

PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 17 NOVEMBER 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:**

**Abdeslam Amrani (Chair)
Andre Bourne (Vice-Chair)
Obajimi Adefiranye
Amanda De Ryk
Maja Hilton
Stella Jeffrey
Roy Kennedy
Pat Raven
Alan Till
James-J Walsh**

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 November 2016**

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	PLANNING COMMITTEE (A)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date:17 NOVEMBER 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 (A)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date: 17 NOVEMBER 2016

MINUTES

To approve the minutes of the meeting of Planning Committee (A) held on the 06 October 2016.

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the PLANNING COMMITTEE (A) held in ST LAURENCE, CATFORD 37, BROMLEY ROAD, SE6 on THURSDAY 06 October 2016 at 7.30pm.

PRESENT:	Skip Amrani (Chair), Andre Bourne (Vice Chair), Maja Hilton, James Walsh, Stella Jeffrey, Alan Till, Pat Raven, Amanda de Ryk
OFFICERS:	Michael Johnson, Luke Mannix, Russel Brown, - Planning Service, Kevin Chadd - Legal Services, Joshua Ogunleye - Committee Coordinator
APOLOGIES:	Pat Raven, Obajimi Adefiranye

1. DECLARATION OF INTERESTS

There were no declarations of interest.

2. MINUTES

The minutes for Planning Committee (A) dated 25th August 2016 were agreed and approved by members.

Councillor Amrani (Chair), noted the committee was awaiting minutes of were for Planning Committee (A) dated 14th July to be brought to committee so it can be approved. The minutes should be brought to the next Planning Committee (A) to be held on 17th November 2016.

3. OUR LADY AND ST PHILIP NERI RE PRIMARY SCHOOL 208 SYDENHAM ROAD, LONDON SE26 5SE (Item 3 on the agenda)

The Planning Officer Michael Johnson outlined details of the proposal.

Planning permission is sought for the redevelopment of the Our Lady and St Philip Neri school site on Sydenham Road, incorporating the separate infant school which currently operates from Mayow Road and providing a new nursery. This would result in a 2 forms of entry school (420 pupils) plus a 25 place nursery.

Michael Johnson received questions from Councillors Walsh and Jeffery concerning the proposed material cladding and would the proposed community only be for school use only.

The Committee received verbal representation from Simon Whitley the agent and architect presented the applications design brief and Matthew Henaughan from Lewisham's community resource gave an overview of the application's contribution to the community. Explain the proposal would result in an improved education facility, increase the capacity of school spaces and work closely with parents to ensure there are minimal impacts to traffic and highways safety.

Representatives of the application received questions from Councillors De Ryk and Walsh, concerning details of proposed composite timber cladding on the proposed buildings, details of boundary design and its proportion to the school building. Who are the current users of the community hall and the current hours of use?

Matthew Henaughan told the committee, the community hall is currently used by scouts and cubs and is closed by 20:30pm there are no plans to intensify its use.

Councillors De Ryk asked if the proposed travel plans were practical in terms of plans to control staff parking practices. What are the practical measures for making the transport plans more robust? Asked for clarity on catchment area of the school and the percentage of students expected to be driven to school?

The Committee received verbal representation from Erica Cattle a resident of fair bank park who was objecting to the transport plan, expressing concerns about impact more children being dropped off at the school would have on the neighbouring roads. At present there are noise, road safety and public safety concerns by residents and it is expected that this will get worse if the school's capacity is increased as more parents and staff will be driving to the school making it difficult for nearby residents.

Councillor Liam Corrum spoke to the committee under standing orders and declares his support for the planning application. He raised concerns about the parking situation outside the school, but considered the proposal to be an improvement on the existing school building. He recommended Condition 18a is strengthened to include new and additional lighting areas of the park closest to the school. It should be well designed and well light

Case officer Luke Mannix provided an explanation of the conditions attached and gave a summary of the application.

Councillor Walsh enquired about the types of cycle parking space that would be made available and recommended the lambert parking system. Enquired what action the council takes on unlawful parking. The solar panels to be installed on the green roof to be installed flushed. Would the proposed works have an impact on existing disabled parking facility?

Highways Officer Kathrine Patterson told the committee the proposed work would not result in the removal of existing disabled parking bays. The council currently uses mobile ticketing officers for parking enforcements, residents are encouraged to contact the council's parking team.

Councillor Walsh conditions should be applied to restrict the use of the hall, to no later than 9pm Monday to Sunday and the details of new additional lighting to brb rough before committee as well as proposed landscaping details.

Legal service Kevin Young asked councillors to be clear on which conditions members would like to remove delegate powers.

Councillors would like to remove delated powers for Conditions 12, 15 and 18

Councillor Till moved a motion to accept the proposal subject to the applicant submitting additional details of the proposed additional conditions detail to the halls use hours, additional lighting and boundary landscaping. It was seconded by Councillor Bourne.

FOR: Councillors Amrani, Bourne, De Ryk, Jeffrey, Till, Walsh Passed unanimously.

RESOLVED: That planning permission be granted in respect of application DC/16/96041 subject to the conditions outlined in the report and additional informative.

a) Notwithstanding the approved plans, details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(b) The approved boundary treatments shall be implemented prior to occupation of the buildings and retained in perpetuity.

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).*

The community hall hereby approved shall not be open for use beyond 9pm Monday to Sunday.

Reason: *In order to safeguard the amenities of adjoining occupants at unsociable periods 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)*

Condition 12 (boundary treatment), Condition 15 (travel plan) and Condition 19 (improvements to Home Park) require details to be discharged via planning committee.

Subject to the conditions outlined in the report.

4. LADYWELL TAVERN, 80 LADYWELL ROAD, LONDON SE13 (Item 6 on the agenda)

The Planning Officer Michael Johnson and Russell Brown outlined details of the proposal the application site, located on the south side of Ladywell Road (B236), at the junction with Slagrove Place and opposite Gillian Street. It is occupied by a two-storey building (circa 1846) that operates as a public house on the ground floor with living accommodation on the first. There are two entrances, one to the front on Ladywell Road and one to the side on Slagrove Place.

Planning permission is sought for the demolition of two single storey outbuildings and a garage to create a beer garden to the rear of the Ladywell Tavern, together with the erection of timber gates fronting onto Slagrove Place and new glazed doors to the function room to the rear.

Officers addressed questions from Councillor Walsh about the depth of the rear garden and distance to the neighbouring properties.

Officers advised councillors details of the applications can be achieved under permitted development.

The Council received verbal representation from applicants Peter Bennet and Dan Hills, defended the existing public house use as being neighbourly with little noise and nuisance concerns from neighbouring properties. Applicants advised that the removal of existing out building is to allow additional capacity and suggested the removal of existing outbuilding would be replaced with a screening wall with soundproofing properties.

The Committee received verbal representation from Clare Woods a resident of the property adjoining the proposed development. Objected on the basis that noise levels would increase due to additional user of the pub. Noise levels at the moment are acceptable further increase would be harmful. The use of venue internally often overflows into the back yard and would cause a nuisance.

Councillor Till enquired if it was possible to condition noise levels the pub produces due to the impact it would have on neighbouring properties.

Legal service Kevin Chad advised it was not possible to condition noise within the scope of the application.

Councillor Walsh asked the applicants to applications to consider the retention of the double lobby in order to mitigate noise concerns. Councillor De Ryk requested any noise mitigation measures should remain in place and enquired regarding the sound proof properties of the proposed screening wall.

Applicants inform committee the proposed screening wall would be treated with Eco sound proofing measures to ensure it is suitable for use.

Councillor De Ryk Request the minutes of this meeting should be taken to the next licencing committee meeting so mitigation measures can be recommended for addressing noise concerns.

Planning Officer Russell Brown gave an overall summary of the application.

Following deliberation by Members, Councillor Walsh moved a motion to accept the officer's recommendation and grant planning permission. It was seconded by Councillor Till.

Members voted as follows:

FOR: Councillors Amrani, Bourne, De Ryk, Jeffrey, Till, Hilton, Walsh Passed unanimously.

RESOLVED: That planning permission be granted in respect of application No. DC/16/097305 subject to the conditions outlined in the report.

Subject to the conditions outlined in the report.

5. 342-342A BARING ROAD, SE23 (Item 7 on the agenda)

Councillor Walsh requested the clerk minute the committee's dissatisfaction with the meeting room, as it was not suitable in terms of heating or A/V facilities.

The Planning Officer Michael Johnson outlined the application outlined details of the proposal which includes the change of use of an A/1 building to A1/D1. Explained the property has been unsuccessful in attracting continuous A1 use as many tenants were put off by its first floor location.

Councillors Walsh enquired about the marketing strategy of the owners and why there has been interest in the shop.

Councillors received verbal representation from the applications' agent Mr Warden, who informed committee that the application has changed since it was last refused based on concerns raised in the previous application. There is now an emphasis increasing the volume of the of downstairs A1 use for bookselling and internet web facilities.

Councillor Hilton enquired about the transport consideration as the property would be within a regularly used carpark around a busy junction.

Councillors received verbal representation from Barry O'Donovan from the Grove Park residents association, who made comments objecting to the application under the basis that the space would better serve as A1 use rather than the proposed D1 use. The proposed D1 use would result in loss of employment space contrary to DM Policy 44. The objector raised concerns details the lack of parking facility for the church users.

Councillor Susanna Clarke spoke to the committee under standing orders and declares her objection to the proposal and recommended its refusal. She objected the landlord's argument that they have been unable to find suitable shops to use the premise. Objected to the amount of space set out for A1 was not justifiable. Also raised concerns about the parking situation and the travel plans report of the proportion of the congregations that are within walking distance of the church.

Councillor Walsh asked planning officers why the TFL consultation response was not considered.

Following deliberation by Members, Councillor Till moved a motion to reject the officer's recommendation and refuse planning permission. It was seconded by Councillor Bourne.

Members voted as follows:

FOR: Councillors Amrani, Bourne, De Ryk, Till, Hilton, Walsh

ABSTAINED Councillor Jeffrey

RESOLVED: That planning permission be refused in respect of application No. DC/15/92925 subject to the conditions outlined in the report.

Subject to the conditions outlined in the report.

Due to the location of the application site outside of a Major or District town centre, the proposed place of worship is not considered to be in an appropriate location with regard to DM Policy 44 Place of Worship of the Development Management Local Plan (2014) and Policy 6 Retail hierarchy and location of retail development of the Core Strategy (2011). Furthermore the transport plan did not suggest enough consideration was given to how users of the proposed church would travel and the safety implications involved in its use.

Councillor Walsh requested that committee minutes show councillors were not happy with the short notice given for the change of venue, the use of inappropriate venue which did not have the suitable A/V facilities. Grievances were also raised concern the scheduling of committee cases and the inconsistency in their numbers which resulted in applications not being heard due to lack of timing.

The meeting ended at 22:15pm. Chair

6 October 2016

Committee	PLANNING COMMITTEE A	
Report Title	FELLOWSHIP INN, RANDESDOWN ROAD, LONDON, SE6 3BT	
Ward	BELLINGHAM	
Contributors	LUKE MANNIX	
Class	PART 1	17 NOVEMBER 2016

Reg. Nos. (A) DC/16/97938
(B) DC/16/98074

Applications dated 15.08.2016

Applicant Thomas Ford & Partners [on behalf of Phoenix Community Housing]

Proposal (A) Planning permission for the alterations, conversion and change of use of the Fellowship Inn, Randlesdown Road SE6, to provide a mixed use on the lower and ground floors, incorporating a Public House, Cinema, Café and staged hall (Sui Generis), and music hub on the first and second floor level (Sui Generis), together with extensions in the roof slopes to accommodate lift shafts and additional plant area, new railings, 1.9m high screening and a double glazed roof lantern, the provision of a metal staircase to the north elevation and amenity space and external seating areas on Knapmill Road (DC/16/97938).

AND

(B) Listed Building Consent in relation to the alterations, conversion and change of use of the Fellowship Inn, Randlesdown Road SE6, together with extensions in the roof slopes to accommodate lift shafts and additional plant area, new railings, 1.9m high screening and a double glazed roof lantern, the provision of a metal staircase to the north elevation and amenity space and external seating areas on Knapmill Road (DC/16/98074).

Applicant's Plan Nos. EX-001; EX-010 P1; EX-100 P1; EX-101 P1; EX-200 P1; EX-201 P1; EX-301 P1; DEM-101 P1; DET-202 P1; DET-301 P2; DET-302 P1; DET-303 P1; DET-304 P1; DET-341 P1; DET-342 P1; DET-351 P1; DET-352 P1; DET-353 P1; DET-354 P1; DET-355 P1; DET-356 P1; DET-357 P1; DET-358 P1; DET-401 P1; DET-403 P1; DET-404 P1; DET-405 P1; GA-210 P2; GA-211 P2; GA-300 P2; REP-200 P1; REP-202 P1; REP-203 P1; REP-204 P1; REP-205 P1;

Conservation Repairs Schedule; Delivery and Servicing Plan; Design and Access Statement; Lift Maintenance Plan; Noise Assessment; Planning Statement; Statement of Community Engagement; Transport Statement; Travel Plan; Ventilation Extraction Statement; Wayfinding Plans (received 15th August 2016)

Conservation Management Plan (received 13th August 2016)

DEM-100 P2; DET-201 P2; DET-300 P3; DET-301 P1; DET-350 P2; DET-402 P2; DET-406 P1; DET-407 P1; GA-201 P4; GA-301 P4; Heritage Statement; Schedule of Heritage Assets (received 19th October 2016)

DET-340 P2; GA-101 P6; GA-200 P6; Amended Parking Survey (received 27th October 2016)

GA-010 P4; GA-100 P8 (received 4th November 2016)

Background Papers

- (1) Case File LE/225/10/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation

Area of Archaeological Priority
Grade II Listed Building

Screening

N/A

2.0 Property/Site Description

- 2.1 The subject site is known as Fellowship Inn, located on the north side of Randlesdown Road in Bellingham. It is Grade II listed, and on Historic England's 'Buildings at Risk' register.
- 2.2 The building is designed in the 'Brewers' Tudor' fashion, with a half-timber decoration and brown brick. The roof is hipped with clay tiles and hipped dormer windows to the south elevation and the west and east elevation of the side return. The east elevation contains large gable ends, which face towards the railway station. The windows are casement with leaded light and the doors are oak timber. Access is from Randlesdown Road through large arched Tudor doorways. The pub is split between the lounge/saloon bar and public bar and separated by the main serving bar, which includes the original office to the rear.
- 2.3 The Fellowship Inn is located adjacent to the Bellingham Railway Station and opposite Bellingham Leisure and Lifestyle Centre. Randlesdown Road contains a local shopping parade formed of retail uses serving day-to-day needs of local residents and extends to the corner of Bromley Road. Along Knapmill Road and further south, the area is predominately residential.

2.4 The PTAL of the site is 4, based on a scale of 0-6b with 6b being the highest. Bellingham Station services trains to Central London and Kent whilst bus stops servicing routes to Catford, Lewisham and Bromley are located along Bromley Road 100m from the site. Randlesdown Road and Knapmill Road are unclassified roads, however parking is restricted along Randlesdown Road. Parking is generally unrestricted on the roads to the north, however double yellow lines are in place around Knapmill Road adjacent to the site.

3.0 Planning History

3.1 In 2015, a Lawful Development Certificate for works to a Listed Building was granted (DC/15/92980). The application generally involved works to prevent further damage to the building whilst the current application was being prepared. It was considered that these works did not harm the character of the building and subsequently did not require Listed Building Consent.

4.0 Current Planning Applications

The Proposals

4.1 The current scheme proposes to redevelop the Fellowship Inn to bring the building back into full use. As part of the works, the building will be split into the following:-

- The ground floor fronting Randlesdown Road would continue to be used as a public house with ancillary micro-brewery, cellar and kitchen in the lower basement (Use Class A4);
- The ground floor to the rear would be used as a multi-purpose entertainment hall featuring music, comedy and theatre acts (Use Class D2). This space can be accessed either through the public bar or from Knapmill Road utilising stairs/lift;
- The lower floor fronting Knapmill Road would be used as a cinema (Use Class D2);
- Also fronting Knapmill Road within the old off sales area would be a café (Use Class A3); and,
- The upper two floors would be converted into a 'music hub', which offers training, tutoring, rehearsal and meeting space (Use Class Sui Generis).

4.2 The operation of the building would be split between two businesses, with the upper floor music hub occupied by Lewisham Music Hub and the lower ground and ground floor operated by Laines Pub Company.

4.3 The applicant has described the aim of the proposal is for the individual uses in the building to be able to operate independently and adaptably, but be able to collaborate and enhance each other's offer. Through this, it is hoped that the building would beneficially enhance the community use of the building whilst providing economically viable uses, which would take the building off the Building at Risk register and ensure the historically significant building is protected into the future.

- 4.4 The proposal involves external and internal alterations, together with extensive refurbishment works to the historical fabric of the building. It is stated that the proposed alterations are in order to bring the building back into modern use and improve the viability of the premises. These are detailed more comprehensively within the planning considerations.
- 4.5 Knapmill Road would also be altered as part of the proposed works with the dead end road removed and replaced with pedestrian landscaping and a seating area for the café. The proposed outdoor seating would result in an area of the highway being removed. Additional refuse storage would be located off Knapmill Road.

5.0 Consultation

- 5.1 This section outlines the consultation carried out by the applicant prior to submission and 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.

Pre-Application Consultation

a) Community Consultation

- 5.2 During the summer of 2015, the applicant began comprehensive public consultation which included opening a 'pop-up' shop exhibiting the plans in a nearby business for a 4 week period, leafletting at local train stations, a consultation meeting at The Fellowship Inn on 15th August 2015 and consultation on social media. From this, over 1,400 completed surveys were submitted.
- 5.3 In addition to the above, a public meeting was held on the site on 10th May 2016 which was advertised via leaflets to local businesses and residents as well as notices in local businesses and social media.
- 5.4 As outlined within the applicant's Statement of Community Engagement, the predominate feedback received was positive, with a large number of respondents keen to see the building come back into use and provide entertainment and community uses.
- 5.5 Of the issues raised, the main concern related to the amount of parking generated as a result of the development. The applicant states that this has been considered and dealt with as part of their proposal.

b) Pre-Application Consultation with Council Officers

- 5.6 A number of pre-application meetings have been held during the summer of 2016 between the applicant and their agent and planning and conservation officers providing advice and comments of the proposals.
- 5.7 In general, officers supported the principle of the scheme in bringing the building back into use and the positive benefits of improving the community services available in the area. Officers assessed the impacts of the scheme on the historical fabric of the building and advised on its acceptability and the documents necessary to support the scheme. In addition, other issues such as highway impacts, including alterations to Knapmill Road, and noise and disturbances to

neighbouring properties were raised and advice given to ensure these impacts are acceptable.

Statutory Consultation

5.8 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors. Historic England and Network Rail were also consulted.

a) Written Responses received from Local Residents and Organisations

5.9 In total, 36 written responses were received. Three letters were received from residents along Randlesdown Road and Broadmead Road in objection to the scheme, raising the following concerns:-

- Parking is insufficient in the area to accommodate the development; and,
- The development would adversely impact on adjoining residents amenity through increase in noise pollution and anti social behaviour.

5.10 One letter was received from a resident in Brookehowse Road which was neither supporting nor objecting to the scheme and raised concerns in relation to parking and noise in the area as well as the lack of disabled access inside the building.

5.11 31 letters were received in support of the scheme highlighting the positive effects of regenerating the building and creating a focal point for the community. It was also considered that the development would provide jobs, art, culture and leisure opportunities for local people and contribute to the sustainability of Bellingham. Letters were received from Bellingham businesses and residents and wider areas within the Borough. Support was also received from Lewisham Music Service.

5.12 The above points are considered further in the planning considerations.

b) Written Responses received from Statutory Agencies

5.13 Historic England were consulted by the applicant during pre-application and then by the Council after the submission of the applications.

5.14 It was noted by Historic England that they have been encouraged by the approach taken by the applicant, in particular the development of a conservation management plan which has established an understanding of the significance of the Fellowship Inn and informed the proposed development.

5.15 Historic England consider that the proposed layout responds to the original plan and ethos of the building and many features of interest would be revealed and reinstated. It is their opinion that the more sensitive alternations proposed, such as the infilling between the east-facing gables to accommodate a lift and the removal of the early cinema seating, would be clearly outweighed by the benefits of bringing this 'heritage at risk' asset back into use, and the delivery of exciting public amenities in this important community building.

5.16 Therefore it is their opinion that the overall significance of the building will be preserved and enhanced. As such they consider that the development complies

with key heritage planning policies and strongly support the proposed development.

- 5.17 Historic England also provided a response in relation to the effect on heritage assets of archaeological interest. In this matter, they found that the proposed development is unlikely to have any adverse impact and subsequently no assessment was required.

c) Environmental Health Officer

- 5.18 The Council's Environmental Health Officer assessed the appropriateness of the scheme using the information provided in the noise report. It was highlighted that the main noise sources were from the internal use of the building and the fixed plant on the roof of the hall.

- 5.19 It was noted that the report recommended noise limiters be placed on amplified music systems within the building to restrict undue noise from being emitted. It also recommended that these limiters be installed and tested by qualified technicians. Finally, it was also noted that the report sets Maximum External Noise Levels from Music/Entertainment. Officers accept the findings of the report as accurate and the recommendations are appropriate.

- 5.20 Subject to these conditions requiring details of ventilation and fixed plant, Environmental Health have no objections to the proposed scheme.

d) Highway Officer

- 5.21 The highway officer was notified of the proposed development and made no objections to the proposed scheme, subject to a Section 278 agreement for the proposed highway works on Knapmill Road.

6.0 Policy Context

Introduction

- 6.1 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)

- 6.2 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

- 6.3 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)'.
- 6.4 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

- 6.5 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 2016)

- 6.6 In March 2016 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 3.16 Protection and enhancement of social infrastructure
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

Core Strategy

- 6.7 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:

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 5 Areas of Stability and Managed Change
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment
Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

Development Management Local Plan

6.8 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:

6.9 The following policies are considered to be relevant to this application:

DM Policy 20	Public houses
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 29	Car parking
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
DM Policy 43	Art, culture and entertainment facilities

7.0 Planning Considerations

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

- a) Principle of Development
- b) Design and Impact on a Listed Building
- c) Highways and Traffic Issues
- d) Noise
- e) Impact on Adjoining Properties
- f) Sustainability

Principle of Development

- 7.2 The Council's Core Strategy objectives support the provision of community and recreation facilities to enhance sustainable communities.
- 7.3 Currently, the use of the Fellowship Inn is a public house. (A4 use class) with ancillary accommodation above. However other uses were historically implemented, including entertainment and function halls, cinema and off sales shop, however it is understood that these have not been used within the building for over 30 years.
- 7.4 The proposal would involve a change of use to a mix of uses, including a cinema, café and an entertainment hall on the ground floor of the Fellowship Inn, together with the existing public house with ancillary kitchen and micro-brewery on the ground floor and lower ground floor; and a music hub on the first and second floors.
- 7.5 The proposed development has been designed to operate as flexible uses which may operate independently of each other, however it is noted that a number of openings exist between the uses, which would need to be maintained for accessibility purposes. Furthermore, it is considered that, through the multi-use nature of the site, people visiting the premises would freely access each proposed use. For instance, people may use the café as they wait for a film, or use the public house after a film or event in the rear hall. For this reason, together with the one operator for all the uses, officers consider the ground and lower ground to be one planning unit.
- 7.6 The upper floors would be operated independently from the lower floors, including a separate entrance. Furthermore, the use of the upper floors for music training/rehearsal/tutorials is distinct from the lower ground floor entertainment/leisure/pub uses. Therefore officers consider that the upper floors would be its own planning unit separate from the lower floors.
- 7.7 Subsequently, officers are assessing the proposed development on the basis of the subdivision of the one planning unit to two planning units within the building.
- 7.8 It should be noted that the current floor area classed as A4 public house includes the upper floor, given this was the publican's accommodation as well as kitchen which serviced patrons of the ground floor bar. Together, officers calculate the existing A4 public house floor area as 713 sqm (this space includes ancillary toilets, storage, cellar etc. but not shared stairs).
- 7.9 As a result of the proposed development, the amount of floor area which is would be used as (Use Class A4) public house would be 406 sqm. Therefore, the development is considered to result in the loss of 307 sqm of A4 public house floor area. However the majority of this would be over the upper floor areas as most of the basement and ground floor area is retained.
- 7.10 DM Policy 20 aims to prevent the loss of A4 public house use. It is understood that the upper floors have not been occupied as living accommodation since the late 1990s or early 2000s. Consequently, officers are satisfied that the space no longer fulfills a function for the use of the public house. The change of use of the upper floor to host the Lewisham Music Hub community use would in any case compliment the use of the ground floor.

- 7.11 The proposed development would also introduce a number of features into the existing public house which would improve the viability and functionality of the premises, such as the basement level kitchen and micro-brewery. Furthermore, the remaining ground and lower ground floor uses would attract further patrons into the premises, consequently increasing the viability of the existing public house.
- 7.12 Consequently, the proposed development is not considered to be contrary to DM Policy 20 as there would be no loss of valuable A4 floor area and the multiple uses would improve the viability of the public house component of the use.
- 7.13 In terms of its social impact, the proposed development intends to introduce and improve a number of community facilities within the existing building. Subsequently, this would have beneficial effects through the provision of formal and informal gathering spaces, as well as learning facilities for young people on the upper floor. It should also be considered that as the premises is located within Bellingham Ward, the proposed enhancements to the community facilities would improve the social health of one of the more deprived areas in the Borough. As such the proposal would enhance the community role of the Fellowship Inn to the benefit of residents in the locality and the Borough as a whole.
- 7.14 From a historical perspective, it should be noted that the Fellowship Inn was originally constructed with multiple community facilities as an improved public house for all residents, including families, within the new Bellingham Estate. The proposed uses are therefore sympathetic to the historical character and original intention of the listed building. The building would also be brought back into use. These factors weigh very significantly in favour of the principle of development.

Design and Impact on a Listed Building

- 7.15 Pursuant to Core Strategy Policy 15, 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.
- 7.16 The Council will also ensure any development conserves and enhances the Borough's heritage assets, such as Listed Buildings. The Council will work with its partners, including local communities, to ensure that heritage assets will be valued positively and considered as central to the regeneration of the Borough as detailed in the Core Strategy spatial policies.
- 7.17 This follows on from the guidance of the NPPF, which recognises heritage assets as an irreplaceable resource that should be conserved in a manner appropriate to their significance. Therefore authorities should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect or decay.
- 7.18 Part C of DM Policy 36 relates to development affecting a Listed Building and states that in order to ensure the conservation of these properties, the Council will only grant consent for alterations and extensions which relate sensitively to the building's significance and sustain and enhance its significance and integrity.

- 7.19 When considering applications for change of use of Listed Buildings, DM Policy 36 states that the Council will consider the contribution of the existing use and the impact of any proposed new use to the significance and long-term viability of the historic building. The Council will seek to ensure that the building is put into an optimum viable use (i.e. the one that causes least harm to the significance of the building, not just through initial changes but also as a result of subsequent wear and tear or any likely future changes). The implications of complying with Building Regulations, such as fire escapes, will be taken into account prior to determining applications for change of use.
- 7.20 Finally, DM Policy 36 also states that where the significance of an asset may be harmed or lost through physical alteration or destruction, or development within its setting, the Council will require clear and convincing justification. The Council will consider the wider public benefits which may flow from the development where these are fully justified in the impact assessment. This is in line with paragraph 134 of the NPPF.
- 7.21 The Fellowship Inn was designated a Grade II Listed Building in 2013. It should also be noted that the building has been added onto the 'heritage at risk' list prepared by Historic England. Therefore this should be taken into consideration when determining the acceptability of any harm to the building.
- 7.22 The listing description provides a detailed analysis of the building and the history of its use. It highlights that the principal reasons for its designation are:-
- 1) **Degree of survival:** the survival of most the original interior fittings and the original layout, as well as the largely unchanged exterior appearance, makes this a rare, virtually unaltered, example of a 1920s 'improved' public house;
 - 2) **Architectural interest:** the building shows all the salient features of a typical improved pub of this era with its 'Brewers' Tudor' style, large bar areas, halls for entertainment, refreshment room, children's room, off sales shop and ample kitchen facilities; and,
 - 3) **Historic interest:** built to serve the London County Council's Bellingham Estate by one of the major improving breweries, the Fellowship Inn represents an early example of the LCC allowing a pub to be built on one of their estates and is illustrative of a change in social housing policy.
- 7.23 The applicant has prepared a Conservation Management Plan, which has been used to assess the significance of the building and instruct the direction of development.
- 7.24 The conservation plan provides an appraisal of the historical development of the building, assesses and illustrates the significance of the various components of the building, and establishes the overall importance of the place. From this, a conservation guideline for future proposals and repair work have been established to facilitate the ongoing use of the building.
- 7.25 The historical elements of the Fellowship Inn have been graded on the basis of the following criteria:-

- i. Elements of outstanding significance: an element of international importance, or a fine, intact (or little altered) example of a particular period, style or type that embodies the importance of the building or site overall;
- ii. Elements of considerable significance: an element of regional (England) or national (United Kingdom) importance, or a good example of a particular period, style or type with a high degree of intact original fabric that contributes substantially to the importance of the building or site overall;
- iii. Elements of moderate significance: an element of local (London) importance, or an element that contributes to, but is not a key element to the importance of the building or site overall;
- iv. Neutral elements: an element which neither contributes, nor detracts from the importance of the building or site overall and,
- v. Negative elements: an element which detracts from the overall significance of the building or site overall.

7.26 Using this grading system, a detailed gazetteer of the building has been provided in Appendix B of the Conservation Management Plan. It should be noted that the main outstanding elements included the external elevations (in particular the principal elevation on Randlesdown Road and Knapmill Road), most of the ground floor public house and rear function rooms and the lower ground floor hall and off sales shop. The upper floor kitchen are considerable elements and the remaining upper floors are moderate. The toilets and basement cellar are neutral elements and later additions such as the front canopy and wall signage are negative elements.

7.27 The proposed development would involve the regeneration of the Fellowship Inn. This would involve extensive repair works to the damaged elements of the existing building, together with alterations involved with conversion, which incorporates the reintroduction of the lower ground floor cinema and upper floor entertainment hall, as well as the introduction of a lower ground floor café and music hub in the upper floor. The current area used as a public house, including basement cellar would remain.

7.28 Officers have assessed the significance of the proposed works in the below sections.

a) External Alterations

7.29 The most notable external alteration would incorporate an extension in the roof slope, together with increasing the roof height of a gable end and infilling sections of the external elevation on the eastern elevation. This is to permit modern circulation and the proposed lift shaft and associated plant to the upper floor areas.

7.30 The proposed roof extension would be set back 1m from the eaves of the existing roof slope, 2.3m in height and protrude 3.7m from the existing roof slope. The highest point of the gable end would be increased by 800mm, which is still lower than the larger gable end to the front, however the eaves level would be higher than the front gable end. The works to the roof would utilise a matching Brewers' Tudor style and include a new window to match the existing in the extension. The

infill areas would use matching brick and would be inset to give a read to the original infill areas. The existing windows would not be reused on the elevation.

- 7.31 Original roof dormers are noted within the existing roof slopes and therefore are not unusual features within the setting of the building. However, with their hipped roof design they significantly differ from the proposed flat roof extension. Furthermore, the extension is considered to significantly alter the subservient balance of the gable ends as the eaves of the smaller gable end would be raised above that of the dominant front gable end.
- 7.32 Therefore, officers acknowledge that the alterations would significantly alter the existing character of the building on the eastern elevation, resulting in harm to the architectural and historical significance of the building.
- 7.33 Notwithstanding this, it is noted that the eastern elevation is somewhat less visible from Randlesdown Road. Additionally, due to the setback of the proposed extension behind the front gable, the visibility of the extension is further reduced. Finally, it is noted that the materiality and design would be such that the proposed works would be relatively sympathetic to the original design. When considered collectively, this works to reduce the harm caused to the character of the building.
- 7.34 This adverse harm should also be weighed against the public benefit of the proposal. The proposed development as a whole would bring a 'heritage at risk' building back into use, with uses that are in keeping with the historical and social character of the building. Furthermore, the social benefit of the proposed uses also adds to the public benefit of the proposed development.
- 7.35 It is also considered that the proposed alterations are required to facilitate equal access within every floor of the building through the provision of a lift to the top floor. As such, this is considered to provide further public benefits through improving the accessibility of the building.
- 7.36 Therefore the proposed alterations to the eastern elevation, whilst resulting in harm to the character of the building, is considered to be outweighed by the significant benefits which would result as a consequence of the proposed scheme. Subsequently, these alterations are considered to be acceptable.
- 7.37 Also on the eastern elevation, the existing archways on the ground floor would be infilled with louvres to allow ventilation of the future plant room. Officers note that the louvres would fit within the existing openings and therefore would result in little harm to the fabric of the building. Furthermore, the siting of the louvres within the architraves would allow the fixtures to be reversible if necessary. Therefore the principle of adding the louvres is considered acceptable.
- 7.38 However, officers consider that the proposed PPC material would not be of sufficient high quality, especially within the setting of the listed building. Subsequently, the use of this material is considered to be harmful to the historical character of the building. Nonetheless, officers consider that a condition for details of louvre materials which are to be approved by the Council would appropriately overcome this adverse impact. Therefore, officers consider that with this condition the proposed louvres are considered acceptable.
- 7.39 As part of the general repair and refurbishment works, the roof of the upper floor hall would be removed due to the damage caused by water ingress. Whilst the sky

lantern would be replaced, the opportunity is being taken to reduce the size of the sky lantern to reduce noise escape and provide space for plant on the roof.

- 7.40 The large sky lantern is not an original feature of the 1923 design, however was added shortly after with the roof extension of the hall and is a sympathetic feature within the overall character. Subsequently, it is considered to have historical significance. However, given the damage to the roof it is appreciated that its loss is inevitable.
- 7.41 Whilst the replacement structure would be smaller in nature, it is proposed that a triangular timber structure extending from the replacement sky lantern would be installed as a screen for the proposed plant. This structure would match the existing sky lantern in terms of length and shape and whilst it would be a different material, it would be a sympathetic addition to the historical character of the feature.
- 7.42 The remaining plant is located towards the eastern end of the hall roof, which is considered to be less visible from Knapmill Road and the residents to the north. Furthermore, whilst adjoining the railway platform, the views towards the roof are minimised due to the angle from platform level.
- 7.43 The proposed plant would also be concealed behind a section of screening, which would mimic the existing skylight. Therefore this would reduce the visibility from the remaining views. There would also be additional screening on the roof.
- 7.44 Overall, officers consider that the proposed plant is suitably located to minimise the views from the public realm. In addition, the principle of the screening is considered to be appropriate to the character of the existing development as well as reducing the visibility of the plant. To secure high quality and sympathetic materials, it is recommended that specific details of the sky lantern and new screening should be submitted for approval by officers.
- 7.45 Alterations to the west elevation including refurbishing and relocating the northern most ground floor door to the adjoining arch. This opening would then be infilled with matching brickwork. It is also noted that a window in the northern elevation would be infilled.
- 7.46 The infilled doorway currently provides access to the stairs towards the upper hall and is not considered to provide any significant character to the setting of the building. Provided the materials are sympathetic to the development, this alterations is not considered to cause severe harm to the building. Furthermore, the northern infilled window would be in front of the proposed refuse store on the ground floor and not visible to the public realm. Provided the materials are appropriate, officers consider that this is acceptable.
- 7.47 Other alterations to the existing building include the introduction of metal balustrades around the entire edge of the upper hall parapet, as well as the extension of the metal staircase. Officers note that these are important measures to meet the modern standards of Building Regulations and therefore are necessary as part of the proposed regeneration of the building. Officers consider therefore that the principle of installing these elements would be acceptable.
- 7.48 A number of alterations include reintroducing existing openings, such as the off sales shop front and adjoining ground floor windows, which have been bricked up.

One of the existing doors adjacent to these windows would also be replaced with a window within the same opening. It should also be noted that the lower ground floor windows to the public bar on the western elevation (adjacent to the stairs) would also be reintroduced. Furthermore, it is noted that negative elements such as the front canopy and unsympathetic signage is being removed from the front elevation.

- 7.49 These proposed amendments are generally considered to be improvements to the character of the existing building. Therefore they are considered to enhance the setting of the Listed Building and hence are supported by officers.
- 7.50 It is recommend that, if the applications are to be approved, then a condition recommending the submission of material specifications of new elements, such as windows, railings, screening, render and timber, should be submitted to the Council for approval. In addition, a panel of brickwork should be completed on site and new window framing also made available for Council approval.
- 7.51 Subject to these conditions, the proposed external alterations are considered acceptable.

b) Internal Alterations

- 7.52 The most notable alteration to the internal area involves changes to the original layout. It is also intended that, due to the changes there is expected to be the removal of original and historically significant features. Given the importance of the virtually untouched layout and features of the improved pub to its historical character, this is likely to have some impact on the setting of the Fellowship Inn.
- 7.53 The proposed development would reintroduce the cinema use to the lower ground floor hall. The layout of the hall would remain virtually unchanged, with only alterations to the gentlemen's cloakroom and toilets to the south of the lobby and area of storage and toilets to the north of the lobby. This is to link the cinema to the proposed café, provide modern and accessible toilets and allow the lift shaft to the upper floor hall.
- 7.54 It is acknowledged within the Conservation Management Plan that the area to the north of the lobby is a neutral element, neither adding or detracting from the character. Officers agree with this and also consider that the alterations are necessary to improve accessibility to the cinema and upper hall. Therefore the loss of this area is not considered harmful to the character of the building.
- 7.55 It is noted that the gentlemen's cloakroom is graded as a moderate element. Whilst the loss would have an impact, when weighed against the refurbishment of the current derelict cinema, its loss is not significantly harmful to the setting of the building.
- 7.56 Therefore the alterations to the layout of the lower floor hall are considered to be acceptable to the character of the building.
- 7.57 Other alterations to the lower hall include the removal of the cinema seating and raising sections of the floor. The higher floor is shown as three rows of seating as being 200mm higher than at the entrance and another four rows on a 1:15 gradient to the current floor level. It is understood that the existing seating, is not to the current modern standard and therefore would need to be replaced with

wider seating. Also, for the comfort of customers, the raked floor allows clearer views to the cinema screen.

- 7.58 It should be noted that the cinema seating is not original to the Fellowship Inn, with the lower hall originally constructed as a banquet hall for gatherings. The seating is understood to have been introduced around the 1950's. Therefore, whilst an interesting read to the previous use of the room, the seating is not considered to be of significant importance to the overall historical character of the building. Additionally, it should be noted that a section of the current seating would be refurbished and added to the rear of the cinema to provide an connection to this historical interest of the room.
- 7.59 The existing floor has suffered damage from extensive water ingress as well as fire damage to the stage. Therefore a large portion of the original flooring has either been lost or the condition remains unknown. However, it is noted in the repair schedule that the works to the hall include restoration of the original floor where possible. It also highlights that the proposed raise flooring would be installed so that, if necessary, the works could be reversed and the original flooring restored.
- 7.60 It should also be considered that, in order to make the building usable, the cinema should be brought up to modern standards. Therefore it is officers opinion that the removal of the seating and raising of the floor would be necessary to bring the building into use.
- 7.61 As such, officers consider that the proposed removal of seating and raising of the floor would not have a harmful effect on the historical character of the building.
- 7.62 Also on the lower ground floor, the proposed development would reintroduce the existing shop front and change the use of the area to a café. This would involve removing walls to add floor area to the café, as well as extensive alterations to the basement layout of the cellar and storage rooms. These works are to provide a kitchen and micro-brewery/beer cellar for the public house, as well as plant area for the upper floor lift.
- 7.63 This area of the Fellowship Inn, with the exception of the off sales area, is considered to be a neutral element within the building. Having inspected the site officers consider that the changes to the layout would not be significantly harmful to the historical character of the building. Furthermore, whilst the existing off sales area would be enlarged and therefore the original layout of an outstanding element would be affected, it is noted that original elements such as the rare countertop and shelving would be refurbished and reused within the café. These are considered to be the most historically important features within the area and therefore their retention is supported in order to reduce the impact on the setting of the room.
- 7.64 Other notable alterations to the basement floor level include the introduction of glazed screening between the micro-brewery and café. This was raised during pre-application discussions and officers considered this to be a visually interesting read into the process of beer making and considered that the impact to the character of the building through the removal of the walls would be minimal given the neutral character of the element.

- 7.65 It is also likely that historically interesting elements such as the mechanical bottle disposal machine in the cellar would be lost. Whilst this represents an interesting artefact of the public house, it is not considered to be significant to the overall historical character of the building. It is also noted within the proposal that elements such as these will be cleaned up and recorded to capture the history of the site. It is also possible that the machine may be moved to another area of the building as a historical read of the building.
- 7.66 Overall, officers consider that the proposed alterations to the cellar and off sales area to provide a café and ancillary kitchen, micro-brewery and storage would have an acceptable impact to the character of the Fellowship Inn.
- 7.67 On the ground floor level, the public house would remain off Randlesdown Road, with the public bar in the western edge brought back into use. The proposed development would alter the layout of the original pub very little, with the main change being the removal of the toilets to the rear of the public bar as well as the toilets off the lounge bar.
- 7.68 The toilets to be removed are considered to be a neutral element within the supporting documents and hence the loss is not considered significant. Officers agree with this and therefore consider that the impact would be acceptable.
- 7.69 The proposal would alter the existing opening to the rear of the bar between the lounge and public bar. The alterations as originally proposed were to remove the existing door and parts of the wall with folding glazing.
- 7.70 During pre-application discussions, officers were satisfied that, subject to an appropriate nib on the door and suitable details, the principle of the opening would not be harmful to the character of the building. However, it was considered that the use of glazing would be inappropriate within the historical fabric of the building, especially taking into account the outstanding preservation of the public house.
- 7.71 As such, alterations were sought and made to the opening. Subsequently, the applicant submitted new details which show the enlarged opening constructed of the original panelling and reusing the existing door. This is considered to be more sympathetic to the historical fabric of the building and as such the impact on the character of the building would be acceptable.
- 7.72 Other alterations to the public house floor area include the existing opening between the lounge bar and the upper floor hall would be fixed shut. A new single door opening would be introduced into new toilets which would utilise the existing panelling. Furthermore, two counter bars added in the lounge would be removed. These are considered to be later additions and of poor quality and hence the removal would not adversely impact on the historical character of the building.
- 7.73 Lastly, the dumb waiter to the upper floor areas would be retained and sealed shut to be used for ducting and services. Officers support the retention of this feature for its historical character and hence this is considered acceptable.
- 7.74 As such officers consider that the alterations to the public house would be acceptable within the setting of the Fellowship Inn.

- 7.75 To the rear of the ground floor, the upper hall is being refurbished to reintroduce a multi-purpose entertainment hall. As part of these works, the children's room to the rear of the hall would be removed, as well as stairs leading to a toilet. The main stairs leading from the lower ground hall would remain as well as the bar. The new layout would allow a lobby, toilets and the lift to the rear of the hall, as well as reduce the area of floor space between the bar and the children's room to provide female toilets for the public house.
- 7.76 The existing children's rooms is highlighted as an outstanding element within the Conservation Management Plan. Officers also note the historical significance of the children's room within the improved pub, which is a significant feature of the original refreshment rooms as a place for family and community use as opposed to a drinking establishment. As such, it is considered that the loss of the children's room would have an impact on the historical character of the building.
- 7.77 Notwithstanding this, officers acknowledge that the layout of children's room make it difficult to incorporate within the proposed entertainment hall. Furthermore, it is considered that bringing the room back into use as a children's room would not be appropriate within the proposed uses. Officers also appreciate that the current derelict nature of the existing hall would be vastly improved as part of the proposal with significant enhancements to the original historical fabric of the room. Therefore the benefit of bringing the building back into a sympathetic use would outweigh the loss of the historic children's room.
- 7.78 Other noticeable alterations include the removal of the original rotund skylight. It is understood that this is one of the two original skylights into the lower hall as originally constructed in 1924. When the upper floor was constructed a few years later, one of the skylights was removed and floor infilled whilst the current skylight was boarded up.
- 7.79 Given this is an original feature of the existing building, this is considered to provide some historical significance to the building, albeit it is not considered to be outstanding in character. However, it is acknowledged that the position of the skylight detracts from the layout of the room and its usability as a modern entertainment hall and hence its removal is considered to be justified. Furthermore, it is noted that the flooring would be articulated to provide a read of the original purpose of the roof, which would add to the historical interest of the room. It is also considered that the feature should be cleaned up and recorded within a schedule of heritage assets, which can be conditioned as part of the Listed Building Consent.
- 7.80 Lastly within the upper hall, the layout around the stage area is being amended to provide change rooms, toilets and stores, together with the expansion of the stage. Also, some enclosed ducting is proposed in the north-east corner.
- 7.81 In general, the changes to the layout look to be acceptable to bring the hall back into modern use. However, it is noted that the ducting is built up against two windows, as well as a partitioning wall running through a north facing window. Whilst it is noted that the effected windows are located in less visible elevations, officers are concerned with how the partitions would appear behind the openings, as well as any harm to the fabric of the building as a result of the works.

- 7.82 Whilst officers are satisfied that the proposed partitioning would not significantly harm the external appearance given its low visibility, it is considered that details should be provided to ensure the internal works would not have a harmful impact on the historical fabric of the building. This includes sections showing the distances from the windows and fixing details to the original building. These details have not been submitted; however it is considered that a suitably worded condition for the submission of these details would make the scheme acceptable in this regard.
- 7.83 Therefore, it is considered that the proposed alterations within upper hall are considered to have an acceptable impact on the character of the Fellowship Inn.
- 7.84 With regard to the internal layout of the upper floors, it is noted that the Conservation Management Plan classifies the majority of the area as a moderate element, with the exception of the kitchen and pantry, which are outstanding. The proposed development would retain the majority of the layout, however it is noted that the pantry to the side of the kitchen would be removed to allow the lift shaft, as well as alterations in the eastern end of the first floor to provide accessible toilets.
- 7.85 Whilst the loss of the pantry is regrettable, officers consider that this is necessary to provide the lift shaft for appropriate disabled access. Therefore, the impact the removal would have on the character of the building is considered acceptable.
- 7.86 It is noted that a number of features within the kitchen and pantry, such as shelving, cabinets etc. may be removed to provide the rehearsal space. Whilst the impact of the removal on the setting of the building as a whole is acceptable, officers consider that should any of these original features be removed and not reused within the building, it should be appropriately cleaned up and recorded.
- 7.87 On the other hand, it is noted that a large number of important features within the kitchen are to be retained and refurbished, such as the dumb waiter and glazed tiling. Therefore, with these improvements the proposed development is not considered to have a significant impact on the setting of the building.
- 7.88 It should be noted that due to the proposed use of some of the rooms for rehearsal space, a number would have to include reinforced walls and secondary glazing. In addition to these, the windows into the entertainment hall and cinema would also have secondary glazing to restrict noise escape.
- 7.89 Officers consider that the principle of adding additional walls, doors and windows within the internal structure of the building would improve the noise impact of the uses within the building and hence is supported. However, this would be dependent on the manner in which these elements are installed to ensure they do not harm the setting of the building and are reversible if required in the future.
- 7.90 The applicant has submitted sections of the secondary glazing. They show the glazing units set 25mm inside the internal architrave and illustrate that the window frames would be anodised with single panes. Whilst in general this information is considered to be acceptable, officers would still need to see detail of the fittings in the architraves, specifications of the opening styles and how this marries with the original glazing pattern, as well as a sample of the material finish.

- 7.91 Whilst the outstanding details have not been submitted for assessment, officers consider that this could be addressed through a condition. Furthermore, officers have not received any details of the fixing of new internal walls to the original walls or sections of secondary doors within existing jambs. It is considered that this could also be made acceptable with a suitably worded condition.
- 7.92 Therefore, officers consider that, with suitable conditions, the proposed reinforced windows, doors and walls would not have a harmful impact on the character of the Fellowship Inn.
- 7.93 It is also noted that a large number of original features that provide some historical read to the building are being removed under the scheme. Whilst the most significant features are listed in the paragraphs above (skylight, bottle machine, cupboards, toilets, urinals etc.), it is considered that all original features should be suitably refurbished and documented as a means to record these elements of the building.
- 7.94 Therefore, officers recommend that a condition be placed on the Listed Building Consent for the preparation and submission of a photographic schedule of any original features within the building which are to be removed as part of the proposed development.
- 7.95 Overall, regarding internal alterations, officers consider the scheme to provide mostly positive enhancements to the character of the building. Whilst some changes, such as the loss of the children's room, are regrettable, it is considered that the adverse impact of these elements are outweighed by the benefits of the scheme. Subsequently these works are considered to be acceptable.

c) Repairs and Refurbishment

- 7.96 Both internally and externally, the proposed development involves the repair and refurbishment of the Fellowship Inn. This is detailed within the Conservation Repair Schedule and plans submitted in support of the application.
- 7.97 It is noted within the documents that the external decorations are relatively new; however in some areas the paint has poorly adhered and is peeling. It is also uncertain whether the render below is original, but nonetheless it is considered that if it was original it is not understood whether this could be reinstated where the modern paint is strongly adhered to.
- 7.98 As such it is proposed that all existing painted surfaces are stripped back to a sound surface prior to redecoration. This includes the application of preservation stain to the external woodwork.
- 7.99 Officers find that this redecoration works are acceptable. However, it is considered that further details on the method of paint removal and details on the external paint finish should be submitted for approval by the Council.
- 7.100 In general, the refurbishment and repair works would look to retain the existing features where possible. It is noted that a number of damaged elements would need to be replaced, such as oak timber sections in the external elevation, areas of rainwater plumbing and windows. It should also be noted that a number of windows are not yet accessible. Therefore it is understood that the state of these windows are unknown and may also need to be replaced.

- 7.101 In general, officers support the refurbishment works to the Fellowship Inn in order to enhance the setting of the building. However, there are concerns over the proposed cleaning technique proposed and the damage that may be caused to the building as a result.
- 7.102 As such, it is the officers opinion that a method statement of cleaning the building prior to redecorating is provided which would not cause unacceptable harm to the fabric of the building.
- 7.103 It is also considered that samples of the proposed replacement material used in both the external and internal refurbishment should be made available on site for the approval of Council. This should include, but not limited to, windows, timber decorations, bricks and mortar, roof tiles, guttering, lightwell glazing blocks, flooring, doors and concrete render. This should be secured through a condition.

d) Landscaping

- 7.104 The area of highway to the front of the proposed cinema entrance at Knapmill Road is within the application site. This area is currently unsightly, not only because the entrances to the building from the highway are not in use, but also due to damaged paving around the highway and poor layout causing unmanaged parking to the front of the building.
- 7.105 As part of the proposal, the highway at Knapmill Road would be landscaped to decrease the carriageway and increase the area of pedestrian access. The works would also provide external seating for the proposed development, which would be split either side of the walkway from the stairs leading up to Randlesdown Road.
- 7.106 The external seating would be bordered by a 600mm raised planter and low level gates and fencing with alternate paving to identify the seating area. A tree would also be planted within the pedestrian area of the highway. A 2.1m high timber gate would be added between the highway and the side of the building. No details of the hard materials have been provided or plant species.
- 7.107 These works are welcome as they would improve the setting of the building whilst retaining appropriate movement of pedestrians through the highway. Furthermore, the proposed seating is recognised to improve the usability of the Fellowship Inn through providing attractive outdoor seating for customer use.
- 7.108 Whilst the principle is acceptable, it is considered that the detail of the proposed landscaping works is insufficient to determine that the materials would be appropriate within the setting of the building. However, officers consider that a condition for the submission and approval of details would make the development acceptable in this regard. It should be noted that this would relate to not only the landscaping along Knapmill Road but also the works proposed to the front of the entrances of Randlesdown Road.
- 7.109 It is also noted that lighting and cctv cameras have been shown on the proposed elevations indicatively. Officers consider that in order to ensure they are appropriate within the character of the building, details of their location and appearance would be required. It is recommended that this is submitted using a condition.

7.110 Overall, the proposed landscaping is considered to have an appropriate impact on the setting of the Fellowship Inn.

e) Design Summary

7.111 The proposed refurbishment of the Fellowship Inn is considered to contain a number of enhancing features which would improve the current 'heritage at risk' building.

7.112 It is noted that there are some aspects of the scheme which may result in some harm to the character of the building, such as the alterations on the eastern elevation and loss of certain features such as the children's room.

7.113 However, when these harmful impacts are weighed against the overall enhancement, together with the public benefit of the proposed uses within the building, it is considered that these impacts are acceptable, subject to conditions attached to the decision notices.

Highways and Traffic Issues

a) Access

7.114 The Council's Core Strategy aims to provide inclusive design in new development to ensure equal access throughout the Borough. This not only includes improving sustainable access such as walking, cycling etc. but also disabled access for wheelchair users and less mobile residents.

7.115 The subject site is located adjacent to Bellingham Station, with a number of bus stops located on Bromley Road and Brookehowse Road. The highway along Ravensbourne Road is considered to have a good level of accessibility with decent pavement widths and a good standard of paving with highway lighting.

7.116 Stairs are located between the Fellowship Inn and adjoining post office providing pedestrian access from Randlesdown Road to Knapmill Road, however these stairs are unlit. The area of road to the front of the building contains a dead-end road with parking restrictions, yet congested parking is significant problem at the front of the building. Further along Knapmill Road and the surrounding roads to the north, it is noted that parts of the pedestrian footpath are used for parking. Whilst this reduces the width, there is still room for pedestrians to pass on the pavement.

7.117 The proposed development would utilise the existing entrances along Randlesdown Road, as well as reopen the currently disused entrances at lower ground floor onto Knapmill Road. Whilst the standard of Randlesdown Road is acceptable for pedestrian access, it is considered that the current state of Knapmill Road is not suitable given the entrances for the cinema and café would be located in this area.

7.118 Notwithstanding this, the proposed development includes alterations to the highway around the cinema and café entrances at the end of Knapmill Road. This would include removing the dead-end road and resurfacing the highway. Parking would be restricted along the corner of the new road with double yellow lines.

- 7.119 It should be noted that the proposed highway works would involve removing elements of the existing highway, which would then be maintained by the property owners. This would be completed with a stopping-up order if planning permission is granted.
- 7.120 Whilst officers acknowledge that some of the highway would be lost, this would be nearest to the proposed café entrance. As such, the proposed works would provide clear sightlines and paths are from Randlesdown Road towards Knapmill Road for pedestrians utilising the stairs. With this in mind, it is considered that the loss of highway would not have a significant impact on the movement of pedestrians from the established level.
- 7.121 The alterations to the carriageway would not restrict the movement of cars and service vehicles along the existing highway or harm vehicular access from the established area. Furthermore, whilst there would be the removal of carriageway, this is not considered to severely effect vehicle movement as it would remove a dead-end and reduce unmanaged parking of the area.
- 7.122 Overall, officers consider that the change would open the area up for more pedestrian movement. Furthermore, the improved paving would increase the use of the area through creating a more attractive and safer pedestrian route.
- 7.123 Therefore, with these works to improve the highway, the proposed development is considered to be acceptable in terms of providing satisfactory access and pedestrian movement.
- 7.124 These works would be secured by condition. Furthermore, in order to ensure the design and standard of the landscaping works within the applicant's ownership are appropriate, a condition for a hard landscaping plan is also recommended. Officers consider that the condition described within the landscaping section covers this issue.
- 7.125 In addition to the highway works, indicative lighting of the stairs are shown, which would also improve the safety of this route. Officers consider that the condition described within the landscaping section covers this issue.
- 7.126 In terms of equal access inside the building, it is acknowledged that development involving buildings of historical significance can sometimes outweigh the need to provide equal access. Nonetheless, the applicant has made access a key driver of the development and has worked extensively with Council officers to ensure that each level of the building can be accessed by disabled users.
- 7.127 With this in mind, it should be noted that all entrances from Randlesdown Road would be level and the entrances from Knapmill Road would also provide level access for wheelchair users.
- 7.128 Two lift shafts will be located within the building, one from the entrance on Randlesdown Road for access to the upper floors and one from the cinema entrance servicing the cinema level and entertainment hall. The lift to the upper floors would provide access to the top floor with the addition of a small roof extension on the eastern roof slope. The lift for the lower ground floors would alter the layout of the lower ground floor store and ground floor stairs to the old children's room.

- 7.129 Taking the above into account, every floor of the building would be accessible by disabled users, including wheelchair users. It is noted that wayfinding plans have been submitted with the scheme which shows the paths to lifts. These show that the route for cinema users entering from Randlesdown Road (disabled parking bays are located on Randlesdown Road and within the Bellingham Leisure and Lifestyle Centre) would require those with disabilities to enter into the public house and through the entertainment hall lobby to the lift. Whilst this route may be considered convoluted, given the constraints of the site layout and the suitability of lifts within the Grade II Listed Building, the internal access currently proposed is considered to be the most appropriate option with minimal impact on the historical fabric.
- 7.130 Therefore officers consider that the internal layout is appropriate to provide equal access within the building for all users.
- 7.131 In summary, the access to the building, with appropriate upgrades along Knapmill Road, is considered acceptable. In addition, the internal access is considered to be appropriate for equal access to each floor of the building.

b) Car Parking

The NPPF and the London Plan seek to promote sustainable development through reducing the reliance on private vehicle travel, where appropriate. The Council Core Strategy Policy 14 also seeks a managed and restrained approach to car parking provision to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities.

- 7.132 The Transport Statement submitted gives an indication of the existing parking arrangements and includes a parking survey. Along the shopping parade, Randlesdown Road has parking restrictions on the southern side and 12 parking bays (two of which are disabled parking spaces) along the northern side, however these have 30 minute restrictions Monday to Saturday at 8am to 7pm. Parking along Knapmill Road and other roads to the north of the site are unrestricted, with the exception of the area to the front of the building.
- 7.133 It is also noted that the Bellingham Leisure and Lifestyle Centre has 64 pay and display parking spaces, including 10 disabled bays. It is understood that the applicant has an agreement with the operators for future customers of the Fellowship Inn to use this car park. From this car park, there is a pedestrian entrance onto Randlesdown Road and an unmarked crossing for pedestrian access to the site.
- 7.134 The parking survey was undertaken on Thursday 30th June 2016 and Saturday 30th July 2016. It included Knapmill Road, Broadmead Road, Athelney Road and the leisure centre car park.
- 7.135 The results show that generally demand for parking along the residential streets is highest during working hours of the weekdays, with less demand during the evenings and weeknights. This is at odds with normal residential parking which generally has higher parking demand during evenings and weekends when residents are home from work. Subsequently, it is considered that the large amount of parking stress is from commuters using Bellingham Station. This is backed up in resident objections and comments on the scheme.

- 7.136 In comparison, the leisure centre car park is occupied at around 50% capacity as shown within the parking survey.
- 7.137 The proposed cinema would seat 80 customers whilst the café has a floor area of 50 sqm and outdoor seating for 52 customers. The entertainment hall above has a usable floor area of 125 sqm (280 sqm including the ancillary stage area, toilets and lobby) and the public house floor area would be 236 sqm (not including the kitchen and micro-brewery) whilst the combined floor area of the upper floor music hub would be 295 sqm.
- 7.138 The application form outlines that 30 full time and 30 part time staff would be employed as a result of the proposed development, however it is not indicated how these would be split between the two operators or indeed the individual uses.
- 7.139 Considering the amount of space and increase in staff as a result of the proposed development, it is acknowledged that the scheme is likely to result in an increase in car travel. Therefore it is expected that there would be an increase in the need for parking in the area.
- 7.140 However, whilst there would be an increase in people, officers acknowledge it is problematic to understand the number of people who would actually drive to visit the premises given the lack of baseline data. Therefore parking need generated to assess against the current availability is difficult.
- 7.141 Notwithstanding this, it should be considered that the building is currently in use as a public house, and would continue to be used as such on the ground floor. Through the nature of this use, it is more than likely that patrons visiting the premises would be drinking alcohol and subsequently are less likely to drive. Patrons who are visiting the café/cinema/entertainment hall would also have access to alcohol, or are also likely to visit the public house in the same visit.
- 7.142 It should also be noted that the cinema and entertainment hall, given the relatively small size of the buildings, do not constitute major leisure uses that would attract a large number of customers from outside the local area. Therefore officers expect that the proposed development would more than likely attract visitors from the local Bellingham community, would be less likely to visit the premises by car.
- 7.143 The good public transport accessibility of the site would in any case facilitate access from outside the area. . As such, this good accessibility is likely to increase the number of customers and staff who may be visiting from outside the local area to utilise the public transport system.
- 7.144 Therefore officers expect a significant proportion of the customer base to travel to the proposed development via sustainable modes of transport over private vehicle travel.
- 7.145 Nonetheless, there is still expected to be an increase in people utilising parking in the vicinity. It should be noted that, given the nature of the public house, cinema and entertainment facility use as predominately night time uses, any parking generated is more likely to be at its peak during the evening and weekends. Based on the information within the Transport Statement, this is when the existing parking demand is at its lowest.

- 7.146 The proposed music hub would operate outside of these evening hours however and therefore may result in increase parking need during the time of highest demand on residential streets. The use of the upper floors however would be for people aged aged 5 to 18 in the Borough and therefore the majority would not drive to the premises. It is likely that parents may drop off children to utilise the premises, however these are likely to be short stay parking needs and hence would likely use the short stay parking along Randlesdown Road as opposed to more congested residential streets to the north.
- 7.147 It should be noted that, pursuant to the NPPF, where development has good accessibility for sustainable modes of transport, a Travel Plan is an important tool in meeting the need to reduce private vehicle use. The applicant has submitted a Travel Plan in support of the application.
- 7.148 This document aims to reduce the number of people using cars through improving awareness of public transport, walking and cycling. Officers consider that through the Travel Plan, the proposed development can appropriately manage any adverse impacts on the highway. However, the plan highlights that it is unable to gather appropriate baseline data given the use is not implemented. Therefore, it cannot be determined whether the targets are achievable or the aims specific enough to the proposed development.
- 7.149 Subsequently an updated Travel Plan would be required to make the development acceptable. Officers consider that this can be secured through condition.
- 7.150 Therefore officers consider that given the accessibility of the site, together with appropriate measures within the Travel Plan, the increase in parking generated by the proposed development is considered to have an acceptable impact on the highway network.
- 7.151 It is noted that the applicant has outlined that an agreement has been made with the Bellingham Leisure and Lifestyle Centre regarding the use of their car park for customers. The Travel Plan states that customers would be encouraged to use this parking instead of residential streets.
- 7.152 Officers could, in order to ensure this agreement is made and kept in perpetuity, recommend that this be added to the Section 106 agreement. However, as outlined above, it is expected that the proposed development would have an acceptable impact on parking in the area and hence unnecessary to make the development acceptable. Therefore this is not considered to meet the tests of the NPPF and not recommended to be added with the heads of terms.
- 7.153 It is also outlined within a number of objections that a Controlled Parking Zone (CPZ) should be added to restrict parking on the surrounding streets to residential parking only. Whilst officers note these comments, the process of applying CPZ restrictions is not related to planning. Subsequently, they are not considered within the determination or as conditions.
- 7.154 In summary, whilst it is acknowledged that the proposed development would result in an increase in parking demand, it is considered that this impact would not be significant to adversely impact on the surrounding highway network to warrant a refusal. Therefore the proposed development is considered to have an acceptable impact on the highway.

c) Cycle Parking

- 7.155 In line with the cycle parking standards set out in the London Plan, 8 'long stay' cycle parking spaces should be provided for staff and 7 'short stay spaces for customers.
- 7.156 Both the Travel Plan and the Transport Statement outline that cycle parking is provided within the Bellingham Leisure and Lifestyle Centre and on Randlesdown Road. In total, these are 30 spaces. If necessary, further spaces can be provided within the landscaping works on Knapmill Road.
- 7.157 Officers appreciate that the existing spaces may be used by future customers, however in the interest of promoting cycling within the proposed development, it is considered that spaces should be provided within the site plan. Therefore, spaces should be secured within the landscaping works on Knapmill Road.
- 7.158 It is also noted that no spaces have been indicated which fulfil the need for long term stay. Officers consider that, given these spaces would be used for a longer period, they would need to be both dry and secure to promote use by staff members.
- 7.159 Whilst no details or indication of the cycle parking spaces have been shown in the proposed plans or in the supporting documents, it is considered that the site has the capability of accommodating the relatively small amount of parking spaces. For instance, the landscaping works could easily accommodate the 7 spaces, whilst if the long term spaces cannot be provided internally, it is considered that an external store can be located towards the rear of the building near the refuse store.
- 7.160 Therefore, officers recommend that a condition be added for details of the cycle parking to secure its provision within the scheme. With this condition, the proposed development is considered to be acceptable.

d) Servicing and Refuse

- 7.161 The proposed development would increase the use of the existing building significantly, with the regeneration of the cinema and entertainment hall and introduction of the music hub above. Subsequently, a robust servicing plan is required with the proposed development.
- 7.162 The Delivery and Servicing Plan states that the current public house is serviced from loading bays on Randlesdown Road as well as beer deliveries from Knapmill Road. It is also noted that the only waste from the pub is collected in wheelie bins next to the upper floor entrances and serviced from Randlesdown Road.
- 7.163 The proposed building would be split between two operators who would deal with the waste collection and servicing of each use respectively, being the Lewisham Music Hub on the top floors and Laines Company on the lower floors.
- 7.164 A survey of the business along Randlesdown Road was undertaken to assess current servicing locations and vehicle types. Of the 14 businesses, only four utilise the rear for servicing as well as Randlesdown Road. That includes larger businesses such as Co-operative Food and Londis who utilise larger vehicles.

- 7.165 The lower ground floor would be serviced from Knapmill Road. It is expected that there would be one HGV and four to five transit van deliveries per week. It is noted in the plan that Laines Company would work with adjoining businesses to allocate four hour delivery slots to help reduce congestion.
- 7.166 The plan also states it would implement a delivery co-ordinator to oversee the implementation of the strategy, monitor and review deliveries and increase awareness of the servicing implications to improve and promote initiatives.
- 7.167 Deliveries for the upper floors in comparison would be relatively limited, incorporating loading and unloading of musical instruments. Officers also consider it likely that other office goods are also likely to be delivered. This would require mainly transit vans and an infrequent short lorries. These would be from the loading bay to the front of the building on Randlesdown Road.
- 7.168 In terms of waste, the lower floors would be serviced to the rear of the cinema, accommodating three wheelie bins and three euro bins which is separated between general waste, glass and cardboard. The Delivery and Servicing Plan states that general waste would be collected twice weekly, glass three times weekly and cardboard once weekly. It is also noted that waste would be collected by either local council refuse collectors or private contractors.
- 7.169 The plan also highlights that Laines Company, being an experienced pub and entertainment operator, operate a successful waste strategy in other pubs, which includes extensive recycling and residual waste used in energy recovery to support power stations. It is intended to utilise the same strategy within the Fellowship Inn.
- 7.170 The upper floors would be collect waste to the front of the entrance on Randlesdown Road. This waste would then be collected weekly by Council refuse collectors. The waste management matches the current collection strategy for the existing public house.
- 7.171 Officers consider that, taking into account the proposed deliveries for the music hub from Randlesdown Road would be equal to or less than the existing public house. The upper floor music hub is also considered to generate less waste than the current public house. Therefore the proposed change of use would not increase the impact of waste and delivery beyond the established level on Randlesdown Road.
- 7.172 It is considered that due to the increase in use from the established level, the main increase in servicing would be from Knapmill Road. The design of the landscaping and highway improvements in this area are subject to conditions and hence it is considered that measures could be placed within the design to provide a loading bay for waste and deliveries. Whilst this may impact on the movement of pedestrians from the stairs, it is considered that due to the relatively low level of use of a servicing bay there would not be significant harm. Furthermore, if appropriately managed by the business operator, it is considered that this would prevent illegal parking by commuter vehicles.
- 7.173 Officers also consider that the measures within the Delivery and Servicing Plan are generally supported in order to reduce the impact of delivery and waste collection. This includes the appointment of a delivery manager who could manage the delivery parking space. Through the securement of this document

within the standard conditions, it is considered that the scheme would not have a severe harmful impact on the highway on Knapmill Road.

- 7.174 It is appreciated that delivery collection times at the rear may impact on residents through noise and highway impacts. Therefore, officers consider it acceptable to place a condition limiting the hours of deliveries.
- 7.175 Overall, officers are satisfied that through the measures of the Delivery and Servicing Plan and landscaping provisions for loading/unloading, together with appropriate hours of delivery, it is considered that the regeneration of the Fellowship Inn would not have any significant adverse impact on the highway network in terms of servicing.

e) Highways Summary

- 7.176 It is accepted that there are established highway issues in the area around the Fellowship Inn. It is also accepted that there will be a material increase in trips in the area as a result of the proposed regeneration of the public house.
- 7.177 Nonetheless, officers consider that through the nature of the proposed uses, a significant proportion of customers would not travel via car. Additionally, the good public transport accessibility would further promote sustainable transport trips to the site. It is also considered that through highway improvements and the condition of cycle parking, the scheme would promote walking and cycling.
- 7.178 Therefore, whilst an impact on highways is likely from the increase in movement, this impact is considered to be acceptable.

Noise

- 7.179 The proposed development would involve the change of use of the upper floors into a space used for music tutorials and rehearsals, as well as a sound recording unit. In addition, the entertainment hall would be reintroduced resulting in amplified sounds. Finally, external fixed plant would be required for the ventilation of cooling systems within the building, as well as kitchen exhausts. Taking this into account, it is expected that noise impacts to adjoining residents and businesses are likely and hence a Noise Assessment has been submitted in support of the application.
- 7.180 The assessment states that background noise measurements were undertaken during the period 17th to 24th May 2016 at the hall roof on the eastern boundary.
- 7.181 From this, the assessment recommends the maximum external noise levels from the music/entertainment to be taken into account during the detailed design.
- 7.182 The following recommendations are therefore made:-
- Existing glazing and doors to be replaced or refurbished with new seals and double glazing installed where practicable;
 - Enhanced lobbied doors provided to performance/rehearsal spaces;
 - Secondary glazing to performance/rehearsal spaces;
 - Noise limiting systems installed in performance/rehearsal spaces as necessary;
 - Mechanical ventilation to performance/rehearsal spaces;

- Enhanced roof/ceiling construction; and,
- Noise management plan for tenants.

- 7.183 It was considered that conditions could be placed with respect to noise limiters on amplified music systems within the development.
- 7.184 With respect to building services, it states that the maximum noise rating level should be 40 dB during the daytime and 32 dB during the night. The assessment went on to recommend that the provisional setting out of plant should be located within the roof nearest to the railway platform to reduce the effect on residential properties.
- 7.185 Officers have assessed the findings of the Noise Assessment and consider that the findings and recommendations are sound. It is noted that some of the recommendations such as reintroduced glazing, secondary glazing and reinforced doors/walls to reduce noise escape have been added to the proposed design. It is also noted that the layout attempts to reduce the impact of noise between the uses such as the female toilets between the entertainment hall and the public house.
- 7.186 It is also considered that the conditions relating to noise attenuation should be added, together with the details of the fixed plant and ventilation system as recommended by the Environmental Health officer. Officers also consider that a noise management plan should also be prepared and submitted to the Council for approval. This should include management measures for reducing the impact of noise and disturbances as customers leave the premises in the evening.
- 7.187 It is also considered that noise breakout from the outdoor seating may also impact on the amenity of the area, especially later in the evening. Therefore, officers consider it reasonable to add a condition restricting the operating hours of the outdoor seating area to 9pm in the evenings.
- 7.188 Overall, the recommendations within the Noise Assessment would be capable to mitigating noise concerns subject to conditions.

Impact on Adjoining Properties

- 7.189 The proposed works include a small roof extension on the eastern roof slope, the introduction of plant on the hall roof behind screens and the extension of the metal staircase at the rear of the hall. It is considered that these works would not cause adverse harm to the neighbouring residential properties in terms of daylight/sunlight or loss of visual amenities.
- 7.190 Overall, the proposed refurbishment of this Grade II Listed Building would improve visual amenities through adding positively to the character of the area, to the benefit of the site's immediate neighbours.
- 7.191 In terms of loss of privacy, the only increase in overlooking from the established impact would be the extension of the metal staircase to the hall roof, which is adjacent to 195 Knapmill Road. It is also noted that balustrades would be placed around the parapet of the hall roof, which may lead to the area being used for amenity purposes in the future and hence increase the overlooking and noise disturbances to the adjoining properties.

- 7.192 It is noted that the existing staircase leads to the upper hall, which would have been used for deliveries into the hall and emergency access when the building was last in use. It is understood that the extension to the staircase would be used for access to the roof for maintenance and emergency access to similar levels. Therefore the infrequent use would indicate that the level of overlooking would not be significant to cause severe loss of privacy to the neighbouring property.
- 7.193 In order to prevent any future use of the hall roof for amenity space, officers consider that a condition restricting its use to maintenance and emergency access would ensure there is no loss of amenity. Therefore any impact from the adverse use of the roof would be unlikely.
- 7.194 As such the proposed development would not adversely impact on the privacy of adjoining properties.
- 7.195 Indicative lighting is shown on the east, south and west elevations. Given there are residential properties in the floors above the businesses along Randlesdown Road and nearby properties on the south side of Broadmead Road, there may be an impact on amenities from adverse lighting.
- 7.196 Therefore officers consider that a condition for details should be provided in order to secure appropriate lighting and protect the amenity of the neighbouring properties. It is considered that the condition discussed within the landscaping section would address this issue.
- 7.197 Overall there is considered to be no significant harmful impact on neighbouring properties as a result of the proposed development.

Sustainability

- 7.198 The Council's Core Strategy Policy 8 states that all minor and major non-residential development will be required to achieve a minimum of BREEAM 'Excellent' standard, or any future national equivalent. However, in this case, given the heritage aspects of repairing and bringing this building back into use, it is not considered that meeting BREEAM 'Excellent' would be practical.
- 7.199 Nonetheless, it is noted that the proposed development intends to implement a number of measures in order to meet Building Regulations. This includes utilising the sizable loft area for insulation, the installation of energy saving lighting where appropriate and energy saving devices within the new equipment proposed (for example, music equipment etc). It is further considered that the reuse of existing buildings is in itself sustainable.

8.0 Local Finance Considerations

- 8.1 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).

- 8.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 8.3 The Mayor of London's CIL is therefore a material consideration. CIL is not payable on this application.

9.0 Equalities Considerations

- 9.1 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.
- 9.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 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.
- 9.4 In this matter, officers consider that there is no impact on equality.

10.0 Conclusion

- 10.1 The proposal to regenerate the Fellowship Inn in Bellingham is considered to be supportable in principle given the benefits of the development towards community enhancement, as well as the historical benefits of preserving bringing the building back into use.
- 10.2 Officers have assessed the proposed repair and refurbishment works, together with the alterations to the internal and external fabric of the building. Whilst some elements would harm the character of the listed building, this harm is considered to be outweighed by the public benefits of the scheme. Furthermore, it is considered that overall the works would improve the current heritage at risk building, bringing it back into a viable use. The design is acceptable subject to conditions.
- 10.3 The proposed works to the highway on Knapmill Road are considered to improve the current character of the area whilst not adversely impacting on pedestrian movements. It is also considered that while there will be an increase in car trips to the site, thereby increasing parking need in the area, this would not result in significant harm to the highway network, subject to conditions.
- 10.4 It is noted that the proposed development would result in noise generating development. However, it is considered that with the appropriate design measures and with suitable conditions, this would not have an unacceptable impact on the amenity of the area.

- 10.5 In summary, the proposed regeneration is considered to result in significant beneficial impacts whilst the adverse impacts are considered to be mitigated with the provision of details and conditions. Therefore planning permission and Listed Building Consent is recommended.

RECOMMENDATION (A)

GRANT PLANNING 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:

EX-001; EX-010 P1; EX-100 P1; EX-101 P1; EX-200 P1; EX-201 P1; EX-301 P1; DEM-101 P1; DET-202 P1; DET-301 P2; DET-302 P1; DET-303 P1; DET-304 P1; DET-341 P1; DET-342 P1; DET-351 P1; DET-352 P1; DET-353 P1; DET-354 P1; DET-355 P1; DET-356 P1; DET-357 P1; DET-358 P1; DET-401 P1; DET-403 P1; DET-404 P1; DET-405 P1; GA-210 P2; GA-211 P2; GA-300 P2; REP-200 P1; REP-202 P1; REP-203 P1; REP-204 P1; REP-205 P1; Conservation Repairs Schedule; Delivery and Servicing Plan; Design and Access Statement; Lift Maintenance Plan; Noise Assessment; Planning Statement; Statement of Community Engagement; Transport Statement; Travel Plan; Ventilation Extraction Statement; Wayfinding Plans (received 15th August 2016)

Conservation Management Plan (received 13th August 2016)

DEM-100 P2; DET-201 P2; DET-300 P3; DET-301 P1; DET-350 P2; DET-402 P2; DET-406 P1; DET-407 P1; GA-201 P4; GA-301 P4; Heritage Statement; Schedule of Heritage Assets (received 19th October 2016)

DET-340 P2; GA-101 P6; GA-200 P6; Amended Parking Survey (received 27th October 2016)

GA-010 P4; GA-100 P8 (received 4th November 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) No development shall commence on site until a Construction Logistics Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall demonstrate the following:-
- (a) Rationalise travel and traffic routes to and from the site.

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

The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

- (4)
 - (a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.
 - (b) Development shall not commence until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.
 - (c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

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

- (5) The refuse facilities as shown in drawing no. GA-010 P4 hereby approved shall be provided 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 DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014) and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

- (6)
 - (a) A minimum of 8 secure and dry cycle parking spaces shall be provided within the development. 7 short stay spaces shall be provided for customer use.
 - (b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.

- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

- (7)
 - (a) No development shall commence on site until drawings and specifications showing all hard and soft landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces, materials, proposed plant numbers, species, location and size of trees and tree pits) have been submitted and approved in writing by the local planning authority.
 - (b) All landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.
 - (c) Prior to the occupation of development, a landscaping maintenance strategy for the proposed outdoor seating area shall be submitted and approved in writing by the local planning authority.

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

- (8)
 - (a) Detailed plans and a specification of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s) and anti-vibration mountings where necessary) shall be submitted to and approved in writing by the local planning authority.
 - (b) The ventilation system shall be installed in accordance with the approved plans and specification before use of the development hereby permitted first commences and shall thereafter be permanently maintained in accordance with the approved specification.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Policy 17 Restaurants and cafes (A3 uses) and drinking establishments (A4 uses) of the Development Management Local Plan (November 2014).

- (9)
 - (a) The development shall not be occupied until a Noise Management Plan has been submitted to and approved in writing by the local planning authority.
 - (b) The development shall operate in full accordance with the details approved under part (a).

Reason: To protect the residential amenity of nearby properties and ensure the development does not add to noise pollution in the vicinity and to comply with DM Policy 26 Noise and vibration generating development and DM Policy 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014).

- (10) (a) No part of the development hereby approved shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.
- (b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.
- (c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

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

- (11) (a) The development shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.
- (b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.
- (c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

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

- (12) The applicant shall enter into a Section 278 agreement with the local highway authority to provide the highway improvement works as indicated in drawing no. GA-010 P5 hereby approved. These improvement works shall include, but not be limited to, the following:
- (i) Double yellow line waiting restrictions
 - (ii) Improvements to the stairs

- (iii) Improvements to the lighting
- (iv) Delivery and servicing bay
- (v) New paving
- (vi) Street furniture or tree planting

No part of the development shall be occupied until the approved highway improvements have been completed and implemented in full.

Reason: In order to ensure that satisfactory means of access is provided, to ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

- (13) The use of the flat roof on the building shall be as set out in the application and shall not 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.

- (14) No deliveries shall be taken at or despatched from the site other than between the hours of 7 am and 8 pm on Mondays to Fridays, 8 am and 1 pm 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, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- (15) The area used for outdoor seating shall not be open for customer use after 9m Monday to Sunday.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods 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)

- (16) A tamper proof noise limiting device shall be installed and permanently maintained in good working order within all areas where amplified sound systems are used. The device shall automatically control the volume of all amplified entertainment at the venue at all times. The maximum internal music level shall be set by a qualified acoustic consultant so that the maximum external noise levels, as detailed in Table 3 of the Noise Assessment hereby approved, arising from the premises are not exceeded at any time.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration and DM Policy

32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

RECOMMENDATION (B)

Grant Listed Building Consent subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which the permission is granted.

Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

EX-001; EX-010 P1; EX-100 P1; EX-101 P1; EX-200 P1; EX-201 P1; EX-301 P1; DEM-101 P1; DET-202 P1; DET-301 P2; DET-302 P1; DET-303 P1; DET-304 P1; DET-341 P1; DET-342 P1; DET-351 P1; DET-352 P1; DET-353 P1; DET-354 P1; DET-355 P1; DET-356 P1; DET-357 P1; DET-358 P1; DET-401 P1; DET-403 P1; DET-404 P1; DET-405 P1; GA-210 P2; GA-211 P2; GA-300 P2; REP-200 P1; REP-202 P1; REP-203 P1; REP-204 P1; REP-205 P1; Conservation Repairs Schedule; Design and Access Statement (received 15th August 2016)

Conservation Management Plan (received 13th August 2016)

DEM-100 P2; DET-201 P2; DET-300 P3; DET-301 P1; DET-350 P2; DET-402 P2; DET-406 P1; DET-407 P1; GA-201 P4; GA-301 P4; Heritage Statement; Schedule of Heritage Assets (received 19th October 2016)

DET-340 P2; GA-101 P6; GA-200 P6 (received 27th October 2016)

GA-010 P4; GA-100 P8 (received 4th November 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) Notwithstanding the details hereby approved, no development shall commence on site until detailed plans and sections at a scale of 1:5 and 1:20 showing new external windows have been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and 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 of the Development Management Local Plan (November 2014).

- (4)
- (a) No development shall commence on site until a detailed schedule and specification of all external materials and finishes including bricks, render, new windows and external doors and roof coverings to be used in the refurbishment have been submitted to and approved in writing by the local planning authority.
 - (b) Samples of the materials, including brick panels with mortar and fixings, to be approved under part (a) shall be constructed and made available on site, for review by the local planning authority.
 - (c) 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 31 Alterations/extensions to existing buildings and 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 of the Development Management Local Plan (November 2014).

- (5)
- (a) No development shall commence on site until plans and sectional details at a scale of 1:10 or 1:20 showing the refurbished shop fronts have been submitted to and approved in writing by the local planning authority. Such information should demonstrate the number and type of signage, refurbished barrel hatch, any shutter/grill box, the window system, the stall riser (if included), canopies, awnings and the entrance.
 - (b) The development shall be constructed in full accordance with the approved details.

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 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 of the Development Management Local Plan (November 2014).

- (6) All new works, and works of making good to the retained fabric, whether internal or external, shall be finished to match the original work with regard to the methods used and to material, colour, texture and profile, and in the case of render, mix composition, and application.

Reason: To ensure that the special architectural and historic interest of this building is safeguarded and to comply with 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 of the Development Management Local Plan (November 2014).

- (7) No development shall commence until detailed drawings of the proposed internal architraves, where new windows and doors are inserted, shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area and in compliance with 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 of the Development Management Local Plan (November 2014).

- (8) All new windows shall be designed so as to match those in the existing building in terms of shape, proportions, size, style and materials. Traditional putty should also be used, and applied in the same method as the historic glazing.

Reason: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area and to comply with 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 of the Development Management Local Plan (November 2014).

- (9) Before work begins, details shall be approved in writing by the Local Planning Authority to ensure precautions are taken to secure and protect the interior (and exterior) features during the building work. The agreed measures shall be carried out in full. No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings or without the prior approval in writing of the Local Planning Authority. Particular regard should be given to the following:

- (i) Chimney- pieces
- (ii) External timbers
- (iii) Stair balusters and handrails
- (iv) Windows including glass, timber frame and architrave
- (v) Vulnerable surfaces and finishes
- (vi) Glazed tiles
- (vii) Historic flooring
- (viii) Counter fittings

- (ix) Architectural features including plasterwork, cornicing, skirting, doors and architraves

Reason: To ensure that those features which contribute to the special architectural and historic interest of the building are retained and to comply with 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 of the Development Management Local Plan (November 2014).

- (10) Prior to the commencement of development, details in respect of the following changes shall be submitted and approved in writing by the local planning authority:

- (a) proposed floor levels and treatment to the stone sets to the front entrances at Randlesdown Road
- (b) proposed floor levels and treatment to the flooring proposed to the beer cellar
- (c) proposed floor levels and treatment to the flooring proposed to the cinema

These details shall include 1:20 drawings, material and surface finishing, method statement and, where new material is shown to interact with historic features, 1:5 or 1:10 sections showing how they meet. The work shall be carried out in full in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- (11) Prior to the commencement of development, a detailed written and photographic record shall be submitted and approved by the local planning authority for the following items of historic interest:

- (i) Bottle hoist and topper equipment located in the beer cellar
- (ii) Original balustrade to the original circular skylight located in the upper hall

Reason: To record the original features and provide a photographic history of the site, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- (12) No historic fabric to the male toilets should be removed until a method statement is provided illustrating that no harm will be caused to the historic material during removal.

Reason: To ensure that the proposed development does not cause undue harm to the historical fabric of the building, in compliance with 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 of the Development Management Local Plan (November 2014).

- (13) Prior to the removal of the cinema seating, plans detailing the location of the preserved historic sets of seating within the cinema layout, as well as a method statement detailing how these will be removed, repaired and refurbished shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works and to comply with 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 of the Development Management Local Plan (November 2014).

- (14) Prior to the commencement of development, drawings at a scale of 1:10 detailing any proposed acoustic insulation, plumbing, pipes, soil-stacks, flues, vents or ductwork shall be submitted and approved in writing by the local planning authority. If new features are shown to interact with historic fabric, sections to a scale of 1:5 or 1:10 will also be required showing how they meet.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works and to comply with 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 of the Development Management Local Plan (November 2014).

- (15) Prior to the commencement of development, a detailed schedule of the historic iron gutters, drainpipes and headers should be submitted and approved in writing by the Local Planning Authority. Where historic fabric exists it should be retained and repaired. Where original features are shown to be beyond repair, details of the position, material, fixture, and shall be submitted and approved by the local planning authority.

Reason: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area and to comply with 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 of the Development Management Local Plan (November 2014).

- (16) All new window and door openings shall be provided with reveals, lintel detailing, arches and sills to match those originally provided on the existing building.

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 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 of the Development Management Local Plan (November 2014).

- (17) No cleaning of masonry, brickwork or otherwise other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the local planning authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded for the approval of the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- (18) Demolition and removal of fabric work shall be carried out by hand or by tools held in the hand other than power-driven tools. Powered tools (air-driven tools; electric angle grinders and so forth) shall not be used to cut back masonry joints or remove later fabric from historic fabric.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works and to comply with 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 of the Development Management Local Plan (November 2014).

- (19) (a) No new grills, security alarms or other fixtures shall be mounted on the external faces of the building without the prior consent of the local planning authority.
- (b) Prior to occupation of the development a scheme for any external lighting and cameras to be installed at the site, including detailed design specifications shall be submitted to and approved in writing by the local planning authority.
- (c) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and shall be retained permanently

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 and 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 of the Development Management Local Plan (November 2014).

- (20) Prior to the commencement of development, specifications for the external render to be used shall be submitted and approved in writing by the local planning authority to define:-
- (i) mortar mix
 - (ii) the number of coats
 - (iii) finish and backing material
 - (iv) relationship to existing finishes and openings.

Reason: To ensure that the local planning authority are satisfied that the development would not cause undue harm to the historical importance of the building, in compliance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- (21) All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the appearance of the development is compatible, taking into account the historical importance of the building, in compliance with 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 of the Development Management Local Plan (November 2014).

- (22) During the works, if hidden historic features are revealed they should remain in-situ. The local planning authority shall be made aware of any such discovery, and a full method statement carried out and submitted to the local planning authority.

Reason: To ensure that premature demolition does not take place and that an unsightly development does not detract from the character and appearance of the area, and to comply with 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 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 and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. As the proposal was in accordance with these

discussions and was in accordance with the Development Plan, no contact was made with the applicant prior to determination.

- (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) Listed Building Consent is required for any abrasive cleaning/sandblasting of any part of this building. The carrying out of such work without consent may render the applicant, owner(s), agent and/or contractors liable for enforcement action and/or prosecution.
- (D) You should be aware that the conditions relating to the external appearance of the building within the Listed Building Consent (such as material details and window specifications) also relate to the approved planning permission. Subsequently, you are reminded that these details should be submitted and approved by the local planning authority prior to the implementation of the planning permission.

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Committee	PLANNING COMMITTEE B	
Report Title	Land Adjoining 25 Fordyce Road SE13	
Ward	Lewisham Central	
Contributors	Karl Fetterplace	
Class	PART 1	Date: 17 NOVEMBER 2016

Reg. Nos. DC/16/96329

Application dated 20/04/16

Applicant Mr Pedley, Fordyce Limited

Proposal The demolition of the existing garages at land adjoining 25 Fordyce Road SE13 and the construction of 4 three storey three bedroomed houses with garden area, together with the provision of cycles spaces and bin stores.

Applicant's Plan Nos. 209-200-001-B, 209-200-002-A, 209-200-010-A, 209-200-012-B, 209-200-013-B, 209-200-014-A, 209-200-020-A, 209-200-021-A, 209-200-022-A, 209-200-022-A, 209-200-023-A, 209-200-024-B, 209-200-025-B, 209-200-027-B, 209-200-030-A, 209-200-050-A, 209-200-051-A, 209-200-060-B, Planning Statement (May 2016, Baca Architects), Details of Materials (May 2016, Baca Architects), Code for Sustainable Homes Pre-Assessment, Design and Access Statement (April 2016, Baca Architects); Energy & Sustainability Statement (May 2016, Baca Architects) received 17 May 2016; 209-200-011-D, 209-200-026-E, 209-200-028-B, 209-200-029-B, 209-200-033-C, 209-200-034-C, 209-200-035-C, 209-200-036-C, Rear elevation window size received 16 September 2016; 209-200-061-A received 7 October 2016; Daylight/Sunlight VSC (24 October 2016, EAL Consult) received 25 October 2016, Daylight & Sunlight Assessment - Sunlight (2 November 2016, EAL Consult) received 3 November 2016.

Background Papers

- (1) LE/918/25/TP
- (2) Core Strategy (2011)
- (3) Development Management Local Plan (2014)
- (4) The London Plan (2015)

Designation PTAL 3
Not in a Conservation Area
Not a Listed Building

1.0 Property/Site Description

- 1.1 The application site is located on the western side of Fordyce Road, north of No.25 Fordyce Road. The site is 390.2sq m and contains vacant single storey garage buildings that were in previous use for workshop purposes.
- 1.2 Due to the gradient across the site, the ground level decreases both from south to north and east to the west.
- 1.3 The site originally formed part of the rear garden of 45 Lewisham Park, but was separated from this site in 1997. The front boundary of the site fronts onto Fordyce Road and curves round with the street. No. 45 Lewisham Park is located directly to the rear (west) of the site and is in use as a House in Multiple Occupation (HMO).
- 1.4 To the south-west and diagonally opposite the site is 44 Lewisham Park, also known as 'Cygnet Lodge', an independent care home which provides care for patients with mental health issues.
- 1.5 Directly to the south, the site adjoins the rear/service entrance to Cygnet Lodge which is used for the parking of cars and refuse storage. Further south, there is a terrace of 3 houses fronting Fordyce Road, the end of terrace property being 25 Fordyce Road. These dwellings were constructed in 1971 on the former garden land of 44 Lewisham Park. This terrace is two storey and constructed from timber cladding, with driveways to the front allowing access to integral garages. Other than this terrace, the western side of Fordyce Road comprises the rear boundary walls (some including small garages) of the properties which front Lewisham Park.
- 1.6 To the north, the site adjoins the rear garden of 46 Lewisham Park. To the rear of this garden is a single storey garage that can be accessed from Fordyce Road.
- 1.7 The surrounding area is residential in nature, being two storey plus loft space dwellings. Many of the houses are Victorian properties with double height bays, sash windows and rendered surrounds, some of which have been converted into self-contained flats. There are also examples of more recent houses in the street that have infilled gaps in the terrace at some point in the past.
- 1.8 The site has a PTAL rating of 3 and is in close proximity to Lewisham High Street where many bus routes operate. The site is not located within a conservation area, nor is it subject to an Article 4 Direction. It is not a Listed Building and is not in the vicinity of a listed building.

2.0 Relevant Planning History

- 2.1 1971: Planning permission for the erection of 3, two storey houses with integral garages on part of the rear garden of 44 Lewisham Park SE13 fronting onto Fordyce Road.
- 2.2 1991: Planning permission for the erection of a garage in the rear garden of 45 Lewisham Park SE13 together with the retention of the new boundary wall.

- 2.3 1997: Planning permission for the retention of the new boundary wall at the rear of 45 Lewisham Park SE13.
- 2.4 1997: Planning permission for the erection of a garage in the rear garden of 45 Lewisham Park SE13 with vehicular access onto Fordyce Road.

2.5 **PRE/15/02023:** Pre-application advice was sought for the following proposal:

The demolition of the existing garages and the construction of a 3 storey plus basement level residential block to provide 8 two bedroom units with associated amenity space at 25 Fordyce Road SE13.

The following points summarise the feedback provided:

- When considered in relation to DM Policy 33, the site is considered to have features that liken it to both infill development and back garden development.
- As the proposed development would not be located on a landlocked site nor within an enclosed rear garden, but instead have a street frontage, a development of this kind could be considered acceptable in principle as long as the development meets the criteria set out by DM Policy 33.
- Proposal provides a response that is specific to the site and its immediate surroundings; however, further justification that the proposal is the most appropriate response to this site required.
- The applicant team is required to explore different types of residential buildings and consider the building line in relation to the way in which the road curves and the possible development of the neighbouring sites to the north.
- Therefore, officers did not provide a detailed assessment of the proposed building at this stage. However, objection was raised regarding the basement level with regards to design and standard of residential accommodation.
- Officers advised that a transport statement with a parking survey must be included with an application submission in order to demonstrate that the proposal would not give rise to unacceptable parking stress upon surrounding streets.
- Officers strongly advised that the applicant engaged fully with the occupiers of neighbouring properties prior to submitting a planning application.

It was concluded that a residential development could be supported by the Council on this site, nevertheless, it was felt that further work was required to develop a design response that had been carefully considered in relation to the wider context of the site. It was considered that the proposal would require further work at pre-application stage in order for officers to support the scheme.

2.6 **DC/15/93955:** The demolition of the existing garages onto land adjoining 25 Fordyce Road SE13 and the construction of a four storey block incorporating balconies comprising 8 two bedroom self-contained flats, together with the provision of 16 cycle spaces and refuse storage area. This application was refused on 17 December 2015 for the following reasons:

- Due to the scale, siting and over-complicated building form, the proposed development fails to respect and complement the scale, alignment and character of surrounding existing development giving rise to a bulky, overbearing and incongruous addition to the street that would significantly harm the character and appearance of the surrounding area and the amenities of neighbouring occupiers contrary to Policy 15 High quality design for Lewisham of the Core Strategy (2011), DM Policy 30 Urban design and local character and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (2014).
- The applicant has failed to provide sufficient information to allow a full and accurate assessment of the sunlight and daylight impacts of the proposed development and therefore the assessment of full impact of the proposal upon the amenities of neighbouring occupiers in order to address DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (2014)

2.7 **PRE/15/02023:** Pre-application advice was sought following the above refusal on two different development options – a terrace of four dwellings and two pairs of semi-detached dwellings. Officers advised that there was support in principle for the residential development of the site, however the acceptability of the scheme would be dependent upon the detail of the development proposed. Officers considered that the scale of the development was acceptable, however further work was needed to ensure that the proposal was acceptable, in relation to adherence to the established building line. It was also advised that a contemporary design approach was supported, but a high quality design response would be expected.

2.8 **PRE/15/02023:** Further pre-application advice was sought on five options for single family dwellinghouses with private gardens to the rear. It was concluded that following constructive pre-application discussions between Council officers and the applicant team, it was felt the proposals had evolved positively and had reached a stage where officers would be happy to invite the submission of a planning application.

3.0 Current Planning Application

3.1 This application is for the demolition of the existing garages on land adjoining 25 Fordyce Road SE13 and the construction of 4 three storey three bed roomed houses with garden area, together with the provision of cycle spaces and bin stores.

3.2 The dwellings would be 3b 6p dwellings with private landscaped rear gardens. Refuse and bicycles would be stored in the front gardens. No car parking spaces are proposed.

3.3 The proposed would provide a terrace of four front facing gable roofed houses with living accommodation at ground, first and second floor. The detailing of the houses is a contemporary interpretation of the period buildings on the eastern side of Fordyce Road and surrounding area.

3.4 With regard to materials, the front elevation would be part Smeed Dean Bermondsey Yellow Rustica brick (a yellow stock brick with a 'reclaimed' London

Yellow appearance) and part white silicone resin render for the ground floor and elements at first and second floor level. Rendered quoins are also proposed. The windows and rear doors would be grey brown (RAL 8019) aluminium framed and the roof tiled with a new Cassius antique slate tile. The front door would be a solid core door with timber veneer finish. The frames will be aluminium profiles to match the window frame detail. The front garden wall would be of the aforementioned brick. The rear gardens would have decking adjacent to the rear of the dwellings.

- 3.5 The scheme has been amended following the Local Meeting, to provide rear gardens that slope away from the proposed dwellings, which would therefore mean that the height of the rear fence was reduced when viewed from the gardens of properties fronting Lewisham Park.

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 The Councils Environmental Sustainability and Highways teams were consulted. No concerns were raised.
- 4.3 Due to the number of objections received, a local meeting was held on 6 September 2016 at the Hither Green Baptist Church. The minutes of the meeting are attached as an appendix to this report. Several issues were raised at this meeting that were also raised in the written submissions. These have been addressed in the planning considerations section of this report.
- 4.4 Site notices were displayed and neighbouring properties including the Lewisham Central Ward Councillors were consulted. Submissions were received from twenty-six different local households – 1 in support and 25 in objection. The objections raised the following concerns:

Principle

- This site does not technically meet infill site criteria as this would be development in the rear garden of 45 Lewisham Park and therefore a precedent would be set for other development fronting Fordyce Road.
- Back garden development is unacceptable in principle.
- The proposed development is overdevelopment of the site.

Design

- The design would not preserve the character of area and is not in keeping with the character of the area.
- The proposed dwellings would be too tall and of an inappropriate scale.
- It is important that any new builds reflect and conform to the ambience and are sensitive to the style of the area.
- There is current consideration for a new conservation area which would incorporate application site; a character appraisal for this area has been put forward by the Lewisham Resident's Association.
- The amenity space for future occupants would be too small.

- The front gardens are too small compared to the surrounding area as they have more space occupied by bin and cycle storage than the surrounding area.

Housing

- There is very little outside space provided; inadequate amenity space for new residents.
- Such developments could create a distorted price value for land.

Impact on neighbouring amenity

- The proposal will reduce daylight and sunlight to surrounding properties
- There will be overlooking impacts to the rear and to the properties. This could be ameliorated by the use of more rooflights.
- There should be 21m between habitable rooms windows in rear elevations.
- The retaining walls required to level the site would make the rear fence to properties on Lewisham Park excessive and the site levels have not been shown accurately.
- The proximity of the building to the care home (Cygnet Lodge) to the rear would compromise the privacy and outlook of residents and impact on the registration of premises, forcing the care home to relocate. It would also result in a loss of local employment and valuable health care.

Transport/highways

- There is no on-site parking provision; lead to congestion in the street.
- The application states PTAL 4, when really PTAL is lower.

Biodiversity

- The trees and hedges on the site are valuable amenities, should not be removed and are also home to existing wildlife. If the developers propose to include bat boxes then it would follow that they believe there to be bats in the area.

Other matters

- A contamination assessment has not been undertaken.
- The developers have not liaised with neighbours prior to planning application despite Council advice.
- No. 45 Lewisham Park has a single storey extension that has been built without planning permission that has not been taken into account.
- The Local Meeting was poorly chaired and was biased towards the developer's agenda as the architect was allowed to speak for too long and was not willing to consult with residents. The chairperson prevented residents from asking questions about issues that had already been raised and residents did not feel that these had been adequately addressed initially.
- Fire safety has not been taken into account.
- The floor plans of the first and second floors appear to be very similar to that of one bedroom flats and this implies that the development could be converted into a multiple occupancy project.
- The site notice has not been displayed.

- Excavation may affect the Thames Water network.
- The application lacks detail and contains inaccurate plans and drawings.

4.5 One further objection was received from a resident that had previously objected, reiterating points made in their original submission. These points have therefore been addressed above.

4.6 The letter of support stated that this new application has regard to the surrounding properties, streetscape and general locality with the scale of the development reduced accordingly. Privacy concerns also appear to be addressed.

4.7 Thames Water stated that it would not have any objection with regard to sewerage or water infrastructure capacity. Further information provided by Thames Water is proposed to be included as an informative.

4.8 Copies of 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 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.

The London Plan (March 2015) incorporating March 2016 Minor Alterations

- 5.5 The London Plan 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 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)
Sustainable Design and Construction (2006)

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:

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 5 Areas of Stability and Managed Change
Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 14 Sustainable movement and transport
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:

5.9 The following policies are considered to be relevant to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 25	Landscaping and trees
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 33	Development on infill sites, backland sites, back gardens and amenity areas

Residential Standards Supplementary Planning Document (August 2006)

5.10 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, scale, impact on the streetscape and surrounding area
- c) Quality of accommodation
- d) Transport and servicing
- e) Impact on adjoining properties
- f) Sustainability and energy
- g) Land contamination
- h) Ecology and biodiversity
- i) Other matters

Principle of Development

6.2 The principle of the proposal will be assessed in relation to DM Policy 33 that relates to 'Development on infill sites, backland sites, back gardens and amenity areas'.

- 6.3 The policy defines various types of development sites, outlining the suitability of residential development on each type of site. It does however recognise that there will be some instances where a particular site will not fall squarely within any one of these definitions. The policy states that in these cases, the principles that will be applied will be taken from the appropriate parts of this policy.
- 6.4 The proposal is considered to have features that liken it to both infill development and back garden development. Back garden development refers to development within private amenity areas that were the entire back garden to the rear of a dwelling or dwellings as originally designed, the principle of which is not supported by the Council.
- 6.5 The policy however refers to the importance of the retention of back gardens in specific urban typologies, but also distinguishes that other typologies have dwellings with private back gardens that do not form such a strong design feature of the development. However, these gardens are often small and therefore, also not acceptable for development.
- 6.6 Nevertheless, it is recognised that the application site was separated from 45 Lewisham Park some time ago, forming a stand-alone site since the 1990s. The current garage site is accessed via, and hence fronts, Fordyce Road. It is therefore considered that the site has more characteristics that would liken it to an infill site.
- 6.7 DM Policy 33 defines infill sites as sites within street frontages such as former builder's yards, small workshops and garages, gaps in terraces and gardens to the side of houses. As the proposed development would not be located on a landlocked site nor within an enclosed rear garden, but instead have a street frontage, a development of this kind is considered acceptable in principle as long as the development meets the criteria set out by DM Policy 33. Regardless of this, it should also be noted that the policy outlines that infill sites may present urban design problems in harmonising the development with the existing built form.
- 6.8 The criteria set out by DM Policy 33 in relation to infill development is outlined below:
- a. make a high quality positive contribution to an area
 - b. provide a site specific creative response to the character and issues of the street frontage typology
 - c. result in no significant overshadowing or overlooking, and no loss of security or amenity to adjacent houses and gardens
 - d. provide amenity space in line with DM Policy 32
 - e. retain appropriate garden space for adjacent dwellings
 - f. repair the street frontage and provide additional natural surveillance
 - g. provide adequate privacy for the new development and
 - h. respect the character, proportions and spacing of existing houses

- 6.9 As outlined above, the acceptability of the proposed development is dependent upon its ability to meet the policy tests above. In order to ensure this, officers will have regard to design, standard of accommodation, impact on neighbours, sustainability and highways/transport.
- 6.10 The above information was communicated to the applicant through pre-application advice and was also noted in the previously refused scheme.
- 6.11 The objections received have referred to a 'Draft Conservation Area Appraisal of Lewisham Park Crescent'. It should be noted that this was a document prepared by the Lewisham Park Resident's Association for the consideration of the Council following communications with the Council some years ago. It therefore does not constitute a Council document, nor is it a designated heritage asset. The document does however explain the characteristics and features of the area that are considered relevant and would form part of design discussions in any case.
- 6.12 Officers consider that the area comprises strong architectural quality and spatial qualities provided by the generous gardens and relationship with the public park, which was originally laid out as a private park for certain properties. This character is considered to be most prominent amongst properties 15-52 Lewisham Park.
- 6.13 It is therefore recognised as an area with special character and therefore has the potential to be assessed in relation to DM Policy 37 which relates to non-designated heritage assets. However, the key aim of DM Policy 37 is to ensure that development sustains and enhances the characteristics that contribute to the character of the area. This provides an extension to the Council's design policies that officers will have regard to in this application, which also seek to ensure that development makes a positive contribution to an area.
- 6.14 It is also important to highlight that further to this, other than the existing infill development to the south of the application site, the western side of Fordyce Road consists of the rear boundary treatment of the houses fronting Lewisham Park rather than residential properties.
- 6.15 It was in light of this, and with regard to the NPPF and the presumption in favour of sustainable development, that the applicant was asked to explore the site in the context of the wider street and whether there were other development opportunities along this frontage. The applicant has stated that no other sites are comparable directly to the application site, but have nevertheless included a blank elevation on the proposed northern elevation, so as not to prejudice future development if these sites were to be found acceptable for development in the future. As further development potential is by no means clear, officers are satisfied with this response.
- 6.16 Therefore, the principle of development is considered acceptable, subject to design, quality of accommodation, transport and servicing, impact on adjoining properties, sustainability and energy, land contamination and ecology and biodiversity.

Design, scale, impact on the streetscape and surrounding area

Design

- 6.17 Policy 15 of the Core Strategy states that the Council will apply policy guidance to ensure highest quality design and the protection or enhancement of the natural environment. This is echoed in DM Policy 30.
- 6.18 DM Policy 33 supports the principle of new development within a street frontage but seeks to ensure that the proposed development would make a high quality positive contribution to the area whilst also providing a site-specific creative response to the character and issues of the street frontage typology.
- 6.19 The proposed design would respect and complement the scale, frontage widths, established building line, setbacks, alignment and character of the surrounding existing Victorian properties, albeit expressed in a contemporary form that would complement the surrounding area without imitation. The width of the proposed dwellings would be 5.955m. The width of the dwellings on the opposite side of Fordyce Road is 5.85m. The setback of the proposed dwellings to Fordyce Road would be 3m. The setbacks of the surrounding buildings vary, however tend to range between 3-3.5m. It is therefore considered that the width and setback of the proposed dwellings is suitably in keeping with that of the surrounding area. The design would further respect the character of the surrounding area in that the dwellings would have small front gardens with a low wall. The proposed roof design is considered to be sympathetic to the surrounding area, as noted during pre-application discussion by officers. The building line has been taken from the terraced houses to the south and the proposed building layout and articulation has been developed following a character analysis of the houses in Fordyce Road. In this sense, this proposal provides a response that is specific to the site and its immediate surroundings.
- 6.20 Further details on the treatment of the front garden area, including details of paving, boundary treatments, provision for the required 2 cycle storage spaces per dwelling and provision for the storage and collection of refuse is proposed to be required by condition, but in all would allow for a high quality development.
- 6.21 It is not considered that the proposed development would preclude the development of neighbouring sites.
- 6.22 The proposed materials are characteristic of the surrounding area with regard to the slate tiles, brick and render proposed, whilst the modern nature of the design would be distinguished by features such as the fenestration and use of aluminium windows. A sample and details of the proposed brick and roof tiles have been submitted, along with details of the proposed render and aluminium window frames and are considered to be acceptable.
- 6.23 Concern is typically raised by officers in relation to the quality of render, however, it was suggested that a high quality material would be used to create the intended effect, as opposed to the standard white painted render that the Council does not support. Officers consider that the contemporary detailing would result in an interesting development that would respond well to existing surrounding development. For example, gable ended properties are in existence in the surrounding area, including Brownhill Road.

Height, scale and massing

- 6.24 The buildings on the opposite side of Fordyce Road have a height above ground level between 9m and 9.8m tall, however due to the fall in the land would have a

ridge height 0.5m greater than the proposed dwellings. The proposed dwellings would range between 9.26 and 9.7m above ground level. The scale of development is therefore considered to be in line with surrounding existing development.

- 6.25 The survey drawing levels have been reviewed following the Local Meeting and confirmed as correct. The height of the proposed building is lower than those on the opposite side of Fordyce Road. Given that the roof has a gable profile, this would also mean that the elevation rises and falls from valley to ridge and this height is therefore not in existence across the entirety of the terrace, which would mitigate against any potential impact of a third storey. The proposed dwellings would be 0.14m higher than the neighbouring properties to the south (23-25 Fordyce Road). However, this minor difference is acceptable, particularly due to the high quality design proposed.
- 6.26 Section drawings have been provide through each of the proposed four dwellings. The difference of fall across the site from front to back varies from 0.9m at the south end to 1.37m at the north end. The gardens of the proposed dwellings would be stepped down so that the maximum height of the fence from the neighbouring rear gardens of nos. 45 and 46 Lewisham Park would be 2.15m and 2.45m respectively, created by a retaining wall and a fence height of 1.8m and 2m. The site is proposed to be cut at the front and filled at the back.

Quality of accommodation

- 6.27 The application site is within a residential street made up of predominantly single family housing, some of which has been converted into flats. The provision of further family housing within the street is therefore welcomed, particularly in light of the shortage of family housing within the Borough.
- 6.28 This proposal is for 4 x 3 storey (3b6p) dwellings. The floor areas provided would vary between 116sqm and 122sqm, which would comply with the 108sqm minimum area required. The bedroom areas are all policy compliant.
- 6.29 The rear bedrooms on the first floor of each dwelling would be non-compliant for approximately 25% of the length of the room due to their shape, with minimum widths of between 2.2m and 2.4m. However, they are compliant with the widths for the majority of the length of the rooms, with their widths increasing to between 3.6 and 4m. This is therefore considered to be acceptable.
- 6.30 Each unit would provide 2sqm of storage. This minor non-compliance with the required 2.5sqm is acceptable given that the dwellings all exceed the minimum overall floorspace requirement.
- 6.31 The ground and first floor ceiling heights would be 2.5m, which is compliant with policy. The drawings indicate on the second floor plan where the ceiling height would be less than 1.8m. This area has not been counted towards the overall dwelling area. Approximately 10sqm on the top floor of each dwelling that is included in the overall floor area would not have a ceiling height of above 2.3m. Approximately 3sqm of this 10sqm would fall within the bedrooms, meaning they would have approximately 9sqm of floor area with a 2.3m ceiling height or greater. Given that the requirement is for 75% of the overall GIA to be above 2.3m, this is considered to be acceptable.

- 6.32 Each dwelling would have a front garden of 5sqm (exclusive of bin & cycle storage and the front path) and rear garden varying between 20 and 24sqm in area. The Residential SPD states gardens for dwelling houses should be a minimum of 9 meters in depth. The proposed depth would vary from 4.3 to 5.3m across the four rear gardens. However, under the London Plan, only 9sqm of private amenity space would be required, which these gardens would far exceed.
- 6.33 At the pre-application stage it was recognised that rear gardens would be limited in terms of size due to the depth of the application site, particularly given that these would be further reduced if the request from officers to increase the front setback was met (which it has been). However, it was considered that in light of the wider benefits of the scheme, officers could support shorter rear gardens if they were designed/landscaped in a way that would provide high quality and usable spaces. It is considered that this proposal would achieve this. Further, Mountsfield Park and Lewisham Park, both relatively large recreation areas, are approximately 400m and 600m from the site on foot and therefore provide options for additional recreational opportunities.
- 6.34 All dwellings would be dual aspect and it is considered that daylight and sunlight access would be adequate for the proposed units. With regard to the privacy of the occupiers of the proposed dwellings, given that the upper floor rear facing windows would serve a bedroom and study, the proximity, at 18m, to the rear window of 45 Lewisham Park is not considered to be objectionable.
- 6.35 There would be an element of overlooking from the rear elevations of the proposed dwellings into the back gardens of the other dwellings in the terrace. However, this would not be significantly adverse and is commonplace in an urban location such as this and is considered to be acceptable.
- 6.36 Integrated exterior lighting is proposed for the security of the occupiers. These would be diffused in order to minimise the impact on local wildlife. Officers are satisfied that this detail would be acceptable.

Wheelchair housing/accessibility

- 6.37 The dwellings are proposed to meet Lifetime Homes Standards and to be wheelchair adaptable, which is acceptable from a planning perspective.

Transport, servicing and impact on the highway network

Car Parking

- 6.38 The application submission refers to the site as having a PTAL rating of 4. Officers have found the site to have a PTAL rating of 3. Nevertheless, it is acknowledged that the site is located on the border between PTAL 3 addresses and PTAL 4 addresses. The application site is located within a Controlled Parking Zone (CPZ).
- 6.39 The proposed development would be car-free. The Transport Statement prepared for the previously refused scheme stated that 2011 Census data for car ownership shows that there is a car ownership of 43% per dwelling in this area. Applying this statistic to the proposed scheme, the development would be expected to generate 2 cars. The Transport Statement also outlines the findings of a parking survey that was undertaken between 00.30 and 05.30 on the 3rd September 2015. There were 75 unoccupied on-street parking bays within 200m of the site available to

residents with resident permits. Based on the development generating a parking need for an additional 2 cars, the proposal would be expected to reduce the amount of available parking spaces in the street from 75 to 73. Further, due to the proximity to Lewisham High Street bus routes and the scale of the development, the non-provision of car parking with this application is considered appropriate and in accordance with Core Strategy Policy 14, DM Policy 29 Car parking and Policy 6.13 Parking of the London Plan.

- 6.40 As previously discussed, the principle of providing residential development on this site is accepted, therefore it is acknowledged that there may be some additional traffic associated with development on the site. However, given the limited scale of development (4 dwellings), it is considered that there would be no adverse harm to the highway network. It was apparent to officers when undertaking a site visit that there was no objection raised from highways officers. It is noted that no objection has been raised from highways officers.

Cycle and Refuse Storage

- 6.41 Refuse storage would be provided in the front gardens of the new dwellings, along with two cycle storage spaces, which is policy compliant. Examples have been cited of bin and cycle storage that would be acceptable. A condition is proposed to be added in this regard in order to ensure that a high quality design is achieved. This would also ensure that the storage would be dry and secure and would not create visual clutter in the streetscene.

Impact on Adjoining Properties

- 6.42 The objections received refer to a loss of privacy and increased overlooking, the insufficient separation distance between the proposed building and existing houses, and daylight/sunlight issues. There were also concerns raised in relation to the operation of the existing care home which is located to the rear of the site at 44 Lewisham Park. Further concerns were raised that the retaining walls required to level the site would make the rear fence to the properties on Lewisham Park excessive and the site levels have not been shown accurately. The issues raised by the objectors have been taken into account as part of the officer's considerations below.

Privacy/Overlooking/Outlook

- 6.43 DM Policy 32 Housing design, layout and space standards states the following:

Adequate privacy is an essential element in ensuring a high level of residential amenity. Unless it can be demonstrated that privacy can be maintained through design, there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development. A greater separation distance will be required where taller buildings are involved.

- 6.44 Therefore, this provision is to be applied flexibly dependent on the context of the development and officers must also consider whether privacy can be maintained through design.
- 6.45 The existing houses on the western side of the street are considered to be in a particularly unique position for residential properties within the borough whereby

there are no residential properties directly opposite. The distance to the windows of dwellings on the opposite side of Fordyce Road would be approximately 21m, which is considered acceptable, given that the proposal would have a similar relationship to the street as the existing dwellings. This is particularly the case given that it is not unusual for there to be houses on both sides of a residential street with windows directly facing each other. For this reason it is not considered necessary to condition any obscure glazing proposed on the front elevations of the dwellings. Officers do not consider that the impact on overlooking or also outlook would be unreasonable.

- 6.46 In the previously refused scheme, officers calculated that the distance between directly facing habitable room windows to the rear would be 16m. This was considered to be acceptable and was not included as a reason for refusal of that scheme. In any case, as previously stated it is considered that there are instances where it is appropriate to apply this guidance flexibly, particularly where the application demonstrates that it would not give rise to unacceptable harm and that an acceptable level of privacy can be maintained through design.
- 6.47 In this instance, narrow windows are proposed with deep external reveals that would be chamfered and therefore restrict the field of view when looking out. These views would therefore be angled away from the rear of nos. 45 & 46 Lewisham Park. Detailed drawings have been provided at a scale of 1:20 to indicate this and officers consider these details to be acceptable. Further, translucent glazing is also proposed to the bottom pane of windows that would prevent direct views down through the windows. It is acknowledged that the position of the beds on the floor plans is not fixed, however given the layout of the room, it is considered logical that beds would be positioned in this location. This would mean that there would be glimpses through the rear windows, however these would be in passing as occupants moved through the rooms. It is also noted that the gable end wall ameliorates this impact to an extent, as opposed to a solid mass across the width of the dwelling. Given this and the fact that the minimum window distances would be approximately 18m to the rear of 45 Lewisham Park and 19m to the rear of 44 Lewisham Park, the latter being oblique views, the proposed development is considered to be acceptable in this regard. It is also not considered that the presence of these for dwellings would have an unreasonable impact on the operation of the care home at 44 Lewisham Park.
- 6.48 There would be an element of overlooking from the rear elevations of the proposed dwellings into the back gardens of the other dwellings in the terrace. However, this would not be significantly adverse and it is considered that some degree of overlooking is inevitable in locations such as this.
- 6.49 The northern elevation of the terrace would not have any windows, so as not to prejudice any future development on this site in terms of overlooking. This is welcomed by officers.
- 6.50 Due to the positioning of the windows on the side (southern) elevation of the proposed building and the windowless side elevation of the existing houses at 25 Fordyce Road, the proposal would not be expected to impact upon the privacy of these neighbours.
- 6.51 Due to the gradient within this area, the proposed building would be set at a higher ground level than the houses to the rear. By accepting the principle of

development on this site, officers are satisfied that a change in outlook (to a certain extent) is acceptable as any form of development on this site would cause this change.

- 6.52 Concerns were raised that the site levels have not been shown accurately and that retaining walls required to level the site would make the rear fence to the properties on Lewisham Park excessive. In response to concerns raised at the local meeting, the scheme has been amended to provide rear gardens that slope away from the proposed dwellings, which would therefore mean that the height of the rear fences would be reduced when viewed from the gardens of properties fronting Lewisham Park. Where this was previously at a maximum of 3.4m, to the gardens of nos. 45 and 46 Lewisham Park it would now be 2.1m-2.15m and 2.45m respectively, created by a retaining wall and a fence height of 1.8m and 2m. The site is proposed to be cut at the front and filled at the back. Given that the principle of residential development on the site has been accepted, there is a need to strike a balance between a usable rear garden and the impacts on neighbouring properties. A platform varying between 50 and 250mm would be provided at the rear of each dwelling. It is therefore considered that following these amendments, the proposal is acceptable.
- 6.53 A condition is recommended to prevent extensions being added to the development under permitted development rights that may increase the impact on neighbouring properties.

Daylight & Sunlight

- 6.54 A Daylight/Sunlight Assessment has been prepared that concludes that there would be an impact on the neighbouring properties as a result of this development, however that it would not be of an unacceptable level, noting that some windows were not currently compliant with the relevant standards. The original Daylight and Sunlight Study was contested by an objection accompanied by a review of this report by a consultant, which claimed that the report made conclusions based on inaccurate methodology. At the request of officers, the Daylight & Sunlight Study has been revised and officers are now satisfied with the validity of the results.

Overshadowing

- 6.55
- 6.56 The BRE guidance states that 'For it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive two hours of sunlight on 21st March. If as the result of a new development, an existing garden does not meet the above, and the area that can receive two hours of sun on March 21st is less than 0.8 time its former value, then the loss of sunlight is likely to be noticeable'. Based on the findings of the Daylight and Sunlight Assessment, it is not considered that this standard would be contravened, or where it would, these areas would already receive less than 2 hours sunlight.

Construction Impacts

- 6.57 It is acknowledged that there would be construction impacts on the surrounding area, however, this is an inevitable by-product of development. Therefore, a condition is proposed to ensure that a Construction Management Plan (CMP) is provided to and approved by Council prior to works commencing. A CMP would ensure, amongst other things, that there are no unreasonably adverse impacts on

neighbouring properties with regard to noise and vibration, dust and traffic. Further to this, a condition would be included to regulate the hours of delivery trucks during construction so that any impacts are kept to a minimum.

Overall, this proposal is therefore considered to have an acceptable impact on neighbouring amenity.

Sustainability and Energy

- 6.58 An assessment of the potential energy and sustainability impacts of the development has been prepared. This identifies that the Level 4 equivalent of Code for Sustainable Homes would be met (70.91%). Indoor water use would be a maximum of 105L of water per day, achieved through water efficient appliances such as toilets, taps and white goods. The development would also result in a reduction in the amount of hard standing on the site and would use materials that are compliant with the Green Guide Specification requirements. The above measures are considered adequate from a planning perspective.
- 6.59 Given the areas of hard surfacing proposed are minimal and the low flood risk of the site, officers raise no concerns relating to surface water drainage and flooding across the site.

Contamination

- 6.60 The application submission does not include details in relation to land contamination. As the proposal would involve both the breaking of ground and the provision of external amenity space, such details would be required. This is proposed to be obtained via the Council's standard condition relating to land contamination.

Ecology and biodiversity

- 6.61 As existing, the application site, which comprises garages, contains various shrubbery and trees. Concern has been raised by objectors that the site contains significant vegetation. The proposed development would include garden areas. Additionally, the development would provide one bird box at the back of each property on the western garden wall and two bat boxes would be integrated in the building's southern elevation. Objectors have raised concerns that because these boxes are proposed, this suggests that the site is of ecological significance. However, this is not considered to be the case and officers look for ecological enhancement of a site where possible, which the proposed boxes would provide.
- 6.62 Officers have given consideration to the characteristics of the development site in relation to the presence of bats and considered that the development does not meet the trigger requirements for a bat survey. The application site is an urban residential garden, which is not known to the Council to contain bats, as a foraging/roosting site or within a designated protected area (Site of Nature Conservation Importance, Local Nature Reserve (LNR) or Green Corridor), nor is it in close proximity to woodland or a watercourse. It is also not located along or adjacent to a linear path, such as a railway embankment, which are favoured routes for foraging bats. For the above reasons, the potential impact on wildlife habitats is considered minimal and it is not considered that the construction of the proposed extension would result in loss of wildlife habitat to the extent that permission should be withheld on grounds of loss of or damage to wildlife habitat.

Other matters

- 6.63 An objection has stated that No. 45 Lewisham Park has a single storey extension that has been built without planning permission that has not been taken into account. An application for planning permission for this extension has been refused, however no enforcement action has been taken at this stage. Officers have reviewed the drawings for this application and notwithstanding the fact that enforcement action could be taken, it is considered that the consideration of this extension in a Daylight & Sunlight Assessment would be unlikely to have a marked impact on the results. This is because the extension stops short of the rear projection and has the effect of bringing the door and windows further out from the side return, where they would otherwise experience some blocking of their light by the rear projection.
- 6.64 With regard to the objection that fire safety has not been taken into account, this is a matter for consideration post-planning under the Building Regulations.
- 6.65 With regard to the objection raised about the potential for future conversion of the development into a multiple occupancy house, a change of use from C3 to C4 (House in Multiple Occupancy up to 6 persons) is permitted development. Additionally, a conversion to flats would require planning permission and is not supported by DM Policy 3 Conversion of a single family house to two or more dwellings. It is therefore not considered necessary to include an additional condition for its retention.
- 6.66 Regarding the objection that a site notice has not been displayed, officers received a certificate signed by the applicant stating that it had been displayed and observed that the notice was displayed when visiting the site.
- 6.67 Regarding the objection that excavation may affect the Thames Water network, Thames Water has stated that it does not have any objection to the proposed development. Informatives have been suggested that are proposed to be included in a planning permission.

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 applicant has completed the relevant form.

9.0 Equalities Considerations

- 9.1 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.
- 9.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 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.
- 9.4 In this matter there is no impact on equality.

10.0 Conclusion

- 10.1 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) The London Plan (2015, as amended) and the National Planning Policy Framework (2012).
- 10.2 The proposal is of an acceptable design and form and would make a positive contribution to the local streetscene and surrounding area. The standard of accommodation is considered adequate and it is not expected that there would be any unreasonably adverse impacts on neighbouring occupiers. It is therefore considered that the previous reasons for refusal have been addressed. The imposition of a number of conditions would ensure that other necessary matters are adequately addressed.

11.0 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:

209-200-001-B, 209-200-002-A, 209-200-010-A, 209-200-012-B, 209-200-013-B, 209-200-014-A, 209-200-020-A, 209-200-021-A, 209-200-022-A,

209-200-022-A, 209-200-023-A, 209-200-024-B, 209-200-025-B, 209-200-027-B, 209-200-030-A, 209-200-050-A, 209-200-051-A, 209-200-060-B, Planning Statement (May 2016, Baca Architects), Details of Materials (May 2016, Baca Architects), Code for Sustainable Homes Pre-Assessment, Design and Access Statement (April 2016, Baca Architects); Energy & Sustainability Statement (May 2016, Baca Architects) received 17 May 2016; 209-200-011-D, 209-200-026-E, 209-200-028-B, 209-200-029-B, 209-200-033-C, 209-200-034-C, 209-200-035-C, 209-200-036-C, Rear elevation window size received 16 September 2016; 209-200-061-A received 7 October 2016; Daylight/Sunlight VSC (24 October 2016, EAL Consult) received 25 October 2016, Daylight & Sunlight Assessment - Sunlight (2 November 2016, EAL Consult) received 3 November 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) 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 relates 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.

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).

- (4) (a) No development or phase of development (including demolition of existing buildings and structures, except where prior agreement with the

Council for site investigation enabling works has been received) shall commence until:-

(i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.

(ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted, (including subsequent correspondences as being necessary or desirable for the remediation of the site) to and approved in writing by the Council.

(b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.

(c) The development or phase of development shall not be occupied until a closure report for the development or phase has been submitted to and approved in writing by the Council.

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

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

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

- (5) No development shall commence on site until a detailed schedule and specification of all external materials and finishes to be used on the buildings, with the exception of the proposed brick and roof tiles, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (6) (a) A minimum of 2 secure and dry cycle parking spaces shall be provided per dwelling within the development as indicated on the plans hereby approved.
- (b) No development shall commence above ground level on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

- (7) (a) No development shall commence above ground level on site until details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved, have been submitted to and approved in writing by the local planning authority.
- (b) The facilities as approved under part (a) shall be provided 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).

- (8) (a) No development shall commence above ground level on site until drawings showing landscaping of the front gardens (including details of the permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.
- (b) All 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) Details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(b) The approved boundary treatments shall be implemented prior to occupation of the buildings and retained in perpetuity.

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).

- (10) No extensions or alterations to the building(s) 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).

- (11) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in any elevation of the building other than those expressly authorised by this permission.

Reason: To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties 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).

- (12) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the lower part of the new windows to be installed in the first and second floor rear elevations of the buildings hereby approved shall be fitted as obscure glazed and retained in perpetuity, in accordance with the "rear elevation window size" drawing.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with 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).

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 and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. The proposal was in accordance with these discussions, addressed the reasons for refusal in the previous application and was in accordance with the Development Plan. Positive discussions also 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. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- E. It is the responsibility of the owner to establish whether asbestos is present within their premises and they have a 'duty of care' to manage such asbestos. The applicant is advised to refer to the Health and Safety website for relevant information and advice.
- F. 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

G. The applicant is 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. **Thames Water Comments:**

Waste - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water - Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

I. **Pre-commencement conditions:**

The pre-commencement conditions imposed are to protect residents from contaminated soil, protect the amenity of neighbouring properties, the function of the surrounding highway network, and deliver high quality design.

Committee	PLANNING COMMITTEE A	
Report Title	361 BROCKLEY ROAD, LONDON, SE4 2AG	
Ward	CROFTON PARK	
Contributors	Russell Brown	
Class	PART 1	17th November 2016

Reg. Nos. DC/16/096973

Application dated 07.06.2016

Applicant Mrs S Narwani

Proposal The construction of a single storey rear extension at lower ground floor level, together with the change of use, alteration and conversion of the lower ground floor of 361 Brockley Road, SE4 to provide a two bedroom, three person self-contained flat.

Applicant's Plan Nos. BR-PL-EX-01; BR-PL-EX-02B; BR-PL-EX-03B; BR-PL-EX-04B; BR-PL-EX-05; BR-PL-PR-01A; BR-PL-PR-03D; BR-PL-PR-04D; BR-PL-PR-06D; BR-PL-PR-07B; BR-PL-PR-08B; Daylight & Sunlight Analysis; Design & Access Statement Rev B Received 8th June 2016

BR-PL-PR-05E Received 20th September 2016

BR-PL-PR-02F; BR-PL-PR-12D Received 17th October 2016

Background Papers

- (1) Case File LE/10/361/TP
- (2) Core Strategy (June 2011)
- (3) Development Management Local Plan (November 2014)
- (4) London Plan (March 2016)

Designation None

Screening N/A

1.0 Property/Site Description

1.1 The application site comprises a three storey plus lower ground floor building with a projecting shopfront for a retail (Use Class A1) unit at ground floor level and residential flats above. It is built in yellow London stock brick and is on the east side of Brockley Road (B218). It is bounded to the north by Merritt Road and to the east by a rear lane serving nos. 357-363.

1.2 To the rear, the roof slope has two rooflights, an original three-storey addition and an overgrown hard paved yard bounded by a brick wall and wooden gate.

- 1.3 Beecroft Road and Beecroft Garden Primary School are to the north west of the site. The surrounding area is characterised by commercial and residential uses.
- 1.4 The site is not within a Conservation Area, nor subject to an Article 4 direction and is not a listed building nor in the vicinity of one. It has a PTAL rating of 3.

2.0 Relevant Planning History

- 2.1 Planning permission was **granted** on 20th March 1962 to install a new shop front at No.361 Brockley Road, S.E.4.
- 2.2 Planning permission was **refused** on 8th November 1962 for the reconstruction and use as offices and a garage of the two garages and storage accommodation at the rear of No. 361 Brockley Road, Lewisham as **the proposal did not accord with the Administrative County of London Development Plan in which the area is zoned for residential purposes and having a shopping frontage to Brockley Road, and it was contrary to the council's policy of restricting further office growth in London other than in defined office centres.**
- 2.3 Outline planning permission was **granted** on 14th October 1985 for the erection of a single storey light industrial building on land at the rear of 361 Brockley Road SE4 together with the provision of two parking spaces and access from Merritt Road.
- 2.4 Planning permission was granted on 17th August 1988 for the installation of a new shopfront and a roller grille at 361 Brockley Road SE4.
- 2.5 Other relevant applications include:
- 2.6 DC/11/78495: The construction of a single storey extension to the rear of the Lower Ground Floor, 359 Brockley Road SE4, together with the change of use, alteration and conversion to provide a one bedroom self-contained flat. **Granted.**
- 2.7 Planning permission was **granted** on 11th November 1987 for the alteration and conversion of the buildings at the rear and part of the basement at 363 Brockley Road SE4 to provide 1 three-roomed self-contained flat together with a car parking space and garden area at the rear.

3.0 Current Planning Application

- 3.1 Planning permission is sought for the construction of a single storey extension at lower ground floor level to the rear (east) of the site to facilitate the provision of a two bed, three person flat at lower ground floor level. The existing retail unit (Use Class A1) at upper ground floor, fronting onto Brockley Road, would remain. A portion of the lower ground floor would be retained as a store room serving this unit.
- 3.2 The proposed extension would align with an existing extension at no. 359 and be set in from the boundary with No. 363 by at least 2.1m.
- 3.3 It would feature bi-folding doors leading onto outdoor amenity space and cycle / refuse storage. There would be three rooflights with internal blinds in a flat sedum 'green' roof.

3.4 The materials proposed are brick for the external walls, aluminium for the doors, a timber-clad cycle / refuse store, permeable block paving for the external amenity area and a timber fence and gate fronting the rear access lane.

4.0 Consultation

4.1 Pre-application advice was sought where Officers advised that the proposal was considered acceptable subject to further information and minor clarifications.

4.2 The Council's consultation met the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

4.3 A site notice was displayed and letters were sent to 33 adjoining residents, Crofton Park Ward Councillors, the Council's Highways and Environmental Sustainability Officers.

Written Responses received from Local Residents

4.4 Three objections were receiving from local residents raising the following concerns:

- The proposed extension, storage structures and high planting would block natural daylight to a kitchen, living room and a second bedroom / office at no. 363D.
- The foundations that would be required for the extension would be approximately 15 feet from the sewer pipes, which would need protection from added weight.
- Depending on where the height of the extension is taken from, the windows in the proposed extension could overlook the courtyard at no. 363.
- The planting could be higher than the 2m high boundary fence and reduce natural daylight as well as the plants roots damaging the sewer pipe.
- The windows in the extension at no. 363 would not overlook the proposed development as they are obscure glazed and have limited opening.
- The bins in their proposed location would smell, especially during the summer where they are in full daylight.
- There are no gutters to the storage structures and they should be moved to the other side of the mews access road, not be constructed next to their wall, which does not constitute a party wall.
- The fridge motor for the shop is sometimes very noisy, especially in the summer, and it is not shown to where it would be moved.
- The Design and Access Statement uses old pictures and false statements.

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 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, Development Plan Document (DPD) (adopted in June 2011), DMLP (adopted in November 2014) and policies in the London Plan (March 2016). 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 that (paragraph 211) 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 2016)

- 5.6 On 14 March 2016 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.3 Sustainable design and construction
Policy 5.10 Urban greening
Policy 6.9 Cycling
Policy 7.2 An inclusive environment
Policy 7.4 Local character
Policy 7.6 Architecture

Policy 8.3 Community infrastructure levy

Core Strategy

- 5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together 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 5 Areas of Stability and Managed Change
Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 12 Open space and environmental assets
Core Strategy Policy 13 Addressing Lewisham's waste management requirements
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham

Development Management 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 Core Strategy and the London Plan is the borough's statutory development plan. The following policies are relevant to this application:-

DM Policy 1 Presumption in favour of sustainable development
DM Policy 22 Sustainable design and construction
DM Policy 24 Biodiversity, living roofs and artificial playing pitches
DM Policy 25 Landscaping and trees
DM Policy 26 Noise and vibration
DM Policy 30 Urban design and local character
DM Policy 31 Alterations/extensions to existing buildings
DM Policy 32 Housing design, layout and space standards

Residential Standards Supplementary Planning Document (updated May 2012)

- 5.9 Of Section 3 (Residential Quality) paragraphs 3.1 - 3.7, 3.9, 3.10 are all relevant. Section 5 (Flat Conversations) is also relevant.
- 5.10 Paragraph 6.2 (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.

Paragraph 6.4 (bulk and size) advises that extensions should be smaller and less bulky than the original building and reflect its form and shape. Traditionally, extensions to buildings are subsidiary to the main structure. Over-dominant extensions may destroy the architectural integrity of existing buildings and may be out of character with adjacent buildings.

In the case of semi-detached houses, two storey back additions will restrict the daylight and outlook of adjoining properties, and may also restrict light to the original building. Exceptions may be made in the case of larger Victorian properties, and in non-standard sites such as at the ends of streets, subject to satisfactory design and internal layout.

6.0 Planning Considerations

- 6.1 The relevant planning considerations are the principle of development, the impact of the proposal's design on the character and appearance of the existing building, the surrounds and on the amenities of neighbouring occupiers as well as highways issues.

Principle of development

- 6.2 Spatial Policy 5 of the core Strategy supports new residential units in Areas of Stability and Managed Change. Although the development would result in the loss of some A1 retail floorspace, this is secondary floorspace and storage, which is underused. A viable shop unit would be retained fronting onto Brockley Road and it is not considered that the viability of the shopping parade of which it forms part would be harmed. It is therefore considered that the principle of the development is acceptable.

Design

- 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. 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.
- 6.4 While the maximum depth of the projection of the proposed rear extension would be large at 8.8m, its scale is considered to be subordinate to the main building, given that it is four storeys at the rear and given the bulk of the three storey original rear addition.
- 6.5 The extension is proposed in London stock brick and therefore would match the host property, which is acceptable, as are the aluminium frames. The hard surfacing material would be permeable, which is welcomed as it would limit surface water runoff.
- 6.6 The introduction of a green roof represents a new element, but it is welcomed in principle. Details for which shall be secured by condition as it is essential that it is properly installed and well maintained thereafter. The large bi-fold rear doors in addition to the rooflights would help to bring light into the new space.
- 6.7 It is noted that the design of the cycle / refuse storage, , is to provide some separation from windows in the side of the rear extension to no. 363 and the impact on neighbouring amenity will be addressed later on. The materials for the stores are deemed to be appropriate.

- 6.8 The proposed scale, form, design and materials of the rear extension are considered to be of a high quality and appropriate for the building and its surrounding context. As such, the proposal complies with Core Strategy Policy 15, DM Policies 30 and 31 and paragraph 6.2 of the Residential Standards SPD.

Impact on the amenity of neighbouring occupiers

- 6.9 DM Policy 31 states that residential development should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens.
- 6.10 The proposal is not considered to have any significant impact on the amenities of the residential unit to the north at No. 359. The rooflights in the flat roof of the extension would be fitted with blinds to prevent overlooking from upper floor windows.
- 6.11 With regard to the impact on a residential unit at No.363 to the south, the existing boundary wall is of a sufficient height to prevent any significant overlooking to the courtyard of that property. This would be bolstered by landscaping along the boundary. The proposed extension would be approximately 2.1m from two windows in the side wall of No. 363. However, since these windows are obscurely glazed and enclosed by bars there would not be any implications for privacy or outlook, whilst the impact on light would be small.
- 6.12 The proposed bin storage is located beneath the side windows to No.363. This is considered to be a normal domestic arrangement and it is not considered there would be likely to be a significant adverse impact from odours.

Proposed standard of accommodation

- 6.13 London Policy 3.5 Quality and design of housing developments of the London Plan states that housing developments should be of the highest quality internally, externally and in relation to their context. It also states that the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.
- 6.14 The proposed unit is a two bedroom three-person dwelling that would have 74.75m² of floorspace. This flat would comfortably exceed the minimum floorspace and head height requirements of 61m², and 2.3m. Access would be from an existing entrance on Brockley Road.

The double bedroom would meet the minimum floor size and width requirement, but the single bedroom would fail on the width requirement. Given that the latter would meet the area requirement and that the other bedroom is over-sized, the unit is otherwise considered to provide a high standard of accommodation. Storage space has been shown on the drawings to be under the stairs and would meet the requirement in Table 1 of the Technical Housing Standards - Nationally Described Space Standard.

- 6.15 Every habitable room of the proposed unit is provided with a window or a door that can be opened, with bi-folding doors to the southern elevation and rooflights proposed to be installed over the kitchen / dining / living area and single bedroom.

Therefore, the overall level of daylight for the unit would be very good. This is confirmed by the applicant's daylight/sunlight report.

- 6.16 It is considered that the future occupants of the unit would experience some sense of enclosure, but that the proposed high level soft landscaping on the boundary with no. 363 would soften this effect and that this in isolation would not warrant refusal of any future application. The type of planting shall be secured by condition. Officers therefore consider that the overall quality of outlook for the unit would, on balance, be acceptable. The extension is proposed to be set back 2.1m, and the single bedroom 3.7m, from the boundary with no. 363 to the south, providing a courtyard area and private open space for the unit.
- 6.17 With regard to the provision of private open space, the London Plan's Housing SPG (March 2016) states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The unit would have 23sqm of private open space, which is therefore acceptable in size terms. The quality of this space is considered to be satisfactory.
- 6.18 The applicant has not sought to demonstrate compliance with lifetime homes criteria, but Lifetime Homes Criteria (now Part M of the Building Regulations) are no longer applicable to this application and, indeed in the case of conversions, full compliance cannot always be achieved in an existing building.
- 6.19 Overall, the standard of accommodation proposed would be acceptable.

Highways

- 6.20 Table 6.3 of London Plan Policy 6.9 states that two cycle spaces are required for this type of dwelling. This would be provided for in the stores where the refuse bins would also be located. The property has rear access, is close to Crofton Park Station and is 0.7 miles or short bus ride away from the Overground at Brockley Station with a PTAL rating of 3. A condition shall be added to ensure that the cycle spaces are provided and retained in perpetuity.
- 6.21 The refuse bins would be located close to the rear gate and therefore in the most convenient location for easy access to the rear access road where they can then be wheeled to the main gate for collection.

Equalities Considerations

- 6.22 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.23 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;

- (c) Foster good relations between people who share a protected characteristic and persons who do not share it.
- 6.24 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 6.25 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 6.26 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 6.27 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>
- 6.28 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.

Conclusion

- 7.0 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 2016) and the National Planning Policy Framework (2012).
- 7.1 It is considered that the principle of development is acceptable and the proposal would have no significant adverse impact on the building, surrounds and on neighbouring amenity through design or highways issues.

8.0 **RECOMMENDATION: GRANT PLANNING 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:

BR-PL-EX-01; BR-PL-EX-02B; BR-PL-EX-03B; BR-PL-EX-04B; BR-PL-EX-05;
BR-PL-PR-01A; BR-PL-PR-03D; BR-PL-PR-04D; BR-PL-PR-06D; BR-PL-PR-07B;
BR-PL-PR-08B; Daylight & Sunlight Analysis; Design & Access Statement
Rev B Received 8th June 2016

BR-PL-PR-05E Received 20th September 2016

BR-PL-PR-02F; BR-PL-PR-12D Received 17th October 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) The storage of refuse and recycling facilities as shown on drawing no. BR-PL-PR-02F hereby approved shall be permanently retained and maintained for the benefit of the occupiers of the residential unit hereby permitted.

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 Policy 13 Addressing Lewisham waste management requirements of the Core Strategy (2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- 4)
 - (a) A minimum of two secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
 - (b) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

- 5)
 - (a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

6)

(a) Details of the living roof shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. A 1:20 scale plan of the living roof that includes contoured information depicting the extensive substrate build up and a cross section showing the living roof components shall be submitted for approval. The living roof shall be:

- biodiversity based with extensive substrate base (depth shall vary between 80-150mm with peaks and troughs but shall average at least 100mm);
- will include details of how the roof has been designed to accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings; and
- plug planted with sedum species & seeded with an agreed wildflower mix of species within the first planting season following the practical completion of the building works.

(b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

(c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening and 5.11 Green roofs and development site environs in the London Plan (2016), Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

7) The whole of the amenity space as shown on drawing no. BR-PL-PR-02F 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).

- 8) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed extension hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

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

INFORMATIVES

Positive and Proactive Statement: The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. The proposal was broadly in accordance with those discussions, but further information was submitted to bring it in accordance with the Development Plan.

Committee	PLANNING COMMITTEE A	
Report Title	111 Brightfield Road	
Ward	Lee Green	
Contributors	Maeve Wylie	
Class	PART 1	Date: 17 th November 2016

Reg. Nos. DC/16/097990

Application dated 17.08.16

Applicant Mr J Perry

Proposal The construction of a single storey extension at the rear of 111 Brightfield Road SE12, together with a roof extension in the rear roof slope and alterations to the window in the first floor side elevation of the rear projection.

Applicant's Plan Nos. 11 BR 01, Heritage Statement, Design Access Statement (Received 18th August) 11BR WD02rB (Received 30th September 2016) 11BR 03rA (Received 3rd November 2016)

Background Papers (1) Case File LE/444/111/TP
(2) Local Development Framework Documents
(3) The London Plan

Designation None

1.0 **Property/Site Description**

- 1.1 The site comprises a 2-storey terraced single family dwellings located on the western side of Brightfield Road.
- 1.2 The properties have a distinctive L-shape due to the presence of a two storey projection which projects 7m from the rear wall of the main section of the house. This is characteristic for the majority of the terraced properties in the area.
- 1.3 The properties are constructed in London stock brick with a tile roof. In the front and rear there is mixture of timber sliding sash and uPVC casement windows. To the front elevation there is box bay windows to the ground floor and first floor.
- 1.4 The surrounding area is predominantly residential, with Manor House Gardens to the rear and Lee High Road (A20) to the east
- 1.5 The property is located within Lee Manor Conservation Area and subject to an Article 4 Direction. It is not a listed building.

2.0 Planning History

2.1 DC/16/90517 - Permission granted for the installation of replacement timber sash windows and door to the front elevation, together with the removal of pebble dash render from the front elevation at 111 Brightfield Road SE12.

3.0 Current Planning Applications

3.1 The construction of a single storey side infill and rear extension at 111 Brightfield Road, SE14 together with a dormer extension.

3.2 The proposed extension would create a 7m infill extension, taking up the full area on the side return. The proposed extension would extend further than the existing outrigger by 2m, creating a 9m extension from the main section of the house.

3.3 It would have a flat roof with a maximum height of 2.3m and an eaves height of 2.3m on the boundary with 109 Brightfield Road and 113 Brightfield Road. There is 8 rooflights proposed, all on the side return section of the extension.

3.4 The rear roof extension would comprise of 2 two dormers. The dormers would be 1.05m wide, 1.7m high and 1.3m deep each.

3.5 The materials are stated to be wall rendered blockwork painted white for the ground floor extension, asphalt or fibreglass flat roof and lead dormers with timber windows.

4.0 Consultation

4.1 Six neighbouring properties and Ward Councillors were notified and a site notice was displayed. Objections were raised by two neighbours.

4.2 The points are summarised below –

- Concern that extending the building at the back by two metres will overshadow the garden next door and reduce the amount of outdoor light that they currently enjoy.
- Proposed extension out of keeping with the existing Victorian houses in this terrace.
- The materials for the walls are stated as rendered block work painted white, which would look out of place built against the traditional London yellow stock brickwork of the present houses.
- The house is within a conservation area and directly backs onto a grade II listed park from which it is visible.
- The extension is quite bulky compared to the size of the neighbouring gardens
- It is presumed the garden fence of no 113 will have to be removed as the drawings show the side of the new extension forming the party wall. It is noted that the location plan in the application is not accurate as it seems to show no.113 extending beyond the line of the back additions. In fact all the rear walls of the houses 109 to 127 are currently in line.

4.3 The Lee Manor society objected to this proposal based on the materials used, the size and style of the dormer particularly as it is visible from the public realm. The loss of the original rear bay window was also cause for objection. Amendments were made to the rear dormers in particular the raked infill. The applicant was advised of the objection and made amendments to remove the raked infill which subsequently removed Lee Manors objection on the dormers.

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 Section 38(6) of the Planning 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, Development Plan Document (DPD) (adopted in June 2011), DMLP (adopted in November 2014) and policies in the London Plan (March 2015). The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

- 5.3 The NPPF was published on 27th 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 that (paragraph 211) 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.

London Plan (March 2015)

- 5.5 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

Policy 7.8 Heritage assets and archaeology

Core Strategy

5.6 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together 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 5 Areas of Stability and Managed Change

Core Strategy Policy 14 Sustainable movement and transport

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

5.7 The Development Management Local Plan (DMLP) was adopted on 26 November 2014. The following policies are considered to be relevant to this application:

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

Residential Standards Supplementary Planning Document (updated May 2012)

5.8 Paragraph 6.2 (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 suitable sized garden should be maintained

6.0 Planning Considerations

6.1 The relevant planning considerations for the proposal are:

- the design of the proposal and its impact on the character and appearance of the host property and the Lee Manor Conservation Area
- The impact on the amenities of neighbouring occupiers.

Design

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 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 compliment 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.

Ground floor extension

- 6.4 The proposed ground extension would not be visible from the public realm. Due to the high shrubs at Manor House Park, which this site faces onto, the ground floor of this property is not visible from within the park. Although there was an objection from The Lee Manor Society because of the loss of the architectural bay window, officers consider that because this feature is not visible from the public realm and therefore provides no architectural merit to the Conservation Area it would not provide a negative impact on the area.
- 6.5 Due to the proposed scale, the extension is considered to be subservient and would not have a severe impact on the character of the surrounding development. For this reason, the proposed development is considered to be in scale with the host building and surrounding developments, not giving rise to a detrimental impact upon the existing streetscene. The rooflights and new proposed window would not detract from the host building.
- 6.6 One of the objections comes from a neighbour on the terrace but not an adjoining property. They state that the ground floor extension is out of keeping with the Victorian houses on the terrace. They feel the rendered material is not suitable for the conservation area and that the extension would appear bulky and compared to the neighbours garden. Officers take these points on board but as the ground floor extension is not visible from the public realm or Manor House Park Officers consider that it would have no impact on the host building, the terrace or the Lee Manor Conservation Area as a whole.
- 6.7 A substantial amenity space with the length of 18m would still remain after development, which would be considered acceptable

Dormers

- 6.8 The proposed dormers on the rear would be suitably located in roof slope matching the windows on the lower floors. The scale of the dormers are considered acceptable and would not detract from the original roof form. Each dormer is set back appropriately to the ridgeline, eaves and flank walls. The dormers are both adequate in scale while still creating the level of extension needed to make the room functional. The dormers would be constructed in lead cladding, which would be supported by officers, with two timber sash windows that match the windows on the bottom floor.
- 6.9 The Lee Manor Society originally objected to the raked flank dormers stating that it was not suitable due to scale, design and materials particularly from such a visible roofslope when in Manor House Park. After amendments were made the Lee Manor Society withdrew their objection to this aspect of the proposal.
- 6.10 Officers consider both extensions to the rear of the property acceptable in terms of design and materials. The rear dormers, although visible, would not detract from the Lee Manor Conservation Area.

6.11 In summary, the proposed development is considered acceptable in terms of design.

Impact on Adjoining Properties

6.12 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 are neighbourly and that significant harm will not arise with respect to overbearing impact, loss of outlook, overshadowing, loss of light, loss of outlook or general noise and disturbance.

6.13 It is noted that the orientation of the infill is south facing on the boundary with No.109 and 113 Brightfield Road. In this context, officers consider that the 2.3m eaves height would be acceptable as not to cause detrimental harm to the neighbour in relation to loss of sunlight and overshadowing. The proposed height and depth is also considered not be overbearing and does not create a tunnel effect from the neighbour's amenity space.

6.14 Due to orientation there is already some overshadowing from the 2 storey rear projection. The proposed single storey infill extension is not considered to make this significantly worse. 109 Brightfield Road has a substantial rear garden length, the proposed structure is therefore considered to have a very limited impact on overshadowing.

6.15 In terms of the impacts on to No. 113 it is considered there would be some sense of overshadowing on to this neighbour's amenity space, mainly in the afternoon, but due to the 2m projection further than their outrigger and an eaves height of 2.3m it would be deemed by officers to be acceptable. Adequate amenity space would remain within the neighbours garden which would be unaffected by this. The existing party wall would reduce the visibility of this proposal onto the neighbours.

6.16 With regard to the proposed rear roof dormers, officers consider that due to their relatively small scale they would bear limited impact on neighbours and would not increase overlooking or loss of privacy any more than is existing from the rear windows.

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

7.0 Community Infrastructure Levy

7.1. The above development is not CIL liable.

8.0 Equalities Considerations

8.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.2 In summary, the Council must, in the exercise of its function, have due regard to the need to:

- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
- (c) Foster good relations between people who share a protected characteristic and persons who do not share it.

8.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

8.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

8.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

8.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

8.7 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 proposed extension is considered to be acceptable with regards to design and neighbouring amenity.

9.2 **Recommendation: GRANT PERMISSION subject to 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:

11 BR 01, Heritage Statement, Design Access Statement (Received 18th August)
11BR WD02rB (Received 30th September 2016) 11BR 03rA (Received 3rd
November 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, white render, timber windows, lead dormers and aluminium sliding door as stated in Drawing No. 11BR 03rA
- (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.