of the habitable ground floor rear

rooms or the rear main section of the neighbouring garden, which measures 7.5m deep.

6.19 As the new door proposed on the rear elevation would replace an existing window unit, Officers consider there to be no material impact on privacy.

6.20 In light of the above, the proposed development is considered to be acceptable with regard to neighbouring amenity.

Impact on Flood Risk

7.0 London Plan Policy 5.12 requires that all development proposals comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical Guidance on flood risk¹ over the lifetime of the development and have regard to measures proposed in Thames Estuary 2100 (TE2100 – see paragraph 5.55) and Catchment Flood Management Plans.

7.1 Core Strategy Policy 15 requires applicants to demonstrate that their proposal will deliver a positive reduction in flood risk to the borough. This must be reflected through the inclusion of a flood risk assessment for the site that clearly and concisely summarises how this reduction in flood risk will be delivered.

7.2 The Residential Standards SPD states in section 2.5 that flood risk assessments are required for developments that are identified to be in flood plain.

7.3 The applicant has submitted a flood risk assessment in accordance with Environment Agency Guidance. The applicant has confirmed that the floor levels within the proposed development will be set no lower than existing levels and that flood proofing of the proposed development has been incorporated where appropriate.

7.4 The proposed extension is classed as a minor extension by the Environment Agency. When assessing increase in flood risk the cumulative effect of increased permeable surface within the Borough must be considered. While there are a few rear extensions on Doggett Road and the surrounding area, the increase in permeable area by 9.2m² (through the construction of the rear extension) would be unlikely to give rise to a significant increase in flood risk in the Borough.

7.5 Based on the above the proposed rear extension would not give rise to a significant increase in flood risk in the Borough.

8.0 Equalities Considerations

8.1 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 8.4 In this matter there is no impact on equality.

9.0 Conclusion

- 9.1 The Local Planning Authority has considered the particular circumstances of the application against relevant planning policy set out in the Development Management Local Plan (2014), the Core Strategy (2011) London Plan (March 2015) and the National Planning Policy Framework (2012).
- 9.2 It is considered that this particular proposal represents an acceptable development as its scale, design and materials are appropriate to the main property and surrounding area, would not have an unacceptable impact on the amenities of the neighbouring occupiers and the flood risk area.
- 9.3 As such, the proposal is recommended for approval, subject to conditions.

10.0 RECOMMENDATION GRANT PERMISSION subject to the following conditions:

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

E-01; E-02; E-03 Rev A; E-04 Rev A; E-05; E-06; E-07A Rev A; Flood Proofing Measures Report; Householder and other minor extensions in flood Zones 2 and 3 Questionnaire received 29 October 2015; P-12B Rev B; P-13C Rev C; P-14D Rev D; P-15D Rev D received 5 February 2016.

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. (a) The development shall be constructed in those materials as submitted namely: walls - London Stock brick to match existing, roof - roofing felt, windows and doors - UPVC white frame to match existing and in full accordance with Flood Proofing Measures Report; P-12B Rev B; P-13C Rev C; P-14D Rev D; P-15D Rev D.
- (b) The scheme shall be carried out in full accordance with those details, as approved.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

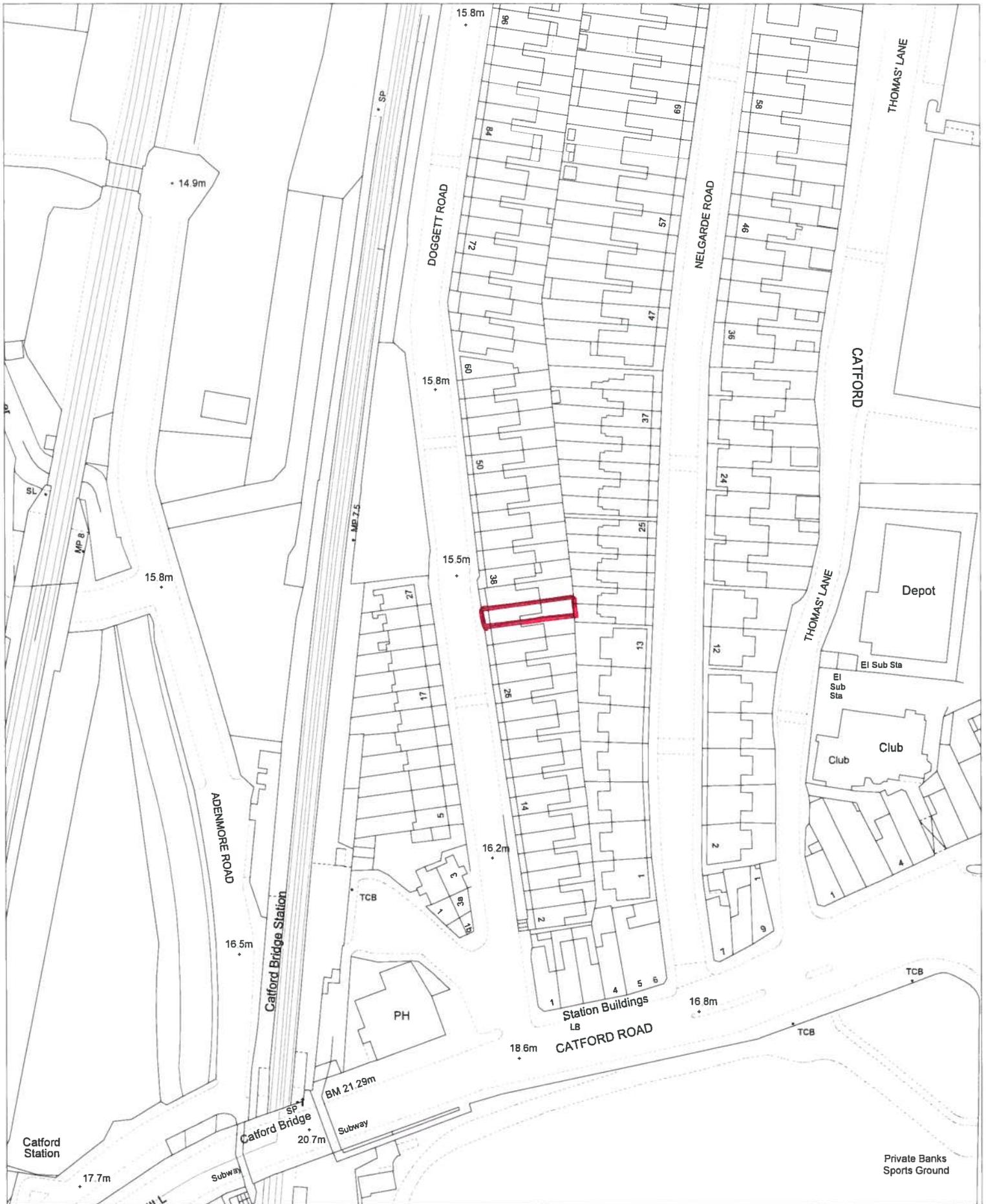
Informatives

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

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34 Doggett Rd, SE6



Scale: 1250
Base on the
Ordnance Survey map
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Committee	PLANNING COMMITTEE (C)	
Report Title	Restaurant Unit, Bell Green Retail Park, Bell Green SE26	
Ward	Bellingham	
Contributors	Geoff Whittington	
Class	PART 1	Date: 17 March 2016

Reg. Nos. DC/15/094209

Application dated 25.10.2015

Applicant Savills (UK) Limited on behalf of McDonald's Restaurant Ltd

Proposal An application submitted under Section 73 of the Town and Country Planning Act 1990 for a minor material amendment in connection with planning permission (DC/13/82885) dated 25 June 2013, and amended 11 April 2014 (DC/13/84572), for the construction of a single-storey building to provide a McDonald's restaurant (Use Class A3/ A5), at Bell Green Retail Park fronting spine road, Land at former Bell Green Gas Works, Bell Green SE26, **in order to allow the deletion of Condition (15) to enable the restaurant to trade 24 hours a days, seven days a week.**

Applicant's Plan Nos. Site Management Plan (Savills); Covering letter dated 25 October 2015; OS Map

Background Papers (1) Case File LE/214/21/TP
(2) Local Development Framework Documents
(3) The London Plan
(4) The NPPF

Designation Development Site, Area of Archaeological Priority, Flood Risk Zone 3, PTAL 2/3, Adj to Metropolitan Open Land, Local Open Space Deficiency, Adj. to Waterlink Way SNCI, Not Conservation Area, Not Listed.

1.0 Property/Site Description

- 1.1 The application site lies within the Bell Green Retail Park and is currently occupied by a McDonalds restaurant. The restaurant accommodates a maximum of 85 customers, providing up to 65 employee roles, including 40 full time posts.
- 1.2 The restaurant operates between the hours of 06.00 and midnight 7 days a week, and was granted permission in 2014 for a drive-thru service.

- 1.3 31 car-parking spaces are provided within the McDonald's site, which is accessed from spine road and the main retail estate car-park. Ten dry and secure bicycle spaces are also provided.
- 1.4 The site forms part of an extensive site formerly known as the former Bell Green Gas Works. The Gas Works site has been divided into three phases.
- 1.5 The Phase I land was developed to provide a Savacentre hypermarket (now trading as Sainsbury). The existing retail unit is located close to the eastern boundary of the site adjacent to the River Pool. There is a large car park located in front of the store accessed from spine road leading off Perry Hill.
- 1.6 The Phase II land is the area between the gas holders and the linear park/river, to the north of spine road and the Sainsbury store. This is the largest phase of the Bell Green site with a site area of approximately 6.3ha.
- 1.7 Phase II provides retail and employment floorspace, located on a east-west axis towards the western end of the site closest to the gas holders. The retail units occupy approximately one half of the site towards the northern boundary, with car parking for 460 vehicles in front of the retail units on the southern section of the site, accessed from the spine road. The current application site lies within Phase II.
- 1.8 The Phase III site is located to the west of the application site, fronting Bell Green, and provides a commercial building currently occupied by SportsDirect, with a block of residential units to the south, accommodating 20 self-contained flats. Further to the south is a residential building comprising 32 one bedroom flats and 104 two bedroom flats.
- 1.9 The Bell Green site lies in an area of mixed use and character, comprising residential properties to the north (Silver Birch Close and Selworthy Road), Livesey Memorial Hall (Listed Grade II), tennis courts and bowling green to the northwest, residential development to the east, Staunton Industrial Estate to the south and residential development to the west, on the opposite side of Bell Green and Perry Hill.
- 1.10 To the west and south of this site are Bell Green and Southend Lane, leading to Staunton Way. These are busy routes linking Sydenham, Catford, Beckenham and Bromley.
- 1.11 The site is not located within a conservation area, and does not lie near any listed buildings.

2.0 Planning History

- 2.1 On 25 June 2013, permission was granted for the construction of a single storey building to provide a McDonald's restaurant (Use Class A3/A5), at Bell Green Retail Park, fronting spine road, Land at former Bell Green Gas Works, Bell Green SE26, comprising 316sqm gross internal floor space, access, 31 car spaces, 10 covered cycle spaces and associated soft landscaping. (DC/13/82885)
- 2.2 On April 8 2014, permission was granted in respect of a Section 73 application for a minor material amendment in connection with planning permission (DC/13/82885) in order to allow the construction of a drive-thru lane.

3.0 Current Planning Application

- 3.1 The S73 Minor Amendment application relates to Condition (15) of the planning approval (DC/13/84572), which stated that the McDonald's restaurant shall not be open before 6am or after 12am on any day. The operating hours were requested by the applicant, and have been adhered to since opening in 2014.
- 3.2 The current application proposes that Condition (15) be deleted to allow the restaurant and drive-thru to operate 24 hours a day, seven days a week.
- 3.3 The Site Management Plan submitted as part of this application advises the proposed 24 hour operation would not change the existing delivery servicing hours, which are currently between 7am and 8pm Mondays to Fridays, and 8am and 1pm Saturdays.
- 3.4 The applicant has advised the proposed extension of hours would create up to 20 additional on-site jobs.

4.0 Consultation

Neighbours and Local Amenity Societies

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and that required by the Council's adopted Statement of Community Involvement.
- 4.2 A site notice was displayed, letters were sent to residents in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents

- 4.3 Four letters received from residential occupiers, objecting on the following grounds;
- Existing anti-social behaviour will increase;
 - Noise concerns;
 - Additional litter;
 - Impact upon residential amenity;
 - Young people on motorbikes congregate regularly around the McDonalds site.

(Letters are available to Members)

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority shall have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and

- (c) any other material considerations.

A local finance consideration means:

- (a) 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
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

- 5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

- 5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

The London Plan (2015)

- 5.6 The London Plan policies relevant to this application are:

Policy 3.2 Improving health and addressing health inequalities
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.13 Parking
Policy 7.4 Local Character

Core Strategy

- 5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the London Plan and the Development Management Local Plan (2014), is the borough's statutory development

plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1	Lewisham Spatial Strategy
CS Policy 20	Delivering educational achievements, healthcare provision and promoting healthy lifestyles

Development Management Local Plan

5.8 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:-

DM Policy 17	Restaurants and cafés (A3 uses) and drinking establishments (A4 uses)
DM Policy 18	Hot food take-away shops (A5 uses)
DM Policy 26	Noise and vibration
DM Policy 29	Car parking

6.0 Planning Considerations

6.1 The main issues to be considered in respect of this application are:

- a) Principle of extending the operating hours;
- b) Impact upon amenity;
- c) Anti-social behaviour;
- d) Highways and traffic issues;
- e) Health implications.

Principle

6.2 The application site is occupied by an established fast food outlet with restrictive operating hours between 6am and midnight. There is no principle policy objection to the proposed extension of operation to 24hr, considering the NPPF supports sustainable economic growth. In this case therefore, the main issues to consider are neighbour amenity implications, anti-social behaviour, health implications and highways matters.

Impact upon amenity

6.3 DM Policies 17 and 18 state the Council will consider proposals for restaurants (A3) and hot food takeaways (A5) where it is demonstrated there would be no harm or loss of amenity to the living conditions of nearby residents, including that created by noise and disturbance from other users and their vehicles, smells, litter and unneighbourly opening hours.

(i) Noise

6.4 The applicants have advised they expect the restaurant would experience increased 24hr trade on Fridays and Saturdays, whilst less so during the week. Due to the

location of the restaurant within a retail park, it would be more likely to attract customers who drive rather than people passing by on foot, with a high proportion of customers being local residents, taxi drivers, shift workers or emergency service crews. It would be unreasonable to assume the 24hr use would necessarily attract customers seeking to cause anti-social behaviour or significant noise.

- 6.5 The applicant has advised that a Noise Impact Assessment (NIA) has not been undertaken in this case as it is located in an entirely commercial area with the nearest residential properties being located approximately 180m away from the restaurant to the west of the Bell Green site, whilst the local highway network experiences high levels of traffic volume throughout the day and night. In addition, the nearby Sainsburys operates 24hrs during the week. Therefore, the constant activity within the immediate area contributes to high background noise levels and an NIA in this case is considered unnecessary.
- 6.6 Environmental Health have been consulted, and they agree that a Noise Impact Assessment is not required due to the nature of the site, and the considerable distance between the restaurant and existing residential occupiers.
- 6.7 The applicant has prepared a Site Management Plan (SMP) in order to ensure that the extended hours of operation would not result in any unacceptable impact on existing levels of amenity, including provisions relating to noise and anti-social behaviour, 24hr security, CCTV and litter.
- 6.8 The SMP also advises that the extended hours of operation would not alter the existing delivery servicing arrangements. Condition (14) of the original consent restricted such activity to between 7am and 8pm Mondays to Fridays, and 8am and 1pm Saturdays.

(ii) Anti-Social Behaviour

- 6.9 A number of residents have raised objections that a 24hr McDonald's would serve to further exacerbate existing problems being experienced during evenings whereby young people congregate on spine road to race cars and motorbikes unlawfully, with the revving of engines causing disturbance.
- 6.10 Officers are aware this has been an ongoing issue for a number of years, prior to McDonald's opening. The main reason why spine road is popular for such activity is due to the area being relatively quiet once the retail units have closed, whilst the 'dead end' highway is rarely used apart from buses terminating there. This activity does not occur in the main retail car-park as barriers prevent access at set times. A second barrier restricting access to the main retail site was installed in November 2015 due to fly tipping.
- 6.11 There is no barrier between spine road and the McDonald's site, however any form of racing is unlikely there as the car-park is too small for such activity.
- 6.12 There is no evidence to suggest that McDonald's is either a cause of the problem, or would increase such activity should 24hr use be granted. The Police are aware of the 'boy racers', and are seeking to find a resolution, however they have attributed no blame to McDonald's, and raise no objections in principle to the proposed 24hr use. The Franchisee has worked closely with the local Police and other retailers to ensure appropriate security measures are in place to ensure against anti social behaviour.

6.13 Officers do not therefore consider the 'boy racer' incidents to be sufficient reason to refuse permission in this case.

(iii) CCTV

6.14 The applicant has advised that additional cameras have recently been installed on spine road by the Council in order to increase security for the restaurant and the wider area.

6.15 At the time of granting permission for the drive-thru, it was established that camera provision around the site was already appropriate, including a comprehensive full HD CCTV system that records a minimum of 28 or 31 days per month (as required by Premises Licence). The cameras include facial recognition on entry to the restaurant, extensive coverage of the public areas, manager's office, back door and other key areas internally and externally for reducing crime and disorder.

6.16 An audio / visual monitoring system (part of the full CCTV system) linked to a control centre is also in place in order to assist in protecting staff and customers using the restaurant. All managers are trained in conflict management, whilst security department support is available 24hrs a day to deal with any other issues or concerns.

(iv) Odours

6.17 The proposals would extend the period for cooking on the premises and therefore extraction would be in use for a longer period. Officers are unaware of any significant odour issues arising from the existing operation during peak hours of custom, therefore it is not expected that any significant impact on amenity would occur as a result of odour during quieter periods of use in the night.

6.18 Existing ventilation equipment would be retained in full accordance with specifications formally granted by discharge of condition.

(v) Pollution from Vehicles

6.19 It is acknowledged that customers using the drive-thru during the early hours would mean idling vehicles omitting exhaust fumes, however considering the levels of vehicular movement during the night would not be expected to be significant, the extension in hours of operation would be unlikely to give rise to harmful levels of emissions.

Other Measures

6.20 Signage would be placed around the restaurant and car park, requesting that customers should be respectful of neighbours, keeping noise to a minimum when leaving the premises. This has been proposed as an additional measure for the restaurant operating 24 hours and aims to prevent any anti-social behaviour occurring at the site.

6.21 The restaurant has confirmed that if the extended hours are approved, they would consider increasing the frequency of litter picks which takes place at the site every hour between 5am and 11pm, ensuring that litter attributed to McDonald's and general litter would be collected during the night.

- 6.22 Existing lighting within the McDonald's site comprises six, 5 metre high single column mounted floodlights, one 5 metre high double column mounted floodlight, and a 2.2m high 'galvanised lamp head'. The applicants consider this assists in deterring any anti-social behaviour within the grounds of the restaurant, whilst officers remain satisfied that sufficient measures are in place to reduce light spillage.
- 6.23 The existing speaker volume level of the customer order display unit that serves the drive-thru can be programmed to a lower setting during the night hours, thereby reducing any potential harm to neighbouring amenity.

Highways

- 6.24 The Council's Highways officer is satisfied that the proposal would not result in any highway safety concerns or significant increase in traffic. The site is suitably accessed from Bell Green, whilst the site provides sufficient customer parking.

Health Implications

- 6.25 DM Policy 18 considers the impact of new hot food takeaways upon health to be a material planning consideration, for example restricting the number of takeaways in a shopping parade, or where schools are located nearby. In this case, the restaurant has been in operation since 2014, there is no over-proliferation of such 24hr uses within the immediate area, whilst the proposed extension of time would fall outside the hours of operation of any local schools. It is therefore considered that a refusal on the basis of health implications would be unreasonable in this case.

Planning Conditions

- 6.26 Considering the current application is seeking a minor amendment of an approved scheme, the original planning conditions remain applicable, albeit amended to reflect those that have already been formally discharged. Details relating to ventilation equipment, noise, external lighting and cycle parking were formally submitted to the Council in 2014, and were considered by officers to be acceptable.

7.0 Equalities Considerations

- 7.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

7.4 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

8.0 Conclusion

8.1 Officers consider that the proposed 24hr use would have no significant impact upon the amenities of neighbouring residential occupiers, due in part to the considerable distance of the restaurant away from the nearest dwellings. On examination, there is insufficient evidence to suggest that the additional hours would give rise to significant, demonstrable harm upon the immediate area by way of anti social behaviour.

8.2 The applicant has provided a Site Management Plan that acknowledges key areas to ensure the extended hours of use would be operated appropriately, whilst the site already benefits from sufficient CCTV provision and security measures.

8.3 The restaurant currently adheres to planning conditions in respect of delivery/ servicing, ventilation, noise and external lighting, which would be applicable to the extended hours of operation.

8.4 In addition, the extension of hours would have a positive impact upon local employment by creating up to 20 additional jobs.

8.5 For these reasons, it is therefore recommended permission be granted.

RECOMMENDATION

GRANT PERMISSION, subject to the following conditions;

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

LS-08 Rev B, 1826-P-145, 1826-P-146, 1826-P-147, 1826-P-148, 1826-P-149, H7713/02A, 05F, 23G, Site Location Plan, Transport Statement, Planning Statement, Design & Access Statement, Breeam Report, Transport Statement, 'Our Food, Nutrition and Sourcing' and Letter dated 14 May 2013; covering letter (Savills) dated 25 October 2015; Site Management Plan (Savills) received 27 October 2015.

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.

2. 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 BS4142:1997.

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

3. Prior to commencement of the 24hr use hereby granted, details shall be submitted to and agreed in writing in respect of the operation and use of the control barriers, including how the vehicular access route and relationship with the retail car parking area would be managed.

The measures specified in the approved details shall be maintained thereafter.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

4. The refuse facilities hereby approved shall be permanently retained and maintained thereafter.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with 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).

5. All cycle parking spaces approved under Application DC/13/84572 shall be retained 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).

6. 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).

7. The external lighting shall be permanently maintained in accordance with the specification details approved in DC/14/86563.

Reason: In order that the local planning authority may be satisfied that the lighting is 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).

8. No deliveries shall be taken at or despatched from the site other than between the hours of 07.00 and 20.00 on Mondays to Fridays, 08.00 and 13.00 on Saturdays, or at any time on Sundays or Public Holidays.

Reason: In order to safeguard the amenities of adjoining residents and to comply with Paragraph 120 of the National Planning Policy Framework, and DM Policy 26 Noise and Vibration of the Development Management Local Plan (November 2014).

9. (a) The building hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.

(b) Prior to commencement of the 24hr operation hereby granted, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable

energy, 5.15 Water use and supplies in the London Plan (2011) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

10. Evidence shall be submitted within 6 months of first commencement of the 24hr operation to demonstrate compliance with the proposed Site Management Plan.

Reason: To ensure that the intensity of the operation does not cause an unacceptable loss of amenity to neighbouring residential properties.

11. The ventilation system shall be permanently maintained in accordance with the specification details approved in DC/14/87328.

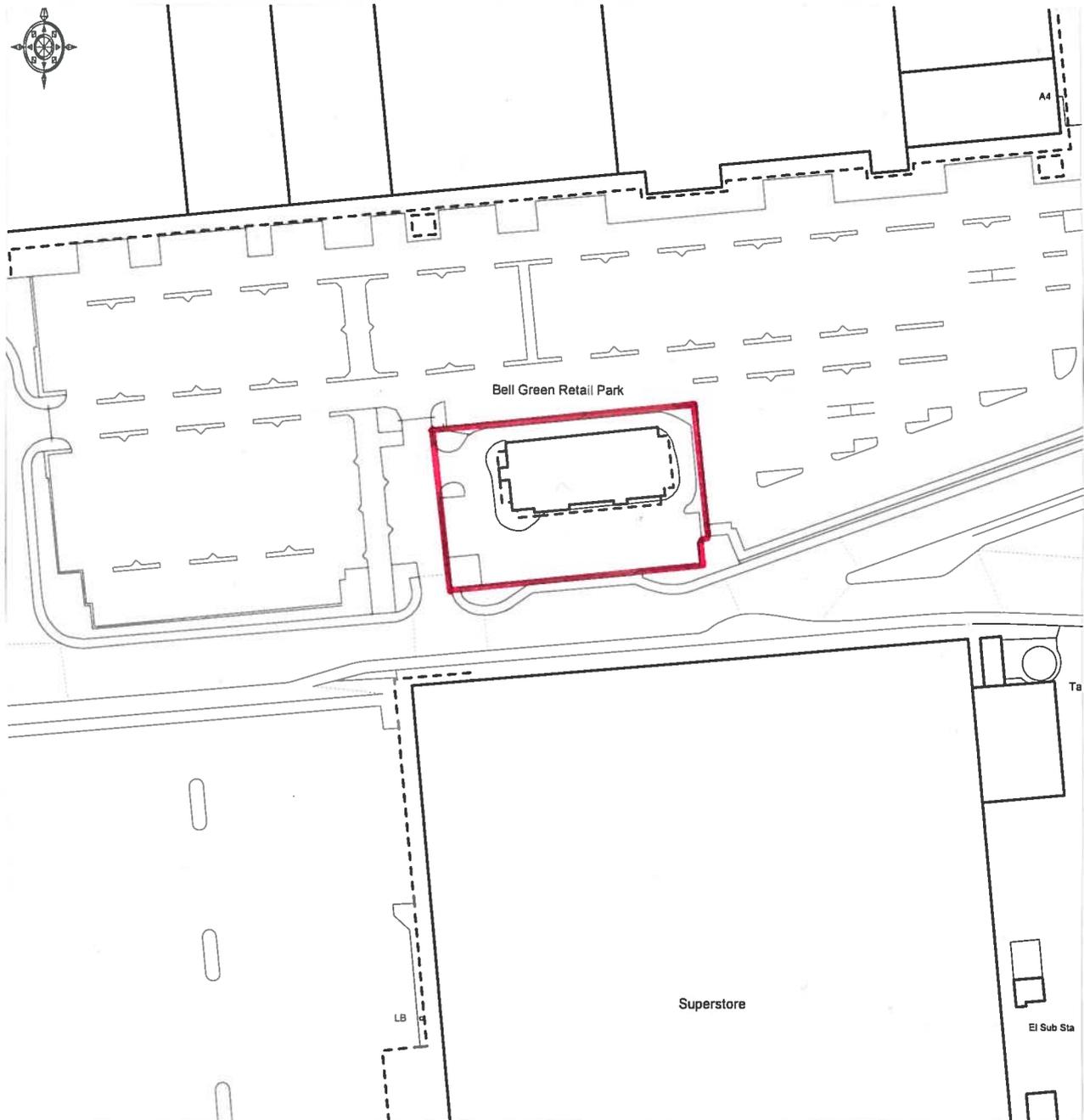
Reason: To safeguard the amenities of neighbouring premises and the area generally and to comply with Policy 17 Restaurants and cafes (A3 uses) and DM Policy 18 Hot food take-away shops of the Development Management Local Plan (November 2014).

INFORMATIVE

- (1) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought. However, as the proposal was considered to be in accordance with the Development Plan, permission could be granted without any further discussion.

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Bell Green Retail Park, SE26



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Committee	PLANNING COMMITTEE C	
Report Title	93 Drakefell Road, SE4	
Ward	Telegraph Hill	
Contributors	Maeve Wylie	
Class	PART 1	17 th March 2016

<u>Reg. Nos.</u>	DC/15/94806
<u>Application dated</u>	11.12.15
<u>Applicant</u>	Ellen McBride
<u>Proposal</u>	The construction of a single storey rear extension and extension to rear roof slope, insertion of 1 rooflight on the rear roof slope and 2 on the side roof slope, together with the creation of a lightwell and insertion of 3 windows to the front of the property at basement level. The proposal will also include the excavation of the rear garden to provide stepped access down to the basement level at 93 Drakefell Road, SE4.
<u>Applicant's Plan Nos.</u>	Heritage Statement; Design and Access Statement; 428-100-A Rev P01; 428-100-B Rev P01; 428-101 Rev P01; 428-102 P01; 428-103 Rev P01; 428-104 Rev P01; 428-105 Rev P01; 428-110 P01; 428-111 Rev P01; 428-120 Rev P01; 428-201 Rev A; 428-202 Rev A; 428-203 Rev A; 428-204 Rev A; 428-220 Rev A; 428-301 Rev A (Received 11 December 2015) 428-205 Rev B; 428-206 Rev A; 428-210 Rev B; 428-211 Rev B; 428-212 Rev B; 428-300 Rev B; 428-106 Rev A (Received 5th February 2016)
<u>Background Papers</u>	(1) This is Background Papers List (2) Case File LE/46/93/TP (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	Telegraph Hill Conservation Area and Article 4 Direction

1.0 Property/Site Description

- 1.1 The site comprises a two storey, with basement, semi-detached single family dwelling located on the northern side of Drakefell Road, with the rear of the property facing onto properties on Pendrell Road.
- 1.2 The property has a distinctive L-shape due to the presence of a two storey projection which projects 8.6m from the rear wall of the main section of the house. This is characteristic for the majority of the properties on Drakefell Road.

- 1.3 The dwelling, like the majority on this road, has a basement level served by a high level window to the front which limits the amount of light coming into the basement area.
- 1.4 The property is constructed of London stock brick with a tile roof. In the front, rear and side elevation are sliding sash timber frame windows. To the front elevation there is a recessed door to one side with two storey canted bays to the other side.
- 1.5 The surrounding area is predominantly residential in nature.
- 1.6 The property is located within the Telegraph Hill Conservation Area and is subject to an Article 4 Direction. It is not a listed building. The PTAL is 4.

2.0 Planning History

- 2.1 None

3.0 Current Planning Application

- 3.1 This planning application relates to a number of different proposals to the host building of 93 Drakefell road, described below.

Single storey extension

- 3.2 A single storey rear extension would extend the existing conservatory. It would extend along the boundary with No. 95 Drakefell Road by 1.5 and would be finished with London stock brick to the east elevation and glass to the rear and west elevations and roof on a black steel frame. The highest point of the rear extension would be 2.7m, on the boundary with 95. The mono pitch roof would fall to the west where it would have an eaves height of 2.5m.

Rear roof extension

- 3.3 A dormer extension to the rear roof will be constructed to provide additional living space. There will also be a roof light on the rear roof slope and two roof lights to the side roof elevation. The rear dormer will be finished in zinc and include a timber sliding sash window. No alterations are proposed to the front slope.

Light well and three new windows to basement level front elevation

- 3.4 This aspect of the proposal would include the creation of a light well, with a length of 3m, width of 1.15m and depth of 0.6m, to the front elevation as well as three sliding windows to provide light to the basement level room. Materials to include white rendered wall, coping in sandstone and timber windows to the rear all of conservation design.

Excavation and creation of stairwell

- 3.5 The proposed stairwell would be located to the west of the rear extension, requiring excavation of part of the rear garden, and would provide access to the basement level from the rear garden.

Supporting Documents

- 3.6 Heritage Statement & Design and Access Statement

4.0 Consultation

- 4.1 Fourteen neighbouring properties and Telegraph Hill Ward Councillors were notified. A site notice was displayed and press advert.
- 4.2 The Telegraph Hill Society, Amenity Panel Societies and the councils Conservation Officer were also consulted.
- 4.3 The Telegraph Hill Society objected to this proposal. Their points are summarised below:

Rear roof extension and roof lights

- The rear dormer and roof lights will be visible from Pendrell Road due to the height difference between the two roads.
- Rear dormers are not a feature within the Telegraph Hill Conservation Area.
- The rear dormer does not match up in alignment to the lower ground windows which is contrary to policy.
- Roof lights on the property would detract from the area, particularly at night.
- The rear roof light window's shape and size are out of keeping with the property's existing windows.

Single Storey ground floor extension

- Rear single storey extension with the loss of existing fabric is unacceptable.

Light well and windows

- No properties within this terrace have front basement windows or light wells and its introduction would affect the architectural integrity of the row of houses.
- The front garden is extremely short and the light well and windows will be very clear to pedestrians. Little will remain of garden if light well is approved.

- 4.4 The Amenity Societies Panel objected to this proposal stating:

“The Panel objects to the demolition of existing fabric this proposal involves. The replacement conservatory is wholly out of keeping with the building. The resized rear windows are poorly considered and are potentially visible from public viewpoints. The proposed light well means that the property no longer matches with the neighbouring property and affects the symmetry of this pair of semi-detached buildings.”

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

5.2 A local finance consideration means:-

- (a) 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
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

5.3 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

5.4 National Planning Policy Framework

5.5 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

5.6 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

5.7 London Plan (March 2015)

5.8 The London Plan policies relevant to this application are:-

Policy 5.4 Sustainable design and construction

Policy 7.4 Local character

Policy 7.8 Heritage assets and archaeology

5.9 Core Strategy

5.10 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:-

Spatial Policy 2 Regeneration and Growth Areas

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

5.11 Development Management Local Plan

5.12 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:-

DM Policy 1 Presumption in favour of sustainable development

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

5.13 Residential Standards Supplementary Planning Document (August 2006)

5.14 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

6.0 Planning Considerations

6.1 The main issues to be considered in respect of this application are:

- a) Principle of Development
- b) Design and Conservation
- c) Impact on Adjoining Properties

Design & Conservation

- 6.2 Core Strategy Policy 15 seek to ensure that a high standard of design is upheld; proposals must complement the existing development, townscape and character.
- 6.3 Core Strategy Policy 16 states that the Council will ensure that the value and significance of the borough's heritage assets and their settings, conservation areas, listed buildings, archaeological remains, registered historic parks and gardens and other non designated assets such as locally listed buildings, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice.
- 6.4 DM Policy 30 states that the Council will require all development proposals to attain a high standard of design, including alterations and extensions to existing buildings. The retention and refurbishment of existing buildings that make a positive contribution to the environment will be encouraged and should influence the character of new development and a sense of place. An adequate response to how the scheme relates to the existing street including its building frontages will be required including:
- The quality and durability of building materials that either match or complement the existing and their sensitive use on the development and the justification behind the choice.
 - The activity and visual interest for the public provided by the development at ground floor level with the provision of windows and doors to provide physical and visual links between buildings and the public domain.
 - A statement describing the significance of heritage asset, including its setting will be required for proposals that impact on such an asset.
- 6.5 DM Policy 31 relates to alterations to existing buildings and requires development to be of high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings including external features, such as chimneys and porches. It further states that high quality matching or complimentary materials should be used in relation to the context.
- 6.6 DM Policy 36 states that the Council, having paid special attention to the special interest of its Conservation Areas, and the desirability of preserving and or enhancing their character and or appearance, will not grant planning permission where alterations and extensions to existing buildings are incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.
- 6.7 This application relates to a number of different proposals at the host building 93 Drakefell Road. Special consideration must be had towards design and materials as this property is situated within the Telegraph Hill Conservation Area.

Rear roof extension

- 6.8 A rear roof extension is proposed together with one roof light to the rear roof slope and two to the side roof slope. The rear dormer would measure 1.2m in width, 1.15m in depth and 0.6m in height.
- 6.9 It is considered by Planning Officers and the Conservation Officer that the scale of this dormer in a conservation area is appropriate as it does not detract from the host building and does not compromise the character of the Telegraph Hill Conservation Area. The dormer is significantly smaller than the width and height of the rear roof slope. The dormer is well spaced and positioned within the existing roof slope, set in from the party wall on each side and down from the ridge. The width of this single dormer would not exceed half the width of the roof.
- 6.10 The rear dormer would be set back approximately 1m from the eaves of the roof and at least 1.5m from the party wall boundary with no. 95. It would be finished in zinc flashing and the window will be timber sliding sash, matching the existing materials of the dwelling.
- 6.11 The roof lights would be considered acceptable as they are conservation style, flush with the roof slope, and there would be restricted view of them from the public area. The windows would be needed to make the loft conversion functional in terms of receiving sufficient sunlight and will serve the bathroom, bedroom and staircase. A window specification has been provided that states the windows to the side roof slope will be 565mm in width and 725mm in height. The larger scale window to the rear will be 717mm in width and 1333mm in height.
- 6.12 Objections have been raised by the Telegraph Hill Society and The Amenity Societies Panel regarding the installation of the dormer roof extension. Whilst their comments have been taken into consideration, it is considered that the proposed rear dormer would be of a modest size, it would not cover the full width of the rear roofslope and is therefore subordinate to the rear elevation and roofslope. The dormer would be zinc and although it would look different to the existing slate tiles it is considered that the lead would be of high quality material which would be in accordance with DM 31 where it is stated that "materials should be complementary" and therefore it is acceptable in this regard. The window proposed to be installed in the dormer would be timber framed, sliding-sash. Officers consider the proposed dormer extension would be subordinate to the existing roofscape and would successfully integrate with and preserve the architectural character of the building and not harm the character of the conservation area.
- 6.13 The Telegraph Hill Society mentions that rear dormers are not a feature of the Telegraph Hill Conservation area however officers note that a number of similar styled dormers have been approved on Drakefell Road. An objection was also raised in relation to the proposed windows in the roof slope not aligning with the lower ground windows but as this property has a hip-to-gable roof it was difficult to achieve this without compromising the functionality of the windows to serve the rooms. The proposed roof lights to the side slope are considered acceptable as they are conservation style and are of suitable size. Officers consider that the rear roof lights are acceptable in size and are in keeping with the existing windows on the property. Officers feel that there will be limited impact from the light spill because of the height of the property and its closeness to 91 Drakefell which restricts views on the roofslope.

6.14 The design, scale and materials proposed for the rear dormer and rear rooflights are considered to be acceptable and would not harm the character or appearance of the main dwellinghouse or the Telegraph Hill Conservation Area. Therefore, the proposal complies with Core Strategy Policies 15 and 16, DM Policies 30, 31 and 36 and paragraph 6.7 of the Residential Standards SPD.

Ground floor rear extension

6.15 The rear extension would be single storey with a mono pitch roof. The proposed extension would replace an original rear projection and provide a dining area to the adjoining kitchen. The extension would extend 1.5m from the existing parting wall with a height of 2.7m from its highest point and 2.5m from its lowest point, as the roof slopes downwards slightly from east to west. The existing extension has a ridge height of 2.5m. The width of the extension would be 3m, the same as the existing conservatory. Access from the conservatory to the garden would be via French doors.

6.16 The proposed contemporary design is considered to respect the character and style of the property. The extension is entirely contained to the rear of the property and the rear wall height respects the character of the window units on the first floor.

6.17 Due to the existing fence at Pendrell Road, between the break in dwellings, the single storey extension would not be visible from the public realm.

6.18 Officers consider that the proposal is subordinate to the host building and would not harm the character of the building.

6.19 A large proportion of the extension would be finished in glass, including the rear and west elevation and the roof. Although this does not match the existing materials officers feel that the materials are complementary to the host building. In terms of the design this feature will have no impact on the Conservation area as it is not visible from the public realm.

6.20 Therefore, it is considered that the design, the size and the location of the proposed extension are acceptable. The Council's Conservation Officer made no objection to the proposed.

Light well and three windows

6.21 At present this dwelling has a basement which receives light only through a small scale, high level window. The present window is characteristic for this row of terrace houses, although dwellings on the opposite side of the road have light wells with 3 front elevation windows. The conservation officer had no objection to this proposal but asked that the agent supplied plans which showed the whole front garden area and the horn detail to the windows, which were subsequently provided.

6.22 While the light well would decrease the front garden area of the property it would still be of a scale which is acceptable for a double storey terrace property. The light well will be finished in sandstone and tiles to match the existing. The lightwell would have a length of 3m, width of 1.15m and depth of 0.6m. The Telegraph Hill Society raised an objection that the creation of the lightwell would leave little of a front garden but officers feel that the 0.4m depth of the light well to the front window is modest considering the 2.6m of garden depth that would be remain.

- 6.23 The hedge and brick wall, 1.2m in height, fronting the road would act as a visual barrier to the light well and windows meaning the front alterations can only be viewed from a limited section of public highway. Whilst it would be the first property on this terrace to have this feature, it is not within a Flood Zone and the extent of the excavation is considered to be relatively modest.
- 6.24 In terms of amenity there will be ample space to the west front elevation of the property for bin storage. 800mm of tiling is still retained along the front, between the light well and the planting, with the average size of a bin measuring the width of a 360 litre bin being 620mm. It is noted that no other properties on this terrace have lightwell to the front of their properties but they can be seen on properties on the opposite side of on Drakefell Road.
- 6.25 The proposed windows would be timber sliding sash and would match the existing front elevation in terms of design, scale and openings. The three windows would have matching horn detail to the existing front elevation windows and the wall would remain rendered at basement level. Officers do not object to the proposed installation of timber sliding sash types as this is a strong feature within the conservation area. Therefore, the proposal is considered to be consistent with Core Strategy Policy 15 and 16 or DM Policies 30, 31 and 36.
- 6.26 The creation of a light well and 3 windows would significantly improve the use of the basement level of this property by providing much needed light and ventilation. Policy DM 1 supports sustainable development, which includes enabling residents to improve their houses, provided other policies are met. On this basis, the proposal is considered to be consistent with the relevant policies.

Excavation and stairwell

- 6.27 The proposed excavation would take place at the rear garden, to the west side of the property. This proposal will provide access to the basement level from the garden. This would not result in substantial loss of the garden amenity as there would still be a significant proportion of garden remaining.
- 6.28 The excavation and proposed stairwell would be 2.8m in depth, 5.1m in length and 0.95-1.6m in width. The depth of the stairwell would not extend beyond the proposed extension.
- 6.29 Officers consider that the principle of this element of development is acceptable as it does not impact the conservation area, or detract from the host building and the rear garden would retain a depth of 21m.

Impact on Adjoining Properties

- 6.30 Core Strategy Policy 15 states that new development should be designed in a way that is sensitive to the local context. More specific to this, DM Policy 31 seeks to ensure that residential extensions should result in no significant loss of privacy and amenity to adjoining houses and their back gardens. It must therefore be demonstrated that proposed extensions, the creation of a lightwell to the front and rear stairwell are neighbourly and that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light or general noise and disturbance.

- 6.31 The proposed extensions would be on the north elevation of the dwelling facing onto the rear elevations of dwellings on Pendrell Road. With regard to the impact upon the neighbours at No.91 and 95 Drakefell Road it is considered that the ground floor extension would not result in loss of daylight, sense of enclosure, loss of outlook and privacy due to the single storey nature of the extension and modest additional depth.
- 6.32 With regard to the rear dormer, the impact on neighbours at 91 and 95 Drakefell Road would not be significant given the narrowness of the dormer which would channel views rearward and away from the neighbouring gardens. The distance from the dormer to the boundary with Pendrell Road properties would be at least 21m and to the rear elevations of those properties would be approximately 36m. At this distance it is not considered that significant impacts on privacy would occur.
- 6.33 The proposed rooflight to the rear elevation would provide daylight to a staircase, while the side rooflights would provide light to the new bedroom to be created in the roof space. They would not be considered to have a significant impact on the amenities of the neighbouring properties due to their positioning on the roof slopes.
- 6.34 There would be no impact on the amenities of neighbouring properties from the proposed alteration and excavation of the basement level to create a light well and a rear stairwell as levels of sunlight, daylight, outlook, privacy and noise would remain the same.
- 6.35 No objections were received from neighbouring properties. The proposed development is considered to have no significant impact on the amenities of adjoining properties. This proposal is therefore considered to have an acceptable impact on neighbouring amenity.

7.0 Conclusion

- 7.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 7.2 Officers consider the proposed extensions and other works to be acceptable with regards to design, conservation and neighbouring amenity and the scheme is therefore considered acceptable. The development proposed is considered to have no negative impact on the Telegraph Hill Conservation Area due to a combination of high quality materials proposed and the development being modest in size relative to the host building.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

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

Heritage Statement; Design and Access Statement; 428-100-A Rev P01; 428-100-B Rev P01; 428-101 Rev P01; 428-102 P01; 428-103 Rev P01; 428-104 Rev P01; 428-105 Rev

P01; 428-110 P01; 428-111 Rev P01; 428-120 Rev P01; 428-201 Rev A; 428-202 Rev A; 428-203 Rev A; 428-204 Rev A; 428-220 Rev A; 428-301 Rev A (Received 11 December 2015) 428-205 Rev B; 428-206 Rev A; 428-210 Rev B; 428-211 Rev B; 428-212 Rev B; 428-300 Rev B; 428-106 Rev A (Received 5th February 2016)

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) (a) The development shall be constructed in those materials as submitted namely:

London Stock Brick, Zinc cladding on dormer, Glass French doors & Timber sliding sash windows

(b)The scheme shall be carried out in full accordance with those details, as approved.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

INFORMATIVES

(1) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted to show the full extent of the development to the front garden from the proposed lightwell.

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93 Drakefell Road, SE4



Scale: 1250
Base on the
Ordnance Survey map
Licence no: 100017710
London, SE6 4RU

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Committee	PLANNING COMMITTEE C	
Report Title	Land Adjacent to Railway, Doggett Road, London, SE6 4PZ	
Ward	Rushey Green Ward	
Contributors	Luke Mannix	
Class	PART 1	17 March 2016

<u>Reg. Nos.</u>	DC/15/93763
<u>Application dated</u>	21.09.15 [as revised on 05.01.16]
<u>Applicant</u>	Milan Babic Architects [on behalf of Central London Homes (Catford) Ltd]
<u>Proposal</u>	Approval of reserved matters relating to Appearance, Landscaping and Scale of the Outline approval granted on appeal APP/C/5690/A/12/2182849 dated 7 May 2013 for the construction of a part two/three/part four storey building comprising 3 commercial units (Use Class B1) on the ground floor, 9 two bedroom self-contained flats above, incorporating balcony/terraces on land adjacent to railway at Doggett Road SE6, together with associated landscaping and provision of bin and bicycle stores (DC/12/79846).
<u>Applicant's Plan Nos.</u>	JDD/DRC-E01; JDD/DRC-E02; PA 775/L01; Design and Access Statement Rev A; Sustainable Urban Drainage Systems and Below Ground Drainage; Tree Pit Detail (Received 21st September 2015); PA 775/206 Rev B; PA 775/207 Rev B Proposed East Elevation with Boundary; PA 775/208 Rev B; PA 775/301 Rev A (Received 28th October 2015); PA 775/200 Rev C; PA 775/201 Rev C; PA 775/202 Rev C; PA 775/203 Rev C; PA 775/204 Rev C; PA 775/205 Rev B; PA 775/209; PA 775/210 Proposed Section; PA 775/302 Rev B; PA 775/303 Rev A; PA 775/400 Rev B (Received 5th January 2016); PA 775/207 Rev B Proposed East Elevation with Boundary (detail); PA 775/210 Rev A Proposed Section (detail) (Received 11th February 2016)
<u>Background Papers</u>	(1) Case File LE/889/B/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Catford Major Town Centre Area of Archaeological Priority
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application site lies on the western side of Doggett Road adjacent to the railway line and Catford Bridge station platform. The site is a vacant triangular plot of land which was previously owned by Network Rail and used for storage purposes.
- 1.2 The site lies in a predominantly residential street albeit on the edge of Catford Town Centre. The site is adjoined to the south by three storey residential dwellings and the west by the station platform. On the eastern side of Doggett Road there are two storey terraced properties. The application site is the last section of land on this side of Doggett Road, beyond the site to the north there is only a pedestrian footpath leading to Ladywell Arena and Park.
- 1.3 The site is not located within a conservation area and there are no listed buildings within the vicinity.
- 1.4 Doggett Road slopes gently south to north but the application site is mainly flat sitting at the same level as the adjacent railway line.
- 1.5 Doggett Road is a one way road northbound accessed from the A205 South Circular Road. Car parking is restricted along Doggett Road to residential permit holders only. In addition, two car club spaces are located at the front of the site. Being on the edge of the centre and within easy walking distance of both Catford and Catford Bridge stations the site has a high PTAL rating of 6a.

2.0 Planning History

- 2.1 An application for outline planning permission was refused in 2010 (DC/10/74978) for the construction of a part three/part four storey building comprising three commercial units on the ground floor, 6 two bedroom and 3 three bedroom self-contained flats above, incorporating balcony/terraces on land adjacent to railway at Doggett Road SE6, together with associated landscaping and provision of bin and bicycle stores.
- 2.2 The reason for refusal is as follows:-
- 1) *The proposed development fails to demonstrate appropriate and achievable site coverage, internal layout and adequate standard of accommodation for future occupiers, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004) and the Residential Development Standards: SPD (August 2006).*
- 2.3 A follow up application was received in 2011 (DC/10/76144) for the construction of a part two/three/part four storey building comprising 3 commercial units (Use Class A1, A2/B1 & A3) on the ground floor, 3 one bedroom, 4 two bedroom and 2 three bedroom self-contained flats above, incorporating balcony/terraces on land adjacent to railway at Doggett Road SE6, together with associated landscaping and provision of bin and bicycle stores.
- 2.4 The application was not determined within the statutory period and an appeal against non-determination was submitted (APP/C5690/A/11/2154747/NWF). Regardless, the Council raised the following matters as reasons for refusal:-

1) *The proposal is unacceptable in principle as the site lies outside of the core or secondary retail frontages of Catford Town Centre. The site is not a designated strategic or local employment location but is designated as wholly residential. It has not been demonstrated that the proposed commercial uses would not harm designated commercial centres. Consequently the proposed mixed use scheme would be contrary to Policies EMP6 New Office Development, STC1 The Shopping Hierarchy and STC2 Location of New Stores (Sequential Test) and Schedule 1, Site Allocation 26A in the adopted Unitary Development Plan (July 2004) and PPS4: Planning for Sustainable Economic Growth.*

2) *The proposed layout would result in inappropriate site coverage giving rise to a cramped form of development, inadequate internal layout and poor standard of accommodation and amenity for future occupiers. The proposal represents overdevelopment of the site contrary to Policies 4.B.8 Respect Local Communities and Context in the London Plan 2008 (Consolidated with Alterations since 2004), HSG5 Layout and Design of New Residential Development, HSG7 Gardens, HSG8 Backland and Infill Development in the adopted Unitary Development Plan (July 2004), SPD: Residential Standards and PPS3: Housing.*

- 2.5 The Inspector found the development was unacceptable as the retail units do not comply with the Council's local plan. In addition, the standard of accommodation does not meet the standards of the London Plan at the time.
- 2.6 A third application for outline planning permission was received in 2012 (DC/12/79846) for the construction of a part two/three/part four storey building comprising 3 commercial units (Use Class B1) on the ground floor, 9 two bedroom self-contained flats above, incorporating balcony/terraces on land adjacent to railway at Doggett Road SE6, together with associated landscaping and provision of bin and bicycle stores.
- 2.7 The application was not decided within the statutory time period and subsequently an appeal against non-determination was submitted (APP/C/5690/A/12/2182849) on 7th May 2013. The Council raised the same reasons for refusal as the previous application.
- 2.8 In this instance, the Inspector found the principle of ground floor commercial building acceptable and the layout and access appropriate. Therefore outline planning permission in relation to layout and access was granted for the above development. Comments were also given with respect to the scale and impact on the character and neighbouring amenities based on indicative plans and elevations.
- 2.9 19 conditions were added within the appeal decision. Condition 1 stated that details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins. Condition 2 stated that the application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

3.0 Current Planning Applications

The Proposals

3.1 The current application seeks permission for the reserved matters in relation to appearance, landscaping and scale of the outline approval granted through appeal APP/C/5690/A/12/2182849 (DC/12/79846).

3.2 Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 defines the reserved matters of appearance, landscaping and scale as follows:

Appearance - the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

Landscaping - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features; and,

Scale - the height, width and length of each building proposed within the development in relation to its surroundings.

3.3 The proposed scale follows the indicative elevations submitted with the approved outline application. The building would be two storey at the northern and narrowest end of the site before expanding to four storeys towards the southern end. The third floor would be slightly set back on the southern edge and in sections along the northern edge of the building.

3.4 In terms of appearance, the primary building material would be brick with the specific materials being Smoked Forum Cromo, Prata and Branco all made by Weinerberger company. Double soldier course layers would define the change in floor levels between ground and first and second and third floors. On the ground floor, perforated mesh bond Blanco brickwork would define the refuse store and residential entrances.

3.5 The windows would be tilt and turn to the front elevation with side opening casement with a single pane to the rear. The windows would be double glazed and made of composite material with aluminium RAL 7006 Beige Grey coating to the outer frame. Balcony balustrades would be finished in the same material. The first and second floor windows would have pre-cast Ivory white cills whilst the third floor would have recessed soldier courses to the head and foot of the window.

3.6 The roof would be flat with amenity space on the lower roof levels. The third floor roof would include photovoltaic arrays. The coping would be finished to match the windows and balustrades.

3.7 The building footprint matches that granted approval for layout at the outline permission stage. As such the front building line would be stepped to the front, with the southern section of the building matching the existing terrace row. Between the front elevation and the highway, the landscaping would be mixed soft and hard landscaping, with low level shrubs and lawn in raised planters with

Woburn Rumbled permeable paving to the entrances. The front boundary walls and areas of raised planting would be finished in Blanco brickwork.

- 3.8 At the northern end, a Robin Hill medium sized tree would be planted with a protective grill and surrounded by Woburn Rumbled permeable paving. To the rear and southern side, the landscaping would primarily be hard landscaping, consisting of Charcon Europa Grey permeable paving. There would be moveable planters located to the rear together with a commercial refuse store with a timber screening. The rear boundary treatment would consist of red cedar slatted timber panels facing onto the railway platform.

Supporting Documents

- 3.9 Submitted with the application have been existing site survey together with proposed plans, sections and elevations, as well as the following documents:-
- Design and Access Statement;
 - Drainage Strategy;
 - Energy Statement, appendices and sustainability form; and,
 - Planning Statement.

4.0 Consultation

- 4.1 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant Ward Councillors were also notified. In addition statutory agencies and relevant Council departments were consulted.
- 4.2 Below is a summary of the responses received. All written responses are available for members to view.

Written Responses received from Local Residents and Organisations

- 4.3 Three letters of objection were received from residents in Doggett Road. The following concerns were raised:-
- The development, in conjunction with other residential development in the area, is placing a strain on infrastructure;
 - The appearance of the building, through it's materials and scale, would not be appropriate in its setting;
 - Adverse impacts on existing amenity in terms of noise, sunlight/daylight, pollution and disturbances. It is considered that the commercial units would also increase these impacts on neighbours;
 - Adverse highway impacts in terms of residential parking, traffic, refuse and emergency vehicles and construction traffic;
 - The rear refuse area would attract vermin from the railway land; and,
 - Disturbance to the digital television signal.

Written Responses received from Statutory Agencies

a) Transport for London (TfL)

4.4 TfL raised no objections

b) Network Rail

4.5 The developer must ensure that their proposal, both during construction and after completion of works on site, does not:-

- encroach onto Network Rail land;
- affect the safety, operation or integrity of the company's railway and its infrastructure;
- undermine its support zone;
- damage the company's infrastructure;
- place additional load on cuttings;
- adversely affect any railway land or structure;
- over-sail or encroach upon the airspace of any Network Rail land; and,
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.

4.6 The comments in general do not impact on the planning application. Therefore the comments have been forwarded to the applicant and an informative should be added advising the applicant to contact Network Rail for consent to works affecting their land.

4.7 It is also noted that comments have been received in regard to fencing along the railway platform. It is noted that the applicant has worked with Network Rail to ensure there is no adverse impact on their operations.

c) Environmental Agency (EA)

4.8 The EA do not object to the proposed development on the basis of conditions added in relation to flood risk and groundwater protection in the outline planning permission.

5.0 Policy Context

Introduction

5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,

- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) 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
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.12 Flood risk management
Policy 6.9 Cycling
Policy 7.4 Local character
Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

- 5.7 The London Plan SPG's relevant to this application are: Accessible London: Achieving an Inclusive Environment (2004)

Housing (2012)

Core Strategy

- 5.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 2 Regeneration and Growth Areas
Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 10 Managing and reducing the risk of flooding
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan

- 5.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

- 5.10 The following policies are considered to be relevant to this application:

DM Policy 22 Sustainable design and construction
DM Policy 25 Landscaping and trees
DM Policy 30 Urban design and local character
DM Policy 32 Housing design, layout and space standards

6.0 Planning Considerations

- 6.1 The principle of the proposed ground floor commercial and upper floor residential development was granted at outline planning permission stage in 2013, along with

access and layout. It is also noted that the appeal decision included conditions to be submitted prior to commencement of development which have not yet been discharged.

6.2 Taking this into account, the main issues to be considered in respect of this application for reserved matters in relation to scale, appearance and landscaping are:

- a) Design
- b) Housing
- c) Highway and Traffic Issues
- d) Impact on Adjoining Properties
- e) Flooding

Design

6.3 The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

6.4 The London Plan and Core Strategy design policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design. Specifically the Core Strategy Policy 15 states that high quality, well-designed new development is a key factor that will contribute to the long-term sustainability of communities in Lewisham. In order to be successful new development must meet the qualities required by national and regional policy and guidance and also reflect and be sympathetic to the local physical and social characteristics of the borough.

6.5 DM Policy 30 states that where relevant, development proposals will need to be compatible with and/or complement the urban typologies and address the design and environmental issues identified in Table 2.1. The site adjoins onto Knighton Park Road, being an urban terrace typology, and, according to Table 2.1, new development should not disrupt the regularity of the street form and the unity of the architecture.

6.6 The policy also outlines detailed design issues and states that an adequate response to the following relevant matters will be required in planning applications to demonstrate the required site specific design response:-

- the creation of a positive relationship to the existing townscape, natural landscape, open spaces and topography to preserve and/or create an urban form which contributes to local distinctiveness such as plot widths, building features and uses, roofscape, open space and views, panoramas and vistas including those identified in the London Plan, taking all available opportunities for enhancement;
- height, scale and mass which should relate to the urban typology of the area as identified in Table 2.1;
- layout and access arrangements. Large areas of parking and servicing must be avoided;

- how the scheme relates to the scale and alignment of the existing street including its building frontages;
- the quality and durability of building materials and their sensitive use in relation to the context of the development. Materials used should be high quality and either match or complement existing development, and the reasons for the choice of materials should be clearly justified in relation to the existing built context;
- details of the degree of ornamentation, use of materials, brick walls and fences, or other boundary treatment which should reflect the context by using high quality matching or complementary materials; and,
- how the development at ground floor level will provide activity and visual interest for the public including the pedestrian environment, and provide passive surveillance with the incorporation of doors and windows to provide physical and visual links between buildings and the public domain.

6.7 The site is currently a vacant parcel of land adjoining Catford Bridge railway station. The area is primarily residential in nature with the predominate typology being late Victorian/Edwardian terrace dwellings along Doggett Road. However it is noted that the blocks as part of the redevelopment of the old Catford Greyhound Stadium over the railway line have been completed and are occupied providing a new typology in the vicinity.

6.8 The scale of the nearby terrace dwellings are three storey on the western side of Doggett Road and two storey on the eastern side. These dwellings are set within narrow plots with matching architectural qualities such as simple material palettes and dual pitched roofs. This gives the street regularity and unity of architecture.

6.9 On the otherhand, the redevelopment at Catford Greyhound Stadium has introduced a more modern approach. The scale ranges from three to eight storeys with flat roofs and balconies. However the materials are simple in nature but of high quality with only two types of brick with mixture in blends and header varieties to provide some detail.

a) Scale

6.10 The outline planning application granted at appeal included an indicative elevation to show the scale of the development. On this matter, the Council felt the proposal was overdevelopment of inappropriate scale, however the Inspector made mention of scale and its impact in his report. It is stated that:

“the parapet line of the proposed third storey, as shown, would not be out of kilter with the adjacent three storey terrace, along which building line it would stand. The floor plans and elevations indicate that the two upper storeys facing Doggett Road would be progressively stepped back, to provide visual relief. Overall, therefore, whilst the proposed building would, inevitably, be taller than the existing houses in the street, it would not be over-dominant when viewed from either Doggett Road or the railway station, in the context of the site’s unusual, tapering shape.”

6.11 It is noted that the plans and elevations now submitted for approval match the scale of the indicative plans. The proposed development would be part two, part

three and part four storeys in scale. The two storey element would be located towards the northern end where the building tapers to match the shape of the plot. The building then steps in height towards the southern end to four storeys before stepping down again to three storeys. In relation to the existing terrace row, the building would be 1.75m higher than the eaves height at three storey level and 1.85m higher than the total height at four storey.

- 6.12 The proposed building is stepped in its design, and taking the Inspector's comments on board, it is considered that the scale would be appropriate in this location. Furthermore, the top floor is also noted as being slightly recessed at the front elevation, with the lighter Branco brick being used and articulation of the brick work providing detail to the recessed area. Therefore, while the building would be larger than the nearby terrace row, the articulation of the design would reduce any adverse harm.
- 6.13 Therefore, whilst concerns were raised by officers at outline planning stage, taking on board the appeal decision, stepped design and the high quality of materials, it is considered that the scale is acceptable.

b) Appearance

- 6.14 The appearance of the proposed building has changed significantly from that shown in the indicative elevations at outline stage.
- 6.15 The current application shows a more simple material palette with the principle material being Weinerberger Forum Smoked bricks. This is then divided into three types of brick, being Prata, Cromo and Branco with samples provided to officers. The bricks share the same texture however differ in colour and tonal variety with Branco being lighter, Prata having a 'sandy' appearance and Cromo being grey, similar in colour to the bricks used in the Catford Greyhound Stadium. The building is then provided with detailing such as soldier courses in the floor divisions and on the third floor and perforated brick panelling to the entrances and refuse area. The bricks are then complemented by beige/light grey coloured aluminium windows and balcony balustrades.
- 6.16 Taking into account the building layout follows a more modern approach when compared to the Victorian terrace, given the unique plot layout it is considered that the use of a more simple material palette would be appropriate to reflect the materials used in the redevelopment of Catford Greyhound Stadium. Furthermore the bricks are considered to be of high quality. Considering the above, the materials are considered to be appropriate.
- 6.17 The proposed articulation of the windows would be more generous than the indicative elevations approved at outline stage, which were narrow and mismatched windows, adding little visual interest or cohesion to the appearance. This is considered to be an improvement on the design as it would break up the mass of the four storey brick building and give it a more residential character. Furthermore, reveals are provided however the sections show variation in depths. Well proportioned reveals are considered to provide depth to the building and improve the visual appearance and therefore the reveals should be conditioned to be 200mm deep.

- 6.18 The proposed building has also removed the protruding glazed first floor bay, which was shown on the indicative elevations at outline stage. It should be noted that this was originally to be retained, however was removed on officer advise.
- 6.19 It was considered that the protrusion would be an anomaly to the otherwise simple design of the building and therefore detracted from the quality of the scheme. Its removal is considered to therefore be in line with the overall design and therefore would be appropriate.
- 6.20 Overall, the details submitted in terms of materials and articulation of the design is considered appropriate to provide an acceptable appearance.

c) Landscaping

- 6.21 The proposed development includes a landscaping plan and details of the hard paving and planting. Given the approved building layout covers much of the site, together with restrictions on what Network Rail find acceptable in terms of access to the adjoining platform, the level of landscaping is limited.
- 6.22 The area between the building and the highway would be a mixture of hard and soft landscaping with permeable pavers defining the route to the commercial and residential entrances. Small shrubs and lawn would be planted to soften the overall appearance, including raised planters constructed of Cromo bricks.
- 6.23 At the northern end, a Robin Hill tree would be planted. The tree would be small-medium in size growing to 2.5m in canopy girth and 7m in height. A protective grill would be placed around the tree.
- 6.24 To the rear, the landscaping consists of mostly permeable paving with small amounts of movable planters to allow access for Network Rail in the event of maintenance. The planters would include climbers to improve the green coverage and soften the appearance of the rear yard. The commercial refuse store would be to the rear surrounded by a timber screen. The boundary treatment to the rear would be closed timber boards.
- 6.25 The hard landscaping would comprise of Charcon Europa to the side and rear. To the front the paving would be Woburn Rumbled to highlight the commercial and residential entrances. The proposed materials are shown in the Design and Access Statement.
- 6.26 The scheme also includes information relating to external lighting with two types of wall mounted lighting proposed. To the front, the lighting would be directed down and up through a tubular design while to the rear, the lighting would be directed out towards the railway platform.
- 6.27 The proposed planting to the front and rear is considered to adequately soften the appearance of the development, especially given the restrictions on the land not covered by buildings. In addition, the hard materials proposed are considered to be of satisfactory quality to complement the overall appearance.
- 6.28 Therefore the landscaping details are considered appropriate in terms of design.

Housing

- 6.29 Core Strategy Policy 1, Development Local Plan Policy 32, London Plan Policy 3.5 and the London Plan Housing SPG seek to ensure that all new residential development meets minimum size standards.
- 6.30 The nationally described space standards have been released in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation and remains solely within the planning system as a new form of technical planning standard.
- 6.31 The national housing standards are roughly in compliance with the space standards of the London Plan. However there are differences in the spacing of individual rooms as well as floor to ceiling heights. In the instance of conflict, the national housing standards take precedent.
- 6.32 In terms of internal floor area, table 1 assesses the proposed dwellings against the national housing standards.

Table [1]: Unit Size

	Proposed Internal Floor Area (national housing standard)
Flat 1 (2b4p)	71.3 (70)
Flat 2 (2b3p)	61.1 (61)
Flat 3 (2b4p)	78 (70)
Flat 4 (2b3p)	61.5 (61)
Flat 5 (2b4p)	71.3 (70)
Flat 6 (2b3p)	61 (61)
Flat 7 (2b4p)	78.8 (70)
Flat 8 (2b4p)	82.7 (70)
Flat 9 (2b4p)	97.4 (70)

- 6.33 As outlined above, the proposed development meets the requirements of the national housing standards.
- 6.34 The national standards include minimum room standards for single and double bedrooms as well as internal storage. In these cases, single bedrooms should be 2.15m wide and 7.5sq m in area and double bedrooms should be 2.75m wide and 11.5sq m in area. The minimum area for storage is 2sq m.
- 6.35 The majority of the dwellings meet these standards. However it is noted that proposed flat 4 would provide a double bedroom 2.3m wide and only 1.8m of storage space. However it should be noted that this flat has been reduced in floor space and size to remove the projecting bay which officers objected to on the basis of design. Therefore, while this room would not meet all the internal

standards, it is considered that, on balance, the proposed unit would be acceptable in terms of housing standards overall.

- 6.36 In addition to the internal floorspace, external amenity should also be provided to new residential development with standard 4.10.1 of the London Housing SPG setting out the baseline requirements for private open space. The standard requires a minimum of 5sq m to be provided for 1-2 person dwellings and an extra 1sq m for each additional occupant.
- 6.37 All of the proposed units has acceptable amenity area, with the exception of flat 4 which has only 3.4sq m. However, as outlined above, this was to factor in an acceptable design with appropriate internal floor area. Furthermore, at second floor level there is 56sq m of communal external amenity to offset the reduced amenity for flat 4. Therefore the level of external amenity space is considered acceptable.
- 6.38 The Council's DM Policy 32 outlines a minimum floor height of 2.5m. Whilst it is noted that the national housing standards has a minimum ceiling height of 2.3m over 75% of the gross internal area, the Mayor of London has issued a statement recommending that a minimum ceiling height of 2.5m for at least 75% of the gross internal area. This is to address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.
- 6.39 The proposed units would be provided with a floor to ceiling height of 2.5m and therefore complies with both the housing standards, Mayoral standards and Council policies.
- 6.40 DM Policy 32 outlines that new residential development shall provide accommodation of a good size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. There will be a presumption that residential units provided should be dual aspect. Any single aspect dwellings provided will require a detailed justification as to why a dual aspect dwelling is not possible and a detailed demonstration that adequate lighting and ventilation can be achieved. North facing single aspect flats will not be supported.
- 6.41 All units are dual aspect, in addition to some triple aspect units in flats 4, 8 and 9. Taking this into account, the level of sunlight/daylight, outlook and ventilation is considered acceptable.
- 6.42 It is noted that the rear of the building is located 3.5m from the boundary and the Catford Bridge station platform 1, 9m from the centre line of the Hayes railway line and 12m from platform 2. Given the residential windows in the rear elevation on the first, second and third floor levels, there is the possibility of overlooking from commuters and noise from trains adversely impacting on the amenity of future residents.
- 6.43 The issue of overlooking was raised in the previous applications by planning officers and it was felt it added to the reasons for refusal on the basis of overdevelopment. However, with regard to this matter, the Inspector stated that the visual relationship between the building and the railway would not be very different to that between a pedestrian on a street and first floor residential

windows in a building set back slightly from it. He goes on to state that this is justification for flexibility in guidelines on set backs for privacy.

- 6.44 It is also implied that with design matters reserved, measures such as window and balcony design, obscure glazing and screening could be implemented to overcome any issue of overlooking from platform level. The Inspector concluded that an acceptable degree of privacy, given the urban location, would be likely to be achievable through detailed design of the scheme.
- 6.45 The current design under reserved matters includes a solid timber fencing with climber planting with a height of 2.1m along the boundary with platform 1 of the station. The platform is 300mm higher than the site in term of ground level, however is narrow along boundary with the site. Due to the height and solid design, together with the angle view from eye level, it is considered that the proposed boundary treatment would adequately reduce overlooking into the residential windows along the rear elevation.
- 6.46 However, the proposed windows in the rear elevation have increased in number with a wider design. Furthermore, there is no obscure glazing. As described above, wider and more regular windows are considered to improve the design and therefore is an improvement on the indicative elevations which showed narrower windows. This is considered to complement the overall modern design and the introduction of another glazing bar to allow part obscure glazing would degrade this design element. Therefore the current design and articulation of windows is considered to outweigh the need for obscure glazing.
- 6.47 Taking into account the comments of the Inspector, the proposed windows in the rear elevation are considered to improve natural surveillance from living spaces within the dwellings over the station platforms. This is similar to windows overlooking a highway in front elevations or windows fronting a public park. Furthermore the rooms are primarily bedrooms and living rooms providing dual aspect together with the windows facing Doggett Road.
- 6.48 Therefore, due to the benefit in design and allowing dual aspect, obscure glazing is not considered necessary. For this reason, coupled with the screening of the boundary treatment, the level of privacy for future residents is considered to be acceptable on balance.
- 6.49 With respect to noise, no information has been provided to ensure the development would comply with the Council's guidance on internal noise levels for residential buildings. For this reason it is considered that a condition could be added requiring glazing to meet the internal standards on all residential windows within the scheme in order to make the development acceptable. This condition should be worded to ensure units 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 window shut and other means of ventilation provided.
- 6.50 Therefore, with the addition of the above condition, the proposed development is considered to be acceptable in terms of noise.
- 6.51 Overall, with the reserved matters now submitted for approval, the development is considered to provide acceptable standard of accommodation for future residents.

Highways and Traffic Issues

- 6.52 The issue of highway impacts and the principle of car-free development was considered at outline permission stage. The Inspector made comments with respect of these matters.
- 6.53 The scheme has not changed in terms of quantum of development or servicing/access arrangements. Therefore these matters cannot be revisited at reserved matters stage.
- 6.54 It should also be noted that conditions were added from the outline planning permission with respect to an agreement preventing future occupiers from obtaining parking permits, cycle and refuse stores. These conditions are yet to be discharged.

Impact on Adjoining Properties

- 6.55 London Plan Policy 7.6 states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings. In addition, DM Policy 32 requires all new residential development to be neighbourly and provide a satisfactory level of privacy, outlook and natural lighting for its neighbours.
- 6.56 It is noted that the objections from residents along Doggett Road relate to the scale of the building and reduced amenities in terms of loss of light and loss of views.
- 6.57 With respect to this matter, the Inspector stated the following:-

Whilst residents are concerned that the proposed building would block the partly open aspect from Doggett Road over the railway line to trees beyond, a scheme for development of the land on the far side of the railway has already gained consent. The main parties disagree about the eventual height of that scheme, but the fact remains that it would alter the built form within the area and change the view which residents seek to protect. Although the appeal scheme might affect late evening sunlight reaching the dwellings on the opposite side of the street, and restrict views of sunsets, at certain periods of the year, I am satisfied, as is the Council, that those impacts would not be significantly harmful to the living conditions of occupiers and that there would be no adverse effect on levels of daylight reaching the dwellings.

- 6.58 Since the appeal decision was made, the redevelopment of Catford Greyhound Stadium has been complete in the section opposite the subject site. As such, it is noted that the view the residents are concerned about has ultimately been changed, as stated by the Inspector.
- 6.59 The Inspector determined that the indicative scale was acceptable. As this is unchanged in the reserved matter application, and given the improvement in the design, this is considered to be unobjectionable.
- 6.60 Objections were also received with respect to the appearance and the visual amenities of residents. As noted above, the design is considered appropriate within its context given the redevelopment of the Catford Greyhound Stadium. Therefore it is considered that the development would be of acceptable quality and no adverse impact on visual amenities is likely.

- 6.61 With respect to other objections from neighbours in terms of disturbances, it should be noted that a Construction Management Plan has been conditioned by the Inspector. In addition, a condition with respect to dust suppression has been added. Whilst these conditions have not been discharged, it is considered that as they are required to be discharged prior to construction the impact can be mitigated and is therefore considered to be acceptable.
- 6.62 It should also be noted that the Inspector has discussed other issues previously raised in terms of noise, vermin, refuse etc. which included the commercial use. In these matters the proposal was not considered to be harmful. Officers consider this to still be the case.
- 6.63 Overall the matters now for approval do not result in increased harm to the amenities of neighbouring properties compared with the scheme approved at outline stage.

Flooding

- 6.64 It is noted that flooding has been assessed under the outline permission. This included conditions in relation to mitigation of flood risk and a scheme for the disposal of foul and surface water drainage prior to the commencement of development.
- 6.65 Taking the above into account, together with the response from the EA stating no objection to the development, officers consider the reserved matters are acceptable in terms of flooding.

7.0 Local Finance Considerations

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) 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
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. In addition to the Mayoral CIL, the Council's local CIL has been adopted and is also a material consideration.
- 7.4 CIL is payable on this application and the applicant has completed the relevant form.

8.0 Equalities Considerations

- 8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 8.4 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.

9.0 Conclusion

- 9.1 The current application relates to the discharge of reserved matters following the grant of outline planning permission through appeal in 2013 (APP/C/5690/A/12/2182849). The reserved matters include scale, appearance and landscaping.
- 9.2 The proposal is considered to be in keeping with the scale of the indicative elevations granted approval in 2013. Taking into consideration the comments from the Inspector on this matter, the scale is considered appropriate in terms of design and impact on neighbouring amenities.
- 9.3 Changes have been made to the appearance of the proposed building from the outline planning permission stage. The building is considered to relate directly to the now constructed buildings at Calford Green and complement this typology taking into account the modern approach to the materials and design articulation. Furthermore, the standard of accommodation provided through this articulation is considered to be acceptable for future residents.
- 9.4 The proposed landscaping has been dictated through its minimal amount of external space set out at outline stage and the building’s proximity to Network Rail land. Taking these matters into account, the design and appearance of the landscaping is considered to be appropriate
- 9.5 Overall, officers consider that the reserved matters are considered acceptable.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

- (1) The development, with respect to scale, appearance and landscaping shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

JDD/DRC-E01; JDD/DRC-E02; PA 775/L01; Design and Access Statement Rev A; Sustainable Urban Drainage Systems and Below Ground Drainage; Tree Pit Detail (Received 21st September 2015); PA 775/206 Rev B; PA

775/207 Rev B Proposed East Elevation with Boundary; PA 775/208 Rev B; PA 775/301 Rev A (Received 28th October 2015); PA 775/200 Rev C; PA 775/201 Rev C; PA 775/202 Rev C; PA 775/203 Rev C; PA 775/204 Rev C; PA 775/205 Rev B; PA 775/209; PA 775/210 Proposed Section; PA 775/302 Rev B; PA 775/303 Rev A; PA 775/400 Rev B (Received 5th January 2016); PA 775/207 Rev B Proposed East Elevation with Boundary (detail); PA 775/210 Rev A Proposed Section (detail) (Received 11th February 2016)

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.

- (2)
 - (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 LAm_{ax} (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) Prior to above ground works, details of a sound insulation scheme complying with paragraph (a) of this condition have been submitted to an approved in writing 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 and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- (3)
 - (a) The development shall be constructed in accordance with the landscaping strategy hereby approved under drawing no. PA 775/400 Rev B.
 - (b) Prior to above ground works, 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 and shall be completed in compliance with these details.
 - (c) 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. 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).

- (4) (a) The commercial premises hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) Prior to occupation, a Design Stage Certificate for each unit (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (5) All window and door openings shall be constructed with minimum 200mm deep external reveals.

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

- (6) (a) The development shall be constructed in those materials as submitted namely: Weinerberger Forum Smoked Cromo, Weinerberger Forum Smoked Prata and Weinerberger Forum Smoked Branco bricks, Composite aluminium/timber windows, doors and balustrades coloured Beige Grey hereby approved under drawing nos. PA 775/205 Rev B; PA 775/209; PA 775/210; PA 775/206 Rev B; PA 775/208 Rev B; PA 775/207 Rev B and Design and Access Statement.
- (b) The scheme shall be carried out in full accordance with those details, as approved.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (7) 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, other than rainwater pipes, shall be fixed on the external faces of the building.

Reason: It is considered that such plumbing or pipes would seriously detract from the appearance of the building and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (8) The rear boundary shall be treated with a solid red cedar slatted timber fence 2.1m in height.

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

- (9) The whole of the amenity space (including roof terraces and balconies) as shown on drawing no. PA 775/200 Rev C, PA 775/201 Rev C, PA 775/202 Rev C, PA 775/203 Rev C, hereby approved 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 Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards of the Development Management Local Plan (November 2014).

- (10) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the third floor flat roof as shown in drawing no. PA 775/204 Rev C hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out unless for the purpose of maintenance, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

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

- (11) Prior to occupation, the development shall be fitted with Solar Photovoltaic arrays with a total rated capacity of 5.5 kWp in accordance with the Sustainability Monitoring Form and drawing no. PA 775/204 Rev C hereby approved.

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 (2015) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

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) The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- (C) 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>
- (D) The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- (E) Assessment of the sound insulation scheme should be carried out by a suitably qualified acoustic consultant.
- (F) The applicant is reminded that the conditions attached to the outline planning permission granted through appeal (APP/C/5690/A/12/2182849) are still applicable to the development. This includes the conditions which remain to be discharged. For the removal of doubt, these are as follows:-
- Condition 7;
 - Condition 8;
 - Condition 9;
 - Condition 10;
 - Condition 11;
 - Condition 13;
 - Condition 14;

- Condition 15;
- Condition 17;
- Condition 18; and,
- Condition 19.

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Land Adj to Railway, Doggett Rd SE6



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Committee	PLANNING COMMITTEE C	
Report Title	Block D, Hatcham Park Mews SE14	
Ward	New Cross	
Contributors	Monique Wallace	
Class	PART 1	17 March 2016

Reg. Nos. DC/15/91333

Application dated 10.03.15 as revised on 16.07.15 and 15.10.15

Applicant Ms Scerri pH+ Architects on behalf of Mr Neiman

Proposal The demolition of Block D at Hatcham Mews Business Centre, Hatcham Park Mews SE14, and the construction of a two storey building to create 2, two bedroom and 2, three bedroom maisonettes, together with the landscaping of the existing car parking area to create private amenity space.

Applicant's Plan Nos. 2(01)00, 2(02)03, 2(03)00, 2(05)03, 2014-1940-AT-107, 2014-1940-AT-108 Heritage Statement, Transport Statement, Design and Access Statement, received 10/3/15; Assured Shorthold Tenancy Agreement received 30/4/15; 2(02)00 B received 27/7/15; 2(21)00, 2(21)01, 2(21)02, 2(21)03, 2(21)10, 2(21)11, 2(21)12, 2(21)13 received 3/9/15; Title Plan_ TGL185990 received 28/9/15; 2014-1940-AT-111_C, 2014-1940-AT-112_C, 2(12)00_C, 2(12)01_C received 6/10/15; Sunlight and daylight assessment received 15/10/15; 2(12)RF D, 2(14)01 D, 2(14)03 D, 2(14)10 D, received 22/2/16 ; 2(04)02_C, 2(05)01 B, 2(05)10 B, 2(05)12 B, 2(13)02_H received 25/2/16; 2(14)12 E received 29/2/16

Background Papers (1) Case File DE/315/8/TP
(2) Local Development Framework Documents
(3) The London Plan

Designation Core Strategy, - Existing Use

1.0 **Background**

1.1 This application was considered by Members at the meeting of Planning Committee C held on the 24 September 2015. Members resolved to defer determination of the planning application in order for Members to carry out a site visit and for drawings or information to be submitted to reflect the relationship

between the proposal and the existing properties to the south. Members also requested further information regarding the cumulative impact of the car parking proposed and the refuse storage arrangements.

1.2 Members are referred to the report considered at that meeting which is included as a full appendix to this report, and which contains a full description of the site and its planning history, the details of the application, an explanation of the planning policy background and an assessment of planning considerations.

1.3 Members attention is drawn to the following correction; Paragraph 6.22 of the committee report considered by Members advises that the proposed building would be 0.7m higher than the existing building. This is incorrect as the plans show that the measurement to the underside of the eaves is currently 2.6m and the proposed eaves height would be 4.5m creating a difference of 1.9m in height. However, the measurement from the existing ridge height to the proposed would be 2.5m. A further survey of the site shows the rear (east) wall is 3.3m in height and not 2.4m as depicted in the originally submitted drawings.

<u>Dimension</u>	<u>Existing</u>	<u>Proposed</u>	<u>Difference</u>
Eaves height	2.6m	4.5m	+1.9m
Ridge height	5.4m	7.9m	+2.5m
Rear wall/common boundary wall	3.3m	5.7m	+2.4m

2.0 Additional Information Submitted

2.1 Following the committee meeting, the applicant has submitted a daylight/sunlight assessment together with further drawings of the proposed building with the height of the existing building annotated for ease of comparison between the existing and proposed dimensions for members consideration. The drawings aim to assist in the assessment of the proposals by providing comparison plans to demonstrate the impact of the scheme.

2.2 The daylight and sunlight assessment concludes that all proposed windows and existing properties would have access to sunlight and daylight in accordance with British Research Establishment's (BRE) guidelines. This is discussed further in Section 4 of this report.

2.3 Section and elevation drawings have been provided. The drawings submitted update the original plans to include annotated dimensions and the position of the existing building superimposed on the proposed drawings.

2.4 Three additional drawings were submitted showing the front (west), north and south elevations of the proposed building, with the existing building depicted by a dotted line.

2.5 The drawings confirm that there would be a distance of 9.4m between the front of the live/work units to the southern flank of the proposed building. The drawings

also show the increase in height between the existing single storey building and the proposed two storey building which is a maximum of 2.5m.

- 2.6 Further drawings were submitted showing a swept path for refuse and emergency vehicles entering and leaving the site.
- 2.7 A Land Registry Official Title Plan (copy) was submitted in order to confirm the location and ability to use the bin storage chamber located at the west end of Block B.
- 2.8 Drawing number 2 (13) 02 Rev H shows a section of the proposed building. This drawing indicated that a wall was present between the rear wall of Block D and the gardens of the properties fronting Nettleton Road. This drawing also indicated that the eaves of the existing building would overhang this wall. The applicant has reviewed the survey drawings and this wall appears to have been drawn in error. The drawings were revised to this regard.
- 2.9 Neighbours were sent letters regarding the additional information provided on 29 October 2015.
- 2.10 Subsequent to this, a local resident contacted the applicant and advised that the revised drawings were still incorrect. After carrying out a site visit to view the application building from the resident's property, and carrying out a further survey, the drawings were again revised.
- 2.11 Revised drawing 2 (04) 02 Rev C shows that the rear wall of the existing building measures 3.3m and not 2.4m in height and that it is also the common boundary wall between the application plot and the plots with houses fronting Nettleton Road. The revised drawing also shows a roof profile which ends within the application site and does not have overhanging eaves as originally depicted. Drawing 2(13) 02 Rev H shows the proposed development in the context of the updated, existing building.
- 2.12 Officers considered it unnecessary to re-consult upon the latest drawings as the revised information clarified the existing arrangement, while the height of the proposed wall remains unchanged at 5.7m.

3.0 Consultation

- 3.1 As a result of the re-consultation exercise, further representations were received to the proposal; 10 objections and 4 comments bringing the number of representations received to 14 in total. In accordance with the Council's Statement of Community Involvement, a local meeting was held with neighbours to discuss the proposals. The issues raised in the additional letters are summarised below:

- Block D would virtually double in size and result in the Mews being overdeveloped.
- The live/work units to the immediate south have no windows on the rear so only receive light from the front therefore the development will greatly reduce the amount of light received into the live/work units.
- The proposed development would result in a loss of views.
- The proposed opaque window could result in overlooking in the future
- The proposed building would be too big for the Mews environment and Hatcham Conservation Area.

- The proposed development, together with the other buildings within the Mews recently converted to residential would result in an unreasonable level of noise
- The cumulative development of the Mews could possibly mean at least an extra 50 people plus 20-25 vehicles on a daily basis which will directly increase the noise levels.
- Insufficient parking, resulting in informal and dangerous parking arrangements.
- The access to the site is very narrow and adding additional occupiers would only exacerbate existing dangerous vehicular and pedestrian access to and from Hatcham Park Mews.
- Properties 28, 29 and 30 will be particularly affected.

3.2 The local meeting was held on 19 January 2016. The minutes of the meeting are appended to this report.

4.0 Planning Considerations

4.1 The main consideration, in addition to the considerations set out in the first report, is whether, in light of the corrections, the clarifying and additional information received, the proposal is acceptable in planning terms.

Amenity

4.2 The sunlight and daylight assessment considers all of the buildings within Hatcham Park Mews including Blocks A and B, together with properties in Nettleton Road to the east and Hatcham Park Road to the north.

4.3 The properties of particular concern to Members were the live/work units to the immediate south of the proposed development, being 27, 28, 29 and 30 Hatcham Park Mews. These properties are three storey live/work units which were granted planning permission for commercial/work space at ground floor level and ancillary residential accommodation above.

4.4 The ground floor of some of the live/work units are being used for habitable accommodation and officers note that this is reflected in the daylight and sunlight assessment submitted, which assesses the ground floors of these properties as habitable rooms.

Vertical Sky Component (VSC)

4.5 The Vertical Sky Component (VSC) section within the daylight and sunlight report assess the amount of sky which is visible from a window. The VSC for the sensitive rooms for all of the dwellings surrounding the proposal site was calculated for the 'pre' and 'post' development conditions.

4.6 The British Research Establishment (BRE) guidelines advises that existing properties should have minimum of 27% VSC, and those properties with less than 27% should not have a reduction of greater than 0.8 times (20%) the existing value which is the point at which a difference in daylight becomes perceptible. The VSC results for Nos. 27 to 30 Hatcham Park Mews demonstrate that the VSC remains well above 27% for all windows, even with the development in place. Therefore, these windows would retain an adequate amount of daylight. Notwithstanding this, the ratio of change for all windows is

above 0.8 (0.91 is the lowest recorded value) which would mean that the magnitude of change would be relatively small. Officers therefore consider that the impact from the proposed development to VSC levels would be negligible.

Access to daylight (NSL)

- 4.7 No Sky Line (NSL) is also referred to as the Daylight Distribution test and seeks to describe the change in the way daylight is allowed to penetrate into a room.
- 4.8 BRE Guidelines require that the area within the rooms from which the sky can be viewed, should not be reduced to less than 0.8 times its former value. Inspection of the results for Nos. 27 to 30 Hatcham Park Mews shows that in all cases the ratio of change is 0.8 or above. Consequently this demonstrates that there is only a negligible change in the distribution of daylight within the sensitive rooms tested.
- 4.9 None of the other nearby dwellings would be compromised by the proposal as they are too far away from the proposed development.
- 4.10 The access to daylight to the existing properties as a result of the proposed development would be reduced, but to levels which are within the BRE recommended guidelines. Officers consider that the levels of daylight to the windows of the properties immediately south of the proposal site would be marginally less as a result of the proposals, and the resultant impact, negligible and therefore acceptable.

Access to sunlight (APSH)

- 4.11 Annual Probable Sunlight Hours (APSH) is a test which quantifies the amount of direct sunlight received by a window. The results for Nos. 27 to 30 Hatcham Park Mews, show that in the existing situation, whilst there is no recorded sunlight during the winter months as the terrace faces north, these windows do receive some sunlight during the rest of the year. With the proposed development in place, the value of 'year round' APSH would not reduce. This demonstrates that the development would not have any adverse impacts on the sunlight received by the windows of these buildings.
- 4.12 Officers have reviewed the sunlight and daylight assessment, including the methodology and the surveys appended and the conclusions drawn. The results of the assessment confirm that the proposed development would result in a null or negligible change to sunlight and daylight, particularly to properties 27 to 30 Hatcham Park Mews, and Officers consider this to be acceptable.

Outlook

- 4.13 The policy requirement is to achieve a minimum distance of 9m between the flank and rear elevation of buildings but there are no such policies governing the relationship between front elevations and flanks. Therefore, the assessment is the impact to amenity of the neighbouring properties as they are currently used.
- 4.14 The existing live/work units were designed to have work space on the ground floor with residential uses above. However, officers are mindful that some of the occupiers are using this space for habitable purposes and therefore they are being considered as habitable rooms.

- 4.15 The rear elevations of the live/work units do not have any outlook in order to mitigate any overlooking to the properties fronting New Cross Road and light is gained from roof lights. The front elevations of the live/work units face north and have an outlook onto the rear of Block B and the flank of Block D. Officers are therefore aware that the front elevations of these properties provide the sole means of outlook.
- 4.16 The application proposal would result in an increased sense of enclosure to the live/work units due to the 2.5m increase in height of the proposed building. Officers consider that the design of the shallow pitched roof would go some way to minimising the impact but recognise that the scheme would result in a noticeable change.
- 4.17 On balance, officers consider that an outlook in excess of 9m, albeit onto the flank of a two storey building, is considered to be acceptable for an urban environment such as Hatcham Park Mews.
- 4.18 A neighbour has objected on the grounds that at some point, the frosted window proposed for the southern flank of the proposed building could be removed and replaced with a clear window, resulting in overlooking.
- 4.19 Officers are satisfied that a condition requiring the flank window to be obscured and fixed shut and maintained as such in perpetuity together with a condition removing permitted development rights with regard to the insertion of windows are enforceable should the window be changed or transparent window be installed in the future.
- 4.20 With regard to the revised drawings showing the existing rear boundary wall to be 3.3m high and not 2.4m as depicted on the originally submitted drawings, Officers are satisfied that the correction does not materially change Officers consideration of the proposals or the impact upon neighbour amenity.
- 4.21 In light of the above, officers remain satisfied that the level of impact from the proposed two storey building would be acceptable in terms of its impact to neighbour amenity.

Car parking

- 4.22 Members raised concerns regarding the proposed parking situation within Hatcham Park Mews, given that the site is accessed via a meandering, narrow Mews Road. Concern was also raised within regard to the increased cumulative density of the recently approved and proposed development and the implications this may have on existing parking problems within the Mews, which in turn could have implications for emergency and refuse access and pedestrian safety.
- 4.23 The proposal is for 6 car parking spaces, down from 20 which is a 70% reduction from the existing position.
- 4.24 The policy position regarding car parking is set out in the committee report appended, but the general ambition is to encourage the use of more sustainable modes of transport such as walking, cycling, public transport and car clubs/car sharing especially in areas which have high Public Transport Accessibility Levels (PTAL); the application site has a PTAL of 6a where 1 is poor and 6 is excellent.

- 4.25 The applicant has confirmed that the proposed car parking spaces are to be allocated to the four houses proposed in the current application and the two houses within Block B.
- 4.26 In order to encourage sustainable car use and to accommodate wheelchair user car parking if required, two of the car parking spaces would be conditioned to provide electric vehicle charging points, and a further two would be dedicated to wheelchair user parking.
- 4.27 The Prior Approval for the change of use of the B1 units within Hatcham Mews was granted subject to a unilateral undertaking to provide 20 car parking spaces, of which 4 Electric Vehicle Charging Points (EVCP) and 4 passive EVCPs were to be provided.
- 4.28 Officers acknowledge that 6 car parking spaces down from 20 is a significant reduction but consider that the reduction is appropriate for an urban environment which benefits from a high PTAL. Further to this, Officers are satisfied that 4 of the 6 spaces will be designated for particular user types.
- 4.29 For the reasons set out above, Officers are satisfied that the level of car parking proposed is acceptable.

Refuse storage

- 4.30 Existing bin storage is a single storey annexe attached to the western end of block B. The storage area is split into sections; refuse storage for the live/work units, refuse storage for Blocks A, B and D and utilities meters chambers.
- 4.31 A Land Registry Official Title Plan (copy) was submitted to officers in order to demonstrate that Blocks A, B and D have a right to use the bin store as was the case when Blocks A, B and D were in B1 use.
- 4.32 At the local meeting, a neighbour considered that the increase in demand for the refuse storage has rendered the existing space too small. As a remedy to the problem, the utilities meters chamber could be reduced in size in order to make the size of the refuse storage space bigger. Officers remain satisfied with the proposed location of the bin storage which is central to all users and accessible to refuse collectors, however making the refuse storage area for Blocks A, B and D larger while also implementing a management plan to ensure proper use would further benefit neighbour amenity. The requirement to investigate the reconfiguration of the refuse chamber and to provide a refuse management plan would be secured by condition if Members were minded to grant planning permission.

5.0 Local Finance Considerations

- 5.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) 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
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

- 5.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 5.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

6.0 Equalities Considerations

- 6.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality. In this matter, there is no impact on equality.

7.0 Conclusion

- 7.1 This application has been considered in the light of policies set out in the development plan and other material considerations. The application site is considered to be an urban environment where higher density development is encouraged where it can respect the existing plan form and neighbour amenity.
- 7.2 The sunlight and daylight assessment submitted concluded that any impact from the proposed development upon the amenities of existing neighbouring dwellings would be null or negligible.
- 7.3 Further drawings were submitted confirming the increase in height between the existing single storey building and the proposed two storey building to be 2.5m.
- 7.4 In light of the additional information submitted, officers remain satisfied that the design and impact upon the conservation area are acceptable whilst also resulting in an acceptable level of impact to nearby residential occupiers for a urban environment.
- 7.5 Officers consider that the proposed two storey building and the alterations to the forecourt as previously considered by Members accord with planning policy and, subject to conditions is acceptable.

8.0 RECOMMENDATION

Grant Permission subject to the following conditions:-

1. The development to which this permission relates must be begun not later than

the expiration of three years 3 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. The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

2(01)00, 2(02)03, 2(03)00, 2(05)03, 2014-1940-AT-107, 2014-1940-AT-108 Heritage Statement, Transport Statement, Design and Access Statement, received 10/3/15; Assured Shorthold Tenancy Agreement received 30/4/15; 2(02)00 B received 27/7/15; 2(21)00, 2(21)01, 2(21)02, 2(21)03, 2(21)10, 2(21)11, 2(21)12, 2(21)13 received 3/9/15; Title Plan_ TGL185990 received 28/9/15; 2014-1940-AT-111_C, 2014-1940-AT-112_C, 2(12)00_C, 2(12)01_C received 6/10/15; Sunlight and daylight assessment received 15/10/15; 2(12)RF D, 2(14)01 D, 2(14)03 D, 2(14)10 D, received 22/2/16 ; 2(04)02_C, 2(05)01 B, 2(05)10 B, 2(05)12 B, 2(13)02_H received 25/2/16; 2(14)12 E received 29/2/16

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. (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
 - (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 to and approved in writing by the Council.
 - (iii) The required remediation scheme implemented in full.
- (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 shall not be occupied until a closure report 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).

4. No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
 - (a) Dust mitigation measures.
 - (b) The location and operation of plant and wheel washing facilities
 - (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
 - (d) 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.
 - (e) Security Management (to minimise risks to unauthorised personnel).
 - (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

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 (2015).

5. (a) No development shall commence on site until a scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved

scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2011) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

6. No development shall commence on site until a detailed plan to include measures to assess, reclaim and re-use the existing bricks and a schedule of the all external materials and finishes (including samples) and drawings scaled at least 1:10 of the windows (including glazing bars) and external doors, roof coverings, eaves and reveals to be used on the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

7. (a) No development shall commence on site until a parking and refuse and recycling management plan, including details of parking monitoring, restricted parking zones and enforcement procedures, together with details of the size of the proposed refuse store for the dwellings hereby approved, have been submitted to and approved in writing by the local planning authority.
- (b) The details of the management plan as approved under part (a) shall be implemented in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and DM Policy 29 Car parking and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

8. No development shall commence on site until the cycle parking facilities as shown on drawing 2(12)00 B has been 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).

9. (a) No development shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted to and approved in writing by the local planning authority.

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

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the 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.

10. (a) A programme for the installation and maintenance of two electric car charging points shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (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).

11. (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).

12. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no flues, plumbing or pipes, other than rainwater pipes, shall be fixed on the front or either side elevation of the building.

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).

13. No extensions or alterations to the dwellings hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

14. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the southern flank at first floor level of the building hereby approved shall be fixed shut and fitted as obscure glazed and retained as such in perpetuity.

Reason: To avoid the direct overlooking of neighbouring properties and consequent loss of privacy thereto and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, DM Policy 32 Housing design, layout and space standards, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

15. (a) The whole of the car parking accommodation shown on drawing nos. 2 (12) 00 B hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter.

(b) Four of the 6 car parking spaces provided under provision (a) shall for the sole use of the dwellings hereby approved.

Reason: To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the buildings does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Policy 6.13 and Table 6.2 of the London Plan (July 2015).

16. Notwithstanding the details hereby approved, details of the structural integrity of the rear (west) boundary wall shall be submitted to and approved in writing, prior to the commencement of works, including demolition.

Reason: In order that the Local Authority can be satisfied that the demolition of the rear wall is absolutely necessary and to minimise, where practicable the noise and disturbance and visual amenity of the nearby residential occupiers in accordance with DM Policy 32 Housing design, layout and space standards and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

17. No development shall commence on site until a Tree Protection Plan (TPP) has 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 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).

Informatives

- A. **Pre-Commencement Conditions:** The pre-commencement conditions hereby imposed are necessary in order to ensure the protection and wellbeing of future occupiers of the approved scheme, the amenities of neighbouring occupiers and the protection of nearby existing trees. The pre-commencement conditions are also necessary to ensure that the quality and sustainability of the development and overall management of the approved scheme would be delivered as envisaged in the planning submission.
- B. **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.
- C. The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- D. 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>
- E. The land contamination condition requirements apply to both whole site and phased developments. Where development is phased, no unit within a phase shall be occupied until a), b) and c) of the condition have been satisfied for that

phase.

Applicants are advised to read 'Contaminated Land Guide for Developers' (London Borough's Publication 2003), on the Lewisham web page, before complying with the above condition. All of the above must be conducted in accordance with DEFRA and the Environment Agency's (EA) - Model Procedures for the Management of Land Contamination.

Applicants should also be aware of their responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance therefore relating to their activities on site, should be obtained primarily by reference to DEFRA and EA publications.

- F. You are advised to contact the Council's Drainage Design team on 020 8314 2036 prior to the commencement of work.
- G. The assessment of the light spill and lux level at the window of the nearest residential premises shall follow the guidance provided in The Institution of Lighting Engineers, Guidance Notes for the Reduction of Obtrusive Light.
- H. The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- I. Drawing numbers 2014-1940-AT-107, 2014-1940-AT-108, 2014-1940-AT-111 Rev C and 2014-1940-AT-112 Rev C have been used for the assessment of the swept path analysis only as the internal layouts as depicted on the aforementioned plans do not reflect the scheme hereby approved.

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Appendix A
Local Meeting Minutes

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Block D – Hatcham Park Mews Local meeting minutes

The demolition of Block D at Hatcham Mews Business Centre, Hatcham Park Mews SE14, and the construction of a two storey building to create 2, two bedroom and 2, three bedroom maisonettes, together with the landscaping of the existing car parking area to create private amenity space. Application reference DC/15/91333

Date & time: 19 January 2016 – 7pm (started at 7.10pm ended at 8pm)

Location: 11 Hatcham Park Mews

Attendees: Councillor Paul Bell – Chair (Telegraph Hill Ward Councillor and Chair of Planning Committee C)
Councillor Joe Dromey – New Cross Ward Councillor
Monique Wallace – Lewisham Development Management Officer
Barry Neiman – Neiman Associates (applicant team)
Andy Puncher – PH+ Architects (applicant team)
Claire Scerri - PH+ Architects (applicant team)
Tim Gaskell – CMA Planning (applicant team)

Apologies Councillor Brenda Dacres – New Cross Ward Councillor

Approximately 5 occupiers from Hatcham Park Road, Hatcham Park Mews and Nettleton Road attended the meeting.

R – Resident

AR – Applicant representative

Cllr Bell – Councillor Paul Bell

Cllr Dromey – Councillor Joe Dromey

MW – Monique Wallace

AR – Presented the subject proposals and the development which had taken place in the Mews. AR answered questions from residents seeking clarification of the proposals during the presentation.

AR - referred to Officer's numerical error in the committee report and confirmed that the increase in height of Block D would be 2.5m and not 0.7m as referred to in the Officer's report.

MW - confirmed the error in the Officers report and advised that revised drawings showing the increase in height against the existing building were available on the Council's web site since December and that neighbours had been sent letters to that regard.

AR – Advised that Block D would be positioned 2m forward (east, towards the courtyard). Explanation regarding the configuration of the roof terrace, internal layout and bin stores were also provided.

AR – Explained that the proposed car parking for the current application would be assigned to the 4 houses proposed and the two houses within Block B; the flats within the remainder of the Mews were occupied without car parking spaces.

R – The proposed bin store is too small to accommodate the new dwellings; perhaps reduce the size of the meter cupboard to make more space for the refuse.

Cllr Bell – Members (at the committee meeting 24/9/15) requested clarity over the location of the proposed bin stores.

AR – Advised that the bin stores for the proposed development is separate to the bin stores used by the occupiers of the live/work units. We can look into moving the partition wall between the refuse chamber and meter cupboard in order to create a larger bin store.

(The applicant handed out print outs of the proposed development with the existing measurements overlaid).

**R – The proposal would result in obstruction to views from Nettleton Road
R – What will happen to the tree canopies which are close to the boundary where the new building is proposed?**

AR – Tree works can be conditioned if planning permission were to be granted.

Cllr Bell – How close are the trees from the boundary/proposed building?
(unanswered)

R – Would the wall abutting the Nettleton Road properties be retained?

AR – We would like to keep the wall but can't confirm that it would be retained until a structural survey has been carried out; the planning application is for the demolition of the rear boundary wall.

R - Once you demolish the building, would you be re-using any of the bricks?

AR – We would endeavour to re-use the bricks where feasible.

R – Would you use materials to match the existing buildings within the Mews?

AR – Yes.

R – Is Block B drawn on the application drawings as built, or at its pre-development height?

AR – Block B was surveyed in order to create the drawings, so the drawings reflect the height as it is now.

R – Would you increase the height of Block D once approved like you did with Block B?

AR – There may be marginal differences in the measurements shown on the application drawings due to surveys, insulation etc.; Block B was increased in height as the drawings showed the floor levels in the building being lowered which was incorrect. The additional height was created due to the necessity to add insulation to an existing building. Block D would not have the same constraints as it would be a new building.

R – The additional 2.5m increase in height of Block D would result in a loss of sunlight.

AR – The sunlight and daylight report confirms that any impact from the proposed development would be to a level in accordance with BRE guidelines.

R – The houses might be ok, but the gardens would suffer a loss of sunlight.

MW – Advised that the sunlight and daylight report was at parts difficult to comprehend and advised residents to contact her if there were any questions regarding the report. MW agreed that the conclusions in the report are that the impact of the proposed development would be null or negligible.

R – Overlooking from the proposed development would also be a problem for residents.

Councillor Bell requested that the sunlight and daylight report is forwarded to all Members of Committee C. (Development Management Officer to action).

R – The proposed density is high, particularly that family sized houses are being proposed - where would children play? It could be dangerous for children if parking is not appropriately managed.

AR – We originally proposed gardens to the front of Block D, but Development management Officers advised that they should be removed; the space in front of the dwellings although not demarked will be for the use of the new houses.

R – Hatcham Park Mews is a private road, so the parking can not be legally managed.

R - The management company can not legally enforce any parking contraventions, so how can the magement and control of parking be assured?

AR – The management company would have to manage the parking spaces due to the density of the recently occupied flats.

R – As demonstrated with the increase in height of Block B, there would be no recourse if you again fail to build the proposal in accordance with the approved plans.

AR – If we have to make changes, we would have to make a retrospective application for the retention of any changes which would have to go through the planning process and would be subject to public consultation again.

AR – If Block D was not built in accordance with the approved plans, as seen with Block B, the Council’s Enforcement Team investigate the matter and could take enforcement action.

Cllr Bell – The application would again have to be brought back to committee

R – Permission was not sought before the felling of trees (in the Conservation Area) in order to carry out the works on the other blocks within the Mews – how can we trust that the same wont happen to the trees next to Block D?

R - Why was the roof of Block B increased in height?

AR – Lewisham Council carried out due process with regard to the increase in height at Block B even though the retrospective planning application was determined unfavourably (from the residents point of view).

R – What was the exact height increase of Block B.

AR – 280mm (28cm).

R – That is not true as there has been an increase of at least 1 meter as I have before and after photographs to prove this showing the views which have been lost as a result.

AR – The building was surveyed.

R – To say that the loss of daylight to 27-30 Hatcham Park Mews can not be right given that a building increased in height by 2.5m is proposed.

AR – vertical daylight, outlook and vertical sky measurements were assessed. The properties facing north were not tested.

MW – The report states that north facing units were not tested but the appendices to the document appear to suggest that north facing windows were tested. After speaking to the sunlight/daylight consultant who explained that in the summer months, north facing windows do not get sunlight during the winter months but that during the summer months, windows may get sunlight as the sun is higher in the sky and travels further around the Hemisphere. Nonetheless, the conclusions of the report are still that any impact from the development would be null or negligible.

R - If the houses are sold, the occupiers do not have to adhere to estate management rules.

AR – The houses will be sold on leases which will include ground rents for the estate management fees.

Cllr Dromey – As the residents said, how enforceable are the management company’s powers?

AR – The leases can be terminated for non-compliance.

R – Are the car parking spaces opposite Block A for sale?

(unanswered)

Councillor Bell read out questions from a Nettleton Road resident who gave his apologies:

Question 1: How will the visual amenity of the residents of Nettleton Road be protected given the proposed loss/reduction of the tree canopy?

AR – Any tree branches overhanging the application site will be pruned in a controlled manner.

Question 2: Current levels of light spillage from the new dwellings are compromising neighbour amenity. How will light pollution be controlled?

AR – Windows facing into the Mews courtyard and windows set down would reduce any levels of light pollution.

R – The street lighting on the façade of Block A illuminating the Mews Road is causing a nuisance to residents due to their high level of luminance and intermittent operation.

AR – Sensor lights put up by the management company can have filters to reduce the level of light spillage and directional hoods can also be fitted.

Cllr Bell – Explained the committee process and advised that if any residents have problems getting through to Council officers, please contact your local ward Councillors who are there to help. Please also speak to your ward Councillors if you would like them to speak on your behalf at committee.

Cllr Dromey - advised the audience that he would be free on 4th February to speak at committee.

R – What is the deadline to submit representations to the proposal?

Cllr Bell – explained that representations can be received right up to the night of the committee, but depending on when they are received, may be reported within the report or read out to Members on the night.

R – If permission is granted but the roof is higher than approved, would the Council make the applicant take down the roof and re-build it?

Cllr Bell – Yes.

R – How long would Block D take to build?

AR – Difficult to get a building contract but once on site, no more than 1 year. The proposal is for only 2 storeys so should have shallow foundations making the build process quicker.

Councillor Bell – Planning permission lasts for 3 years, so they would have to commence works within that time.

R – Can you ensure that delivery and construction vehicles travel the right way up and down the Mews and reduce noise and disturbance from the construction process?

AR – Yes there will be disturbance for a while.

Cllr Bell – A construction management plan can be added as a condition should planning permission be granted. You can not however enforce trucks going the wrong way up the Mews.

Meeting ended at 8pm.

Appendix B
24th September 2015 Report

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Committee	PLANNING COMMITTEE C	
Report Title	Block D at Hatcham Mews Business Centre, Hatcham Park Mews SE14	
Ward	New Cross	
Contributors	Monique Wallace	
Class	PART 1	24 September 2015

Reg. Nos. DC/15/91333

Application dated 10.03.15 as revised on 16.07.15

Applicant Ms Scerri pH+ Architects on behalf of Mr Neiman

Proposal The demolition of Block D at Hatcham Mews Business Centre, Hatcham Park Mews SE14, and the construction of a two storey building to create 2, two bedroom and 2, three bedroom maisonettes, together with the landscaping of the existing car parking area to create private amenity space.

Applicant's Plan Nos. Heritage Statement, Assured Shorthold Tenancy Agreement, Transport Statement, Design and Access Statement, 2(01)00, 2(02)03, 2(03)00, 2(04)02, 2(05)10, , 108, 2(05)01, 2(05)03, 2(14)01, 2(14)10, 2014-1940-AT-107, received 10/3/15; 2(12)RF_B and 2(14)03_B received 16/7/15; 2(02)00 B, 2(05)12, 2(12)00 B 2(12)01B, 2(13)02 B 2(14)12 B, received 27/7/15; 2(21)00, 2(21)01, 2(21)02, 2(21)03, 2(21)10, 2(21)11, 2(21)12, 2(21)13 received 3/9/15.

Background Papers

- (1) Case File DE/315/8/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation Core Strategy, - Existing Use

1.0 Property/Site Description

- 1.1 The application site is Block D within the Hatcham Business Centre, located at the end (east) of Hatcham Park Mews. The mews is within the Hatcham Conservation Area. Block D backs on to terraced properties in Nettleton Road to the east. Access to the site is from Hatcham Park Mews, which is a private road off Hatcham Park Road.
- 1.2 The Hatcham Business Centre comprises three buildings which date from about 1910 set within an area of open yard with car parking (there was a fourth building

but this has been demolished). The buildings are divided into a number of office/workshop units. There are two, two storey buildings (Buildings A and B) and the application building (Building D) is single storey.

- 1.3 Building D is positioned along the east boundary of the site. Building A is the largest building within the site and has a double pitched roof. Buildings A and B have frontages on the alignment of the original Mews.
- 1.4 The collection of buildings have a long history of commercial use and although not designated as a strategic or local employment location, it is a protected employment site under Core Strategy Policy 5: Other employment locations.
- 1.5 The site is in an area of archaeological priority and has a PTAL rating of 6a.

2.0 Planning History

- 2.1 In 1990 permission was granted for a single storey extension at the side of Building B. This was in association with the refurbishment of the buildings and their conversion into the Hatcham Mews Business Centre.
- 2.2 In 2001 permission was granted for the construction of 15 live/work units on the southern section of the site. Officers believe that this was the location of Block C within Hatcham Mews.
- 2.3 The remainder of the buildings which form the application site have been occupied by a range of B1 users over the years. Building D was occupied by New Deal for Communities and BSF for over 8 years. BSF vacated the site in 2011.
- 2.4 On the 8th April 2014, prior approval was granted for the change of use of Hatcham Mews Business Centre, from existing office use (Class B1a) to residential (Class C3) comprising three 3-bedroom houses, one 4-bedroom house and two 2-bedroom self-contained flats.
- 2.5 On the 9th September 2014, prior approval was again granted but this time for the change of use of the Hatcham Mews Business Centre, from existing office use (Class B1a) to residential (Class C3) to create 16 new dwellings. This approval was approved subject to a unilateral undertaking to provide 20 car parking spaces, of which 4 Electric Vehicle Charging Points (EVCP) and 4 passive EVCPs are to be provided. The agreement also included the prohibition of any occupier to apply to any of the Controlled Parking Zones within the immediate vicinity of the application site, namely the zones which include Hatcham Park Road, Nettleton Road and/or, New Cross Road. Site remedial measures were also instructed should any ground be broken during the conversion works. Case reference DC/14/88390.
- 2.6 A tenancy agreement was submitted with the current application to confirm that Block D was occupied (Two units were approved in Block D under the above mentioned Prior Approval scheme) and therefore the Prior Approval had been implemented and the change of use from B1(a) to C3 had been established.

3.0 Current Planning Applications

The Proposals

- 3.1 The proposal is for the demolition of the existing single storey building, and the erection of a two storey building of a similar footprint in its place.
- 3.2 The new building would have a pitched roof with inset terraces within the rear roof slope to provide internal roof outdoor space.
- 3.3 The new building would comprise 2, two bedroom and 2, three bedroom houses with direct access onto the mews.
- 3.4 The fore court would be landscaped to provide 6 car parking spaces, a shared surface for vehicular traffic and communal amenity space.

Supporting Documents

- 3.5 A tenancy agreement has been submitted with the application documents to confirm that the residential use has commenced and therefore the Prior Approval has been implemented as Block D is occupied.

Statements

- 3.6 The application was submitted with a Sustainability statement Heritage Statement, Assured Shorthold Tenancy Agreement, Transport Statement, and Design and Access Statement.

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors.

Pre-Application Consultation

- 4.3 On the 23 December 2014, the Council provided comments to a pre application enquiry relating to the change of use from B1, the alteration and extension of Buildings A, B and D to create 19 new dwellings.
- 4.4 The Council raised objections to the proposals and advised that the loss of employment would be unacceptable. It was further advised that the majority of the alterations and extensions proposed would be harmful to the appearance of the Conservation area and the integrity of the group of buildings and their respective surrounding spaces.
- 4.5 With particular reference to Block D, the Council advised the following:

‘Block D is to the east of the site and is a single storey long block under a pitched and hipped slate roof.... Block D has local stock brick piers supporting the roof, but the west elevation consists mainly of panels of modern Fletton brick infill. This suggests that this building originally formed mainly a series of open bays and it is likely that it was a cart shed.

... While this building is the least attractive of the three, the design approach is overly radical, particularly the way the whole building becomes subsumed beneath standing seam zinc cladding. A preferred approach would be the addition of another floor in local stock brick and the reinstatement of the pitched hipped slate roof; effectively making Block D resemble its two storey neighbour, Block B. ‘

Written Responses received from Local Residents and Organisations

4.6 Letters were sent to 33 nearby occupiers, of which 6 letters of objection were received to the proposals from Hatcham Park Mews, Hatcham Park Road and Nettleton Road.

4.7 The objections are summarised as follows:

- Overdevelopment
- The Mews is too small to support the increase in density
- The loss of the car parking area would result in the loss of informal amenity space for the existing dwellings within the Mews.
- The additional occupiers would result in an increase of noise and disturbance to existing occupiers within the Mews.
- Overlooking/loss of privacy
- Loss of light and outlook
- Sense of enclosure
- Insufficient parking provision
- The increase in density would result in the Mews road becoming more dangerous for cycle users and pedestrians and would be more difficult for cars to pass.
- The increase in height and the roof design and roof lights would be an uncharacteristic feature within the Conservation area.

5.0 Policy Context

Introduction

5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

- 5.2 A local finance consideration means:
- (a) 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
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.3 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

- 5.4 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 5.5 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

- 5.6 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

- 5.7 On 10 March 2015 the London Plan (consolidated with alterations since 2011) as adopted. The policies relevant to this application are:

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction

Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)

Sustainable Design and Construction (2006)

London Plan Best Practice Guidance

Core Strategy

- 5.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 2 Regeneration and Growth Areas

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 13 Addressing Lewisham's waste management requirements

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

Development Management Local Plan

- 5.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

- 5.10 The following policies are considered to be relevant to this application:

DM Policy 1 Presumption in favour of sustainable development

DM Policy 3 Conversion of a single dwelling to two or more dwellings

DM Policy 22 Sustainable design and construction

DM Policy 27	Lighting
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

Residential Standards Supplementary Planning Document (August 2006)

- 5.11 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

Hatcham Conservation Area Supplementary Planning Document (2006)

- 5.12 This document advises on the content of planning applications, and gives advice on external alterations to properties within the Hatcham Conservation Area. The document provides advice on repairs and maintenance and specifically advises on windows, satellite dishes, chimneystacks, doors, porches, canopies, walls, front gardens, development in rear gardens, shop fronts and architectural and other details.

6.0 Planning Considerations

- 6.1 The main issues to be considered in respect of this application are:

- Principle of Development
- Conservation
- Layout, scale and design
- Housing
- Highways and Traffic
- Impact on Adjoining Properties
- Sustainability and Energy
- Landscaping

Principle of Development

- 6.2 The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

- 6.3 The NPPF encourages the effective use of land by reusing land that has been previously developed (brown field land).
- 6.4 Core Strategy Spatial Policy 2 identifies New Cross/New Cross Gate as a Regeneration and Growth Area. This area will support the creation of a more sustainable Borough by being the prime location for new development. The area benefits from good transport links and a range of town centre uses and facilities which can support higher densities of development.
- 6.5 Core Strategy Policy 1: Housing provision, mix and affordability requires an appropriate mix of dwellings to be provided within a development. When considering an appropriate mix regard should be given to the physical character of the site and its setting, previous use of the building, access to private gardens or communal areas for family dwellings, the effect on car parking, the surrounding housing mix and density and location of schools, shops, open space and other infrastructure requirements.
- 6.6 As explained within the 'Planning History' section of this report, the use of Block D for residential purposes is established by virtue of the occupancy by residential tenants pursuant to the prior approval permission granted. The existing drawings submitted with the current application documents show residential layouts within each of the three buildings; these drawings show the prior approval consented scheme. Works are ongoing, although not complete. Officers therefore raise no objections to the use of Block D for residential use.
- 6.7 Hatcham Park Mews is included within the Conservation area boundary, and therefore any physical development proposed has to be sensitive to the characteristics of the conservation area.

Conservation

- 6.8 DM Policy 36, New development, changes of use and alterations affecting designated heritage assets and their setting... requires all planning applications for proposals affecting heritage assets to provide a statement setting out the impact to the significance of that asset and any harm or loss to that asset should be robustly justified. In particular, the policy continues to advise that planning permission would not be granted for developments or alterations and extensions to existing buildings that is deemed incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.
- 6.9 Hatcham Mews is an unusual historic industrial backland development that sits within Hatcham Conservation Area. The area is identified as a separate area within the Hatcham Conservation Area Appraisal.
- 6.10 Hatcham Park Mews is a land-locked light industrial site accessed via an L-shaped access road off Hatcham Park Road. The site is arranged around a courtyard with three blocks at its eastern, southern and western edges. Block A to the east is a two storey block under a double-pitched roof with a single storey extension to the north. Block B is a two storey block under a pitched and hipped roof with minor single storey extensions to the west and east ends. The application building, Block D is to the east of the site and is a single storey long block under a pitched and hipped slate roof.

- 6.11 The three buildings clearly have a visual relationship and commonality within the courtyard setting and therefore it is important that this collection of buildings continues to maintain that cluster that positively contributes to the Hatcham Conservation Area.
- 6.12 Of the 3 existing buildings within the Hatcham Business Park, Block D is considered to be of the least visual interest and architectural merit. It has been heavily adapted over the years, and therefore its architectural integrity has been compromised. Officers therefore raise no objections to its demolition.
- 6.13 Having said that, its position within the Mews is fundamental to the enclosed mews environment, with Block D forming an integral part of that frame to the central courtyard. Therefore while the demolition of Block D maybe acceptable, the design, layout and scale of any replacement building needs to be carefully considered.

Layout, scale and design

- 6.14 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. 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.
- 6.15 Development Management 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.
- 6.16 The glossary of terms at Appendix 5 of the DMLP defines a Backland site as 'Landlocked' sites to the rear of street frontages not historically in garden use such small workshops and warehouses, and garages. Officers consider Hatcham Mews as a backland site as it is located to the rear of the houses fronting New Cross Road, Nettleton Road and Hatcham Park Road.
- 6.17 DM Policy 33 of the Development Management Local Plan sets out the design standards for development within backland sites will only be permitted when the following is achieved:
- a) proper means of access and servicing which is convenient and safe both for drivers and pedestrians
 - b) no significant loss of privacy, amenity, and no loss of security for adjoining houses and rear gardens
 - c) appropriate amenity space in line with the policy requirements in DM Policy 32 (Housing design, layout and space standards).

Layout

- 6.18 The footprint of the new building would be the same as per the existing building in that it extends to the rear and north boundary, abutting the rear gardens of the properties fronting Nettleton Road and Hatcham Park Road respectively. It would

also extend to the application site boundary, just north of Block B as does the existing. The new building would 1.75m further west than the existing building, bringing it further towards the central courtyard area. Given the scale of the proposed and existing buildings, officers consider this additional depth proposed to be negligible.

- 6.19 The proposed building would abut the northern and eastern boundaries as per the existing arrangement, but the southern flank would be 0.35m further away from the southern boundary than the current building.
- 6.20 Officers consider that the layout of the proposed building is close enough to the existing arrangement as not to compromise the integrity of the group of buildings, within the enclosed courtyard setting. The layout/location of the proposed block is therefore deemed to be acceptable.

Scale

- 6.21 The existing building measures 5.2m to the ridge and 2.74m to the eaves. The proposed building would measure 5.9m to the ridge and 3.3m to the eaves.
- 6.22 The overall difference in height would result in the proposed building being 0.7m higher than the existing. Officers consider that increase in the height between the existing and proposed buildings is negligible given the overall scale of the adjacent buildings and the distance between the application site and the surrounding residential buildings.

Design

- 6.23 The design of the proposed new building is one which replicates the appearance of Block B with the intention that it is constructed from a yellow brick and would have a shallow pitched roof. As this is the typical design of the buildings within this section of the Mews, officers raise no objections to the principle of the proposed design approach. However, the quality of the design would need to be secured by providing more detailed drawings of sections showing the roof overhang, and the depth of the reveals.
- 6.24 Large windows with curved arches at ground floor level, with smaller, narrower windows above were initially proposed. Large uninterrupted expanses of glass were also proposed which resulted in large deep voids within the building frontage (examples of which are provided within the design and access statement). Officers deemed this modern design approach to be inappropriate to the industrial and conservation area setting.
- 6.25 The drawings were revised and all windows are now to comprise glazing bars with proportions, reflecting the fenestration of the adjacent buildings.
- 6.26 The proportions of the first floor windows have also been enlarged and given a horizontal emphasis to better reflect and be more in keeping with the proportions of the windows on Blocks B and A. They too would have glazing bars.
- 6.27 A further revision to the initially submitted scheme is that the eaves to the pitched roof of the proposed building would have an exaggerated overhang as per the existing.

- 6.28 Officers consider that 1:10 drawings showing the depth of the reveals, the roof overhang and sections of the windows (which should be metal) should be secured by condition to ensure that the development is built with the quality as envisaged.
- 6.29 The fenestration concept is considered to be acceptable, providing a suitable complement to the original buildings within the Business centre.
- 6.30 Overall, officers consider that with the provision of further detail, secured by condition, the design of the proposed building is acceptable.

Impact of the layout, scale and design upon the Hatcham Conservation Area

- 6.31 By almost repeating the footprint of the existing building, officers are satisfied that the proposed layout continues to preserve the appearance of the Mews and the Hatcham Conservation Area.
- 6.32 The proposed scale of the two storey building, is similar to those of the existing buildings (Blocks A & B) within the Mews and therefore officers consider the scale to be appropriate to the Mews setting, which preserves the character of the Mews Road.
- 6.33 The proposed design, which is to be secured by requesting further information and detail, would result in a fenestration that would provide a modern reflection of the adjacent buildings which officers consider would enhance the appearance of the Hatcham Conservation Area.
- 6.34 In light of the above, officers are satisfied that the proposed layout, scale and design would preserve and enhance the appearance of the Hatcham Conservation Area in line with Development Management Local Plan Policy 36.

Housing

- 6.35 The site has a PTAL of 6a which means that it benefits from excellent public transport links. This area currently provides a good quality commercial and living environment supported by a network of local services and facilities such as schools, medical facilities and parks/areas of open space. Such locations are entirely appropriate for the provision of family housing. Taking into account the clear need at the present time for family dwellings and having regard to the significant weight which should be attached to the objectives of the Core Strategy and recently adopted Development Management Local Plan, the Planning Authority would welcome the provision of family sized dwellings. Although, the Council would expect to see justification for the amount of development proposed.

Size and Tenure of Residential Accommodation

- 6.36 The proposal is for 2 x 3 bed, and 2 x 2 bed, two storey houses; four in total. None of the units are to be affordable as they are below the 10 unit threshold.

Standard of Residential Accommodation

- 6.37 Policy 3.5 in the London Plan requires new housing developments to be of the highest quality in terms of making new dwellings 'a place of retreat' by ensuring safe access, adequate room sizes and practical layouts. The policy also refers to ensuring that the design of new dwellings has a clearly defined 'point of arrival' so

that occupiers take ownership of their dwellings. Further detail about what is necessary in order to create the high standards of accommodation, are found in the London Plan Housing SPG and Lewisham's Residential Standards SPD.

- 6.38 Private terraces are proposed, sunken into the rear roof slopes. Outlook from the terraces would be limited to views upwards to the sky and the rooftops of the houses within Nettleton Road. The terraces provide the amenity spaces for the units; including the family sized units.
- 6.39 The windows for the units would be single aspect (save a frosted window on the southern flank) and west facing into Hatcham Park Mews, therefore none would solely face north.
- 6.40 All rooms would achieve the Technical housing standards – nationally described space standards. Essential furniture layouts have been annotated on the drawings which show an acceptable layout to that regard.
- 6.41 The kitchen/dining areas to the rear of the property at ground floor level gain their light from roof lights forming the floor of the terraces above. Adequate storage has also been provided. Officers consider this design to allow natural light into the kitchen/dining area to be an innovative solution and acceptable.
- 6.42 London Plan Housing SPG baseline Standard 4.10.1 requires a minimum of 5m² of private amenity space per dwelling, with an extra 1m² per additional occupier. The 2 bed, 4 person houses would therefore require 7m² for 2 bed dwellings and 8m² for 3 bed, 5 person units. All four terraces proposed achieve the minimum area requirements. In addition to this, the parking area in front of the proposed dwellings is to comprise a shared surface which may lend itself to 'double up' as communal amenity space. However, it should be noted that the shared space is not necessary to make the proposal policy compliant on the grounds of amenity as that has adequately been provided within the terraces.
- 6.43 A drawing scaled at 1:50 demonstrates how the proposed units would achieve the 16 Lifetime Homes Criteria which officers consider to be acceptable.
- 6.44 In light of the above, officers are satisfied with the standard of accommodation being proposed.

Highways and Traffic

- 6.45 Table 6.2 Car parking standards in the London Plan states that all residential developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit. However, this also depends of the size of the unit; 3 beds should have a maximum of 1.5 spaces per unit, and units of 1-2 beds, a maximum of 0-1 car space per unit. Core Strategy Policy 14 Sustainable movement and transport states that the Council will take a restrained approach to parking provision.
- 6.46 The current proposal is for 6 car parking spaces for 4 dwellings, 2 of which are family sized (3 bedrooms). This provision of car parking is clearly in excess of the policy maximum of 1.5 space per dwelling; even with the family units, the maximum car parking spaces should be 5 to be in line with the policy. However, the red line for the application proposal encompasses not just the area in front of the houses, but the whole hardstanding area (the Mews Road) leading to

Hatcham Park Road. Therefore, the car parking spaces would be used for other residents within Hatcham Mews. It is for that reason, the over provision of parking spaces for the four dwellings, which are the subject of the current proposals, is considered to be acceptable. Officers deem it necessary to apply a condition securing at least 4 of the 6 car parking spaces for the proposed 4 new dwellings.

- 6.47 London Plan Policy 6.13 requires a 20% provision of electrical charging points in new developments as part of parking provision requirements, but other than that, local policies are more applicable. As 6 car parking spaces are proposed in the current scheme, officers consider the provision of 2 EVCPs (rounded up) to be acceptable subject to a condition regarding their installation and retention.
- 6.48 The proposed new dwellings would all benefit from secure and covered cycle storage which can accommodate at least 2 bikes which is in accordance with London Plan policies.
- 6.49 The refuse and recycling would be located in a communal bin store used for the entire development. For this reason, officers recommend a condition securing a refuse management plan to ensure that the current arrangement for commercial waste collection from the bin store is applied for the proposed residential accommodation. This is necessary to ensure that individual bins do not clutter the openness of the courtyard in front of the dwellings.

Impact on Adjoining Properties

- 6.50 The properties fronting Nettleton Road and Hatcham Park Road would be affected the most by the development given that first floor terraces are proposed. This could result in a loss of privacy, outlook and sunlight.
- 6.51 However, the terraces have been design so that limited, if any overlooking can occur whilst the closest property on Nettleton Road (back elevation to back elevation) is 35m away, and the closest on Hatcham Park Road (northern flank of application building to rear elevation of Hatcham Park Road properties) would be 18m.
- 6.52 Lewisham's Residential Standards SPD states that a minimum distance between habitable rooms on rear elevations should be 21m. It also states that the main rear elevation of any proposed development and its rear boundary or the flank of a neighbouring property should be at least 9m.
- 6.53 The proposals satisfy both requirements of the SPD and therefore officers do not raise any objections with regard to loss of privacy to nearby occupiers.
- 6.54 With regard to a loss of outlook and sunlight, officers are satisfied that the proposed new building, at two storeys in height, is of a sufficient distance from the existing properties that any impact would be limited to the rearmost sections of neighbouring gardens, and would not give rise to significant harm.
- 6.55 Officers consider that any additional noise created by the proposal would be in keeping with the levels of noise and disturbance from domestic properties.

Sustainability and Energy

- 6.56 The application was submitted prior to the March 2015 planning update which brought measures in prohibiting local authorities from adding conditions to planning permissions requesting Level 4 Code for Sustainable Homes except for the Level 4 equivalent with regard to water consumption and energy. A sustainability statement was submitted with the application. The document sets out how the U values for the proposed dwellings that exceed Part L Building regulations. The statement also confirms that water butts for each property would collect rainwater and that all four dwellings would achieve Level 4, Code for Sustainable Homes. There is also reference to sustainability on page 12 of the Design and Access Statement which again advises that the scheme would achieve Level 4. In achieving Level 4, the scheme would have incorporated water consumption targets in accordance with Level 4 and therefore officers raise no objections to the proposals with regard to the water consumption on the site.
- 6.57 Officers consider the sustainable measures proposed for the new dwellings are acceptable.

Landscaping

- 6.58 London Plan policy 5.10 Urban Greening states that new developments should integrate forms of urban greening into proposals, such as soft landscaping. Development Management Local Plan Policy 25 Landscaping and trees requires developments to submit a landscaping scheme while DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens states that landscaping features that positively contribute to the character of the conservation area are to be retained.
- 6.59 The proposed forecourt immediately in front of the proposed dwellings is to be used for parking and as a turning head for larger vehicles, such as emergency and refuse. However, the Mews is a no through road and therefore traffic flow would be infrequent. Further, the parking proposed would be north of the site, freeing up the open space in front of the dwellings and Block B. Officers have discussed the use of the open forecourt with the applicant and it was concluded that the current arrangement of the buildings lends itself to creating an open and useable communal open space. This space should comprise a surface which is both sturdy enough for infrequent vehicle use and soft enough to be visually attractive for recreational use. This material should be applied to the courtyard area only, and not to the Mews road leading into the development to further distinguish the shared surface from the highway. Officers are satisfied that the details of the hard landscaping can be secured by way of a condition to the decision notice should planning permission be granted.

7.0 Local Finance Considerations

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) 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
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

8.0 Community Infrastructure Levy

- 8.1 The above development is CIL liable and the appropriate form has been completed. An informative should be added to the decision notice requesting the applicant to contact the Council to that regard.

9.0 Conclusion

- 9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 9.2 Officers consider that the proposed first floor extension and the alterations to the forecourt accord with planning policy and, subject to obligations are therefore acceptable.

10.0 RECOMMENDATION (A)

Grant Permission subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of three years 3 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. The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

Heritage Statement, Assured Shorthold Tenancy Agreement, Transport Statement, Design and Access Statement, 2(01)00, 2(02)03, 2(03)00, 2(04)02, 2(05)10, , 108, 2(05)01, 2(05)03, 2(14)01, 2(14)10, 2014-1940-AT-107, received 10/3/15; 2(12)RF_B and 2(14)03_B received 16/7/15; 2(02)00 B, 2(05)12, 2(12)00 B 2(12)01B, 2(13)02 B 2(14)12 B, received 27/7/15; 2(21)00, 2(21)01, 2(21)02, 2(21)03, 2(21)10, 2(21)11, 2(21)12, 2(21)13 received 3/9/15.

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. (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
 - (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 to and approved in writing by the Council.

- (iii) The required remediation scheme implemented in full.
- (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 shall not be occupied until a closure report 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).

- 4. (a) No development shall commence on site until a scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2011) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10:Managing and reducing the risk of flooding (2011).

- 5. No development shall commence on site until a detailed plan to include a schedule of the all external materials and finishes (including samples) and drawings scaled at least 1:10 of the windows (including glazing bars) and external doors, roof coverings, eaves and reveals to be used on the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

6. (a) No development shall commence on site until a refuse and recycling management plan for the dwellings hereby approved, have been submitted to and approved in writing by the local planning authority.
- (b) The details of the management plan as approved under part (a) shall be implemented in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with 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).

7. No development shall commence on site until the cycle parking facilities as shown on drawing 2(12)00 B has been 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).

8. (a) No development shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the 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.

9. (a) A programme for the installation and maintenance of four electric car charging points shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (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).

10. (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).

11. Each of the dwellings shall meet Lifetime Home Standards as shown on drawing nos. 2(21)00, 2(21)01, 2(21)02, 2(21)03, 2(21)10, 2(21)11, 2(21)12, 2(21)13 received 3/9/15 hereby approved.

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

12. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no flues, plumbing or pipes, other than rainwater pipes, shall be fixed on the front or either side elevation of the building.

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).

13. No extensions or alterations to the dwellings hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

14. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the southern flank at first floor level of the building hereby approved shall be fitted as obscure glazed and retained in perpetuity.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, DM Policy 32 Housing design, layout and space standards, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

15. (a)The whole of the car parking accommodation shown on drawing nos. 2 (12) 00 B hereby approved shall be provided prior to the occupation of any dwelling and

retained permanently thereafter.

(b) Four of the 6 car parking spaces provided under provision (a) shall for the sole use of the dwellings hereby approved.

Reason: To ensure the permanent retention of the space(s) for parking purposes, to ensure that the use of the building(s) does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Policy 6.13 and Table 6.2 of the London Plan (July 2015).

- 16 (a) Two electric vehicle charging points shall be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (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).

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. The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- C. 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>
- D. The land contamination condition requirements apply to both whole site and phased developments. Where development is phased, no unit within a phase shall be occupied until a), b) and c) of the condition have been satisfied for that phase.

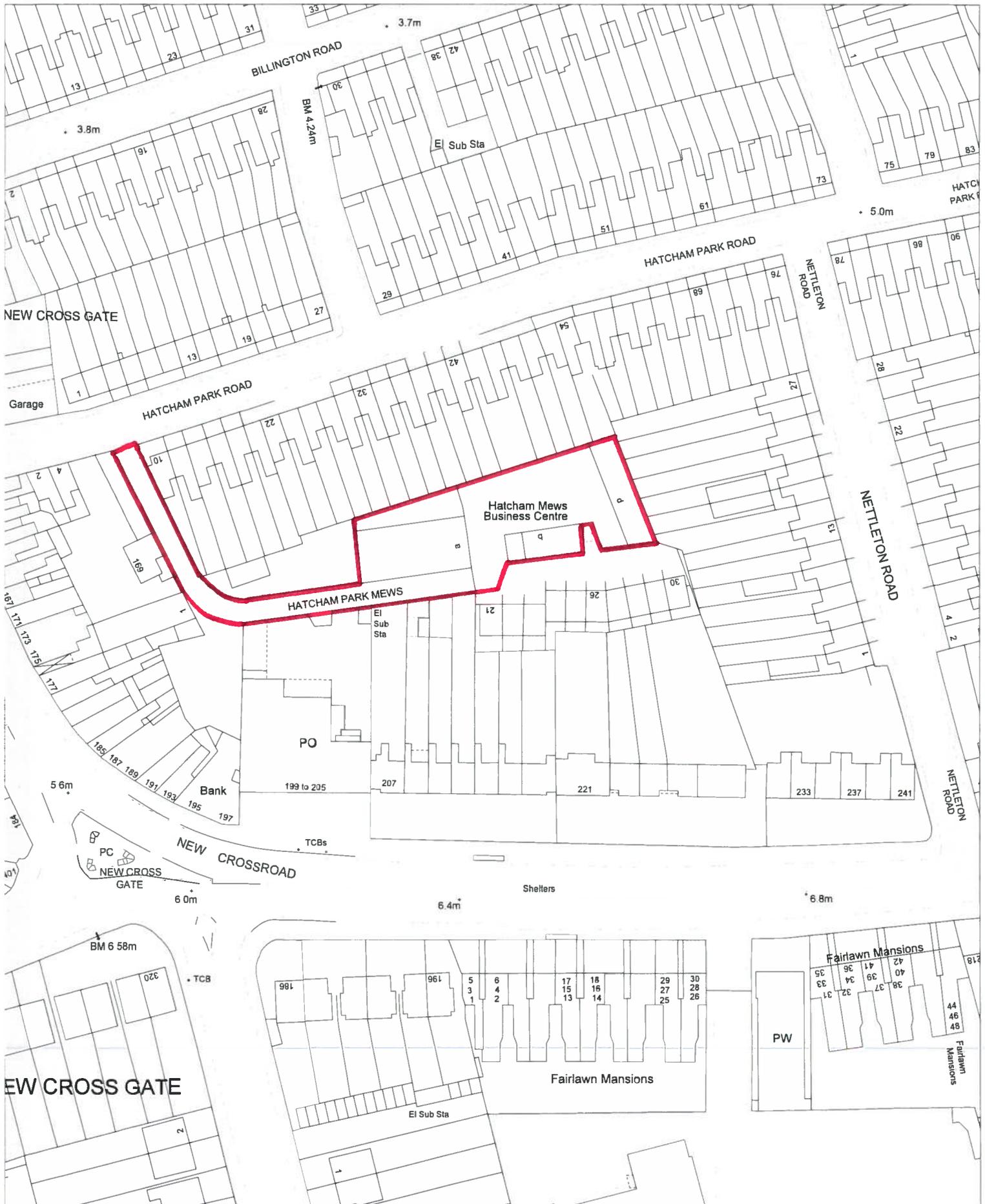
Applicants are advised to read 'Contaminated Land Guide for Developers'(London Borough's Publication 2003), on the Lewisham web page, before complying with the

above condition. All of the above must be conducted in accordance with DEFRA and the Environment Agency's (EA) - Model Procedures for the Management of Land Contamination.

Applicants should also be aware of their responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance therefore relating to their activities on site, should be obtained primarily by reference to DEFRA and EA publications.

- E. You are advised to contact the Council's Drainage Design team on 020 8314 2036 prior to the commencement of work.
- F. The assessment of the light spill and lux level at the window of the nearest residential premises shall follow the guidance provided in The Institution of Lighting Engineers, Guidance Notes for the Reduction of Obtrusive Light.
- G. The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- H. Drawing numbers 2014-1940-AT-107 and 2014-1940-AT-108 have been used for the assessment of the swept path analysis only, and details hereby approved do not refer to the layout of Block D as depicted on this drawing.

HATCHAM MEWS BUSINESS CENTRE, SE14



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