

## PLANNING COMMITTEE C

Date of Meeting: **THURSDAY, 11 AUGUST 2016 TIME 7.30 PM**

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

Members of the Committee are summoned to attend this meeting:

**Membership  
Councillors:**

**Paul Bell (Chair)  
Simon Hooks (Vice-Chair)  
Peter Bernards  
Suzannah Clarke  
Liam Curran  
Brenda Dacres  
Helen Klier  
Jamie Milne  
John Paschoud**

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, 2 August 2016**

**For further information please contact:  
Joshua Ogunleye Committee Co-ordinator  
3<sup>th</sup> Floor Laurence House  
Catford Road SE6 4RU**

**Telephone No: 0208 314 8443  
Email: [planning@lewisham.gov.uk](mailto:planning@lewisham.gov.uk)**



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<b>Order Of Business</b>			
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Committee	PLANNING COMMITTEE (C)	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 11 AUGUST 2016

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

**(1) Personal interests**

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

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

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

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

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

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

### (3) Other registerable interests

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

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

### (4) Non registerable interests

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

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

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

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

**(6) Sensitive information**

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

**(7) Exempt categories**

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

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

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Committee	PLANNING COMMITTEE (C)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 11 AUGUST 2016

MINUTES

To approve the minutes of the meeting of Planning Committee () held on the.

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Committee	PLANNING COMMITTEE C	
Report Title	Site B, Lee Green Estate, SE 12	
Ward	Lee Green	
Contributors	Colm Harte	
Class	PART 1	11 August 2016

Reg. Nos. DC/15/92724

Application dated 09/07/2015

Applicant Indigo Planning on behalf of the Peabody Trust

Proposal Demolition of existing garages at Site B, land at junction of Osberton Road and Millbank Way, Lee Green Estate, Cambridge Drive SE12 and the construction of a part 2/part 3 storey building including roof space with terraces to the west and east elevations to provide 2 two bedroom self-contained flats and 2 three bedroom maisonettes, associated landscaping, amenity space, refuse storage, cycle storage and one accessible car parking space together with rebuilt refuse enclosure for flats at 9-26 Millbank Way

Applicant's Plan Nos. P1-00-002 Rev 00; P1-00-101 Rev 00; P1-00-120 Rev 00; P1-00-300 Rev 00; P1-00-301 Rev 00; P1-00-302 Rev 00; P1-00-303 Rev 00; P1-00-320 Rev 00; P1-00-321 Rev 00; P1-00-322 Rev 00; P1-00-323 Rev 00; P2-00-050 Rev 00; P3 -21 - 001 Rev 00; P3 - 22 - 001 Rev 00; P7 – 20 – 010 Rev 00 Received 22 June 2015 P3 - 21- 001 Rev 01;P3 – 22 - 003 Rev 01; P3- 20-004 Rev 01 Received 10 November 2015 P2-00-101 Rev 02; P2-00-120 Rev 02; P2-00-121 Rev 02; P2-00-122 Rev 02; P2-00-123 Rev 02; P2-00-220 Rev 02; P2-00-221 Rev 02; P2-00-222 Rev 02; P2-00-223 Rev 02; P2-00-224 Rev 02; P2-00-320 Rev 02; P2-00-321 Rev 02; P2-00-322 Rev 02; P2-00-323 Rev 02 Received 7 July 2016 Planning Statement (June 2015, Indigo Planning); Transport Statement (April 2015, ttp Consulting); Construction Management Plan (April 2015, ttp Consulting); Daylight and Sunlight Assessment (September 2015, eb7); Extended Ecological Phase 1 Habitat Survey (September 2014, Greenguage); Code for Sustainable Homes Pre-Assessment Report (April 2015, Frankham Consultancy Group); Arboricultural Impact Assessment (March 2015, PJC Consulting); Energy Statement (April 2015, Frankham Consultancy Group); Phase 1 Ground Condition Assessment (March 2015, RSA Geotechnics LTD); Biodiversity report (September 2014, Greengage Environmental LLP

## Background Papers

- (1) LE/390/B/TP
- (2) Local Development Framework Documents
- (3) The London Plan

### **1.0 Introduction**

- 1.1 This application, along with two related applications, was presented to Planning Committee C on 4th February 2016 relating to the construction of 3 infill developments located within the Lee Green Estate. Members resolved to approve applications for Site A (DC/15/92720 for 12 self contained flats) and Site C (DC/15/92707 – for a two bedroom bungalow), subject the completion of a Section 106 agreement.
- 1.2 This application relates to the demolition of existing garages and the construction of a part 2/part 3 storey building including roof space with terraces to the west elevation to provide 2 two bedroom self-contained flats and 2 three bedroom maisonettes along with associated landscaping, amenity space, refuse storage, cycle storage and one accessible car parking space together with a rebuilt refuse enclosure for flats at 9-26 Millbank Way.
- 1.3 Officers recommended approval of the scheme at the 4<sup>th</sup> February Committee on the grounds that it would provide much needed family sized affordable housing, which being of an acceptable scale and appearance and without a significant impact on neighbours. It was resolved that a decision on the application be deferred on the following grounds;
  - Clarification was sought regarding the potential impact on the amenity of surrounding properties, in particular the residential units located between No. 11 and 25 Cambridge Drive to the rear of the site;
  - Members raised concerns regarding the scale and massing of the proposed development;
  - Clarification was sought regarding bin storage arrangements

### Amended Plans

- 1.4 In response, the applicant has made the following changes to the scheme:
  - The relocation of the private open space for Unit 15 from the rear eastern elevation to the front western elevation. The proposed location would mirror the design of Unit 16 and would overlook onto Millbank Way. The redesigned rear eastern elevation would also include the provision of a large

floor to ceiling window, replacing the balcony, and would include obscure glazing to prevent overlooking.

- A modified design which provides for an overall reduced building height of approximately 100mm along with reducing the height of the two storey, flat roofed linking element.
- The proposed bin stores have been consolidated and moved away from the communal entrance. To aid this, the bike store has been relocated to the rear garden of Unit 13.

1.5 Officers consider the impact of the proposed changes to be as follows:

Amenity:

1.6 Officers are supportive of the proposed relocation of the private amenity space to the western elevation, which is a less sensitive location, overlooking onto Milbank Way. Furthermore the proposed introduction of a large rear facing window would retain the original design intent and prevent a blank façade being presented to this visible elevation. The proposed changes are considered to be acceptable.

1.7 Concern has been raised in relation to the potential for the sharing of views between the first floor bedroom and bathroom windows of No. 25 Cambridge Drive and a bedroom window of the proposed maisonette (Unit 15). Officers note that the proposed development would be situated perpendicular to the adjoining terrace, of which No. 25 Cambridge Drive forms the end property, and due to the building position, only partial angled views between windows would be permitted. It is considered that due to the positioning of these windows, there would not be any direct views between these rooms.

Scale and Massing

1.8 Officers consider that the applicant has made best endeavours to reduce the height and massing of the proposed development. As part of the information submitted, the applicant has acknowledged that a substantial reconfiguration of the height and massing of the proposed development has not been carried out. The applicant has however detailed that substantial changes to the massing of the building form would result in a reduction in the size of the proposed units, and would specifically require the redesign and reduction in the size of both proposed 3 bed social rented units. A further decrease in the building height would require a reduction in the floor to ceiling heights of the proposed development, below the 2.5 metre minimum standard recommended within the London Plan Housing SPG (2016), which would compromise the standard of accommodation for future occupiers.

- 1.9 When considering the information and justification provided, officers note the high level of need for 3 bed social rented units within the borough. The Lewisham Strategic Housing Market Assessment details the need for affordable homes in general and for larger affordable homes in particular within the borough. The Core Strategy also seeks to prioritise the delivery of larger affordable housing, by requiring 42% of all affordable units to be provided with three or more bedrooms. As such it was not considered that a revised design necessitating the loss or reduction in size of one or more of the three bed units could be justified.
- 1.10 It is noted that as currently designed, the proposed development would follow the common architectural language that would be present across both Site A and Site C, for which there is a resolution to grant, made by the committee on 4 February 2016. The proposed development is considered to represent a rational design philosophy that responds to the surrounding buildings, including the three storey Tony Law House and the adjoining two storey terrace of properties situated between No 11- 25 Cambridge Drive and No 27- 34 Millbank Way.
- 1.11 Officers acknowledge that the proposed redevelopment of the existing underused garage site would be a step change in terms of scale and massing when compared with the existing structures on site. The development would however make positive use of presently under-used site and include high quality design to make a positive contribution to the local area. Officers therefore consider that the proposed development is acceptable in regard to scale and massing.

#### Waste Storage

- 1.12 Members previously raised concerns regarding the proximity of the proposed bin stores in relation to the communal entrances. As part of the reconfigured layout the proposed bin stores have been consolidated and moved away from the communal entrance. To aid this, the bike store has been relocated to the rear garden of Unit 13.
- 1.13 The revised refuse store would be formed of horizontal slatted timber structure which would screen and contain the bins which would allow convenient use and collection. A condition is recommended to be imposed requiring the details of the proposed refuse stores to be submitted and approved by the council, prior to the commencement of development. Accordingly officers consider that the proposed waste storage arrangements are acceptable and worth of support.
- 1.14 The proposed amended design has been reviewed by the Council's Urban Designer who is supportive of the proposed changes in massing. Furthermore the reconfiguration of the of the private open space of Unit 15 would continue to provide a high quality residential unit, while mitigating any potential over looking into the neighbouring properties situated at No. 11 - 25 Cambridge Drive.

## **2.0 Re- Consultation**

2.1 Following the receipt of additional information and amended plans, officers have re-consulted the adjoining residents along with the respondents to the previous consultation. One letter of support was received while three submissions raised objection to the proposed development.

### Support

2.2 In support of the subject application, one submission detailed that previous concerns regarding the treatment of the proposed elevations and refuse storage arrangements have been addressed.

### Objection

2.3 Following the re consultation of this application, three objections were received which comprised of two objections by neighbouring occupiers along with one objection from the Lee Green Residents Association. Issues raised can be categorised into the following areas of concern;

#### Amenity

- Potential overlooking between the proposed bedroom windows of Unit 15 and the existing front facing bedroom of No. 25 Cambridge Drive;
- Impact on daylight and sunlight received by the adjoining properties;

Objections raised in regard to impact upon amenity have been addressed by the relevant section above and it is noted that the impact of the proposed development in regard to daylight and sunlight has been addressed in the original planning report.

#### Scale and Massing;

- It was considered that the alterations to the proposed development has not addressed concerns regarding the height and massing of the building and its proximity to 25 Cambridge Drive has not been resolved;
- The sitting of the proposed development, which would be located 4 metres from side flank wall of 25 Cambridge Drive is considered to be an insufficient setback and would negatively impact the adjoining residents;

Objections raised in regard to scale and massing have been addressed by the relevant section above.

### Errors contained within documentation submitted

- Concerns have been raised regarding errors in the application documentation, in relation to separation distances to the surrounding development and their associated windows. In particular concern is raised that accompanying Design and Access Statement states that “On site B, there are no adjacent buildings with windows within 17 metres”. The applicant has clarified that this statement relates properties that are located directly opposite the proposed development and does not take account of developments to which there would be angled views.

It is acknowledged that the phrasing of this assessment could be considered to be misleading, officers have however carried out a site visit and assessed the suitability of the proposed development in relation to all surrounding properties.

### Parking

- Concerns have been raised in regard to the impact of the loss of car parking and increased parking demand from residents of the proposed development. Officers note this issue has been addressed within the previous committee report.

## **3.0 Conclusion**

- 3.1 The additional details submitted by the applicant are considered to further improve the proposed development in terms of its scale and massing, impact on amenity and refuse storage. This application is therefore again recommended for approval.

## **4.0 RECOMMENDATIONS**

### **4.1 RECOMMENDATION (A)**

To agree the proposals and authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) securing for Site A, B and C the following principal matters including other such amendments as considered appropriate to ensure the acceptable implementation of the development. The Heads of Term are to be as follows:

### S106 items

- Affordable Housing as detailed in the table below. All affordable rents to be capped at 80% of market value.

Site	Unit number annotated on	Unit type	Area sqm	Tenure

	drawings			
A	5	2B4P	71	Affordable Rent
A	9	1B2P	58	Affordable Rent
A	10	1B2P	58	Shared Ownership
A	11	1B2P	58	Shared Ownership
B	13	2B3P	67.7	Affordable Rent
B	14	2B4P	70	Affordable Rent
B	15	3B6P	122	Social Rent
B	16	3B5P	106	Social Rent
C	17	2B3P	69	Affordable Rent

- Enter into a s278 agreement to undertake highway improvements to surrounding streets which bound the application sites;
- Use of Local Labour and contributions of £9,010;
- Contribution towards the provision playspace within Edith Nesbit Gardens £13,000;
- Contribution to meet the cost of the consultation, design and possible implementation of a Controlled Parking Zone in the streets that surround the application sites;
- Meeting the Councils legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

#### 4.2 **RECOMMENDATION (C)**

Upon the completion of a satisfactory Section 106 pursuant to recommendation A, in relation to the matters set out above, authorise the Head of Planning to Grant Permission for site B under DC/15/92724 subject to the following conditions:-

##### **Full Planning Permission Time Limit**

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.

**Develop in Accordance with Approved Plan**

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

P1-00-002 Rev 00; P1-00-101 Rev 00; P1-00-120 Rev 00; P1-00-300 Rev 00; P1-00-301 Rev 00; P1-00-302 Rev 00; P1-00-303 Rev 00; P1-00-320 Rev 00; P1-00-321 Rev 00; P1-00-322 Rev 00; P1-00-323 Rev 00; P2-00-050 Rev 00; P3 -21 - 001 Rev 00; P3 - 22 - 001 Rev 00; P7 – 20 – 010 Rev 00 Received 22 June 2015 P3 - 21- 001 Rev 01; P3 – 22 - 003 Rev 01; P3- 20-004 Rev 01 Received 10 November 2015 P2-00-101 Rev 02; P2-00-120 Rev 02; P2-00-121 Rev 02; P2-00-122 Rev 02; P2-00-123 Rev 02; P2-00-220 Rev 02; P2-00-221 Rev 02; P2-00-222 Rev 02; P2-00-223 Rev 02; P2-00-224 Rev 02; P2-00-320 Rev 02; P2-00-321 Rev 02; P2-00-322 Rev 02; P2-00-323 Rev 02 Received 7 July 2016 Planning Statement (June 2015, Indigo Planning); Transport Statement (April 2015, ttp Consulting); Construction Management Plan (April 2015, ttp Consulting); Daylight and Sunlight Assessment (September 2015, eb7); Extended Ecological Phase 1 Habitat Survey (September 2014, Greenguage); Code for Sustainable Homes Pre- Assessment Report (April 2015, Frankham Consultancy Group); Arboricultural Impact Assessment (March 2015, PJC Consulting); Energy Statement (April 2015, Frankham Consultancy Group); Phase 1 Ground Condition Assessment (March 2015, RSA Geotechnics LTD); Biodiversity report (September 2014, Greengage Environmental LLP

**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.

**Protecting Residential Properties**

3.
  - a. The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmax (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
  - b. Details of a sound insulation scheme complying with paragraph (a) of this condition shall be submitted to and approved in writing by the

local planning authority prior to construction of the above ground works.

c. The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

**Reason:** To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration, DM Policy 31 Alterations and extensions to existing buildings including residential extensions, 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).

### **Surface Water**

4. A scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions shall be implemented in accordance with the recommendations contained within the submitted Code for Sustainable Homes Pre-assessment Report, dated April 2015 prepared by Frankham Consultancy Group

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

### **Piling Operations**

5.
  - a. No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority.
  - b. Details of any such operations must be submitted to and approved in writing by the local planning authority prior to commencement of development on site (excluding demolition of the existing buildings) and shall be accompanied by details of the relevant penetrative methods.
  - c. Any such work shall be carried out only in accordance with the details approved under part (b).

**Reason:** To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network and Development Management Local Plan (November 2014) DM Policy 28 Contaminated land.

### **Materials/Design Quality**

6. The detailed design and material samples of the windows, drainpipes and external doors/roof coverings to be used on the building have been submitted and the cladding have been shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. 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.

### **Architectural Details**

7.
  - a. Notwithstanding the details hereby approved, detailed plans at a scale of 1:20 showing detail of the balconies shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
  - 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 Urban Design for Lewisham Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban Design and Local Character.

### **Sample Brickwork**

8. A sample panel of the proposed brick including proposed mortar and pointing work shall be built on site (using the proposed materials hereby approved), and shall be approved in writing by the local planning authority prior to construction of the above ground works.

The development shall only 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 Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

### **Construction Logistics Plan**

9. a. 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:
- 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 vehicle activity.
  - iii. Measures to deal with safe pedestrian movement.
- b. The measures specified in the approved details shall be implemented prior to the 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).

### **Cycle Provision**

10. (a) Eight secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved refs. P2-00-120-00 and P7-20-010-00
- (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).

### **Soft Landscaping**

11. 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 Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

### **Bird/Bat Boxes**

12. Details of the number and location of the bird/bat boxes to be provided, as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

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

### **External Lighting**

13.
  - a. Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
  - b. Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
  - c. The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

### **Reason**

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

### **Plumbing or Pipes**

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

**Reason**

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

**Construction Deliveries and Hours**

15. No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

**Reason:**

In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with 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).

**Operation of Machinery**

16. No machinery shall be operated on the premises before 8 am or after 6 pm on weekdays, or before 8 am or after 1 pm on Saturdays, nor at any time on Sundays or Public Holidays.

**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, DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

**Land Contamination**

17. (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-

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

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

(iii) The required remediation scheme implemented in full.

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

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

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

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

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination as detailed in the Ground Investigation Report (March 2015, RSA Geotechnics Ltd) is identified and remedied in view of the historical uses of the site, details which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

### **Refuse Storage**

18. (a) Details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (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).

### **Boundary treatments**

19. (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).

### **Window Reveals**

20. All window and door openings shall be constructed with minimum 160mm deep external reveals.

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

### **Trees**

21. None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority

**Reason:** To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and policies DM 25 Landscaping and trees and 30 Urban design and local character of the Development Management Local Plan (November 2014).

### **Energy**

22. The development hereby approved shall not be carried out other than in strict accordance with the Energy Strategy prepared by Frankham Consultancy Group dated April 2015 including the 19% Carbon Dioxide Emissions Savings relative to 2013 Part L Building Regulations.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions and 5.3 Sustainable design and construction in the London Plan (2011).

### **Waste Management Plan**

23. The development shall not be occupied until a Waste Management Plan has been submitted to and approved in writing by the local planning authority. The measures shall be in general accordance with the Transport Statement dated April 2015 prepared by TTP. The approved waste management plan shall thereafter be retained and maintained in perpetuity.

**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).

24. Details of the proposed refuse enclosure for flats at 9-26 Millbank Way which is located to the south west corner of the of the subject site hereby approved shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

**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).

**Use of flat roofs**

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

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

**Wheelchair Housing**

26. (a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified in the schedule below:

Unit reference number	Approved Document M (2015) Access Requirement	Dwelling type
Flat 13	M4(3)(2)(b)	Wheelchair user (on completion)
Flat14, Maisonette15, Maisonette16,	M4(2)	Accessible and adaptable

b) No development above ground level shall commence until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).

(a) The development shall be carried out in accordance with the details approved under part (b).

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

space standards of the Development Management Local Plan (November 2014).

### **INFORMATIVES**

- (A) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
  
- (B) The applicant is advised that some conditions require details to be submitted prior to the commencement of works as they seek to manage the impact of the construction works and mitigate land contamination and secure design details, including of materials which are needed before works commence.

**Appendix 1-** Previous report prepared for Planning Committee C on 04 February 2016

Committee	PLANNING COMMITTEE C
Report Title	Site A, B and C Lee Green Estate, SE 12
Ward	Lee Green

Contributors	Colm Harte	
Class	PART 1	04 February 2016

Reg. Nos. Site A - DC/15/92720  
Site B - DC/15/92724  
Site C - DC/15/92707

Application dated 09/07/2015

Applicant Indigo Planning on behalf of the Peabody Trust

Proposal Site A  
The demolition of the existing garages on Site A, Land on Western Side of Millbank Way, Lee Green Estate, Cambridge Drive SE12, the construction of a part two/part three storey building to provide 4 one bedroom, 4 two bedroom and 4 three bedroom self-contained flats together with associated landscaping, amenity space, refuse storage and detached cycle store

Site B  
Demolition of existing garages at Site B, land at junction of Osberton Road and Millbank Way, Lee Green Estate, Cambridge Drive SE12 and the construction of a part 2/part 3 storey building including roof space with terraces to the west and east elevations to provide 2 two bedroom self-contained flats and 2 three bedroom maisonettes, associated landscaping, amenity space, refuse storage, cycle storage and one accessible car parking space together with rebuilt refuse enclosure for flats at 9-26 Millbank Way

Site C  
Construction of a wheelchair accessible 2 bedroom bungalow and associated landscaping, amenity space, refuse storage, cycle storage and one accessible car parking space on Site C - Land adjacent to 35 Cambridge Drive, SE12, together with rebuilt refuse enclosure for flats at 35 Cambridge Drive

Applicant's Plan Nos. Site A  
P1-00-001 Rev 00; P1-00-100 Rev 00; P1-00-110 Rev 00; P1-00-300 Rev 00; P1-00-301 Rev 00; P1-00-310 Rev 00; P1-00-311 Rev 00; P1-00-312 Rev 00; P1-00-313 Rev 00; P2-00-050 Rev 00; P2-00-110 Rev 00; P3 - 21- 001 Rev 00; P3 -22 - 001 Rev 00; P3 - 22 - 002 Rev 00; P3 – 20 - 004 Rev 00; P7 – 20 – 010 Rev 00 Received 22 June 2015; P2-00-100 Rev 01; P2-00-111 Rev 01; P2-00-112 Rev 01; P2-00-113 Rev 01; P2-00-210 Rev 01; P2-00-211 Rev 01; P2-00-212 Rev 01; P2-00-213 Rev 01; P2-00-214 Rev 01; P2-00-301 Rev 01; P2-00-303 Rev 01; P2-00-310 Rev 01; P2-00-311 Rev 01; P2-00-312 Rev 01; P2-00-313 Rev 01; P3 -12-

001 Rev 01; P3 - 21 - 002 Rev 01; P3 – 22 - 003 Rev 01  
Received 10 November 2015

Planning Statement (June 2015, Indigo Planning); Transport Statement (April 2015, ttp Consulting); Construction Management Plan (April 2015, ttp Consulting); Daylight and Sunlight Assessment (September 2015, eb7); Extended Ecological Phase 1 Habitat Survey (September 2014, Greenguage); Code for Sustainable Homes Pre- Assessment Report (April 2015, Frankham Consultancy Group); Arboricultural Impact Assessment (March 2015, PJC Consulting); Energy Statement (April 2015, Frankham Consultancy Group); Phase 1 Ground Condition Assessment (March 2015, RSA Geotechnics LTD); Biodiversity report (September 2014, Greengage Environmental LLP)

#### Site B

P1-00-002 Rev 00; P1-00-101 Rev 00; P1-00-120 Rev 00; P1-00-300 Rev 00; P1-00-301 Rev 00; P1-00-302 Rev 00; P1-00-303 Rev 00; P1-00-320 Rev 00; P1-00-321 Rev 00; P1-00-322 Rev 00; P1-00-323 Rev 00; P2-00-050 Rev 00; P2-00-120 Rev 00; P2-00-121 Rev 00; P3 -21 - 001 Rev 00; P3 - 22 - 001 Rev 00; P7 – 20 – 010 Rev 00 Received 22 June 2015 P2-00-101 Rev 01; P2-00-122 Rev 01; P2-00-123 Rev 01; P2-00-220 Rev 01; P2-00-221 Rev 01; P2-00-222 Rev 01; P2-00-223 Rev 01; P2-00-224 Rev 01; P2-00-320 Rev 01; P2-00-321 Rev 01; P2-00-323 Rev 01; P3 - 21- 001 Rev 01; P3 – 22 - 003 Rev 01; P3- 20-004 Rev 01 Received 10 November 2015

Planning Statement (June 2015, Indigo Planning); Transport Statement (April 2015, ttp Consulting); Construction Management Plan (April 2015, ttp Consulting); Daylight and Sunlight Assessment (September 2015, eb7); Extended Ecological Phase 1 Habitat Survey (September 2014, Greenguage); Code for Sustainable Homes Pre- Assessment Report (April 2015, Frankham Consultancy Group); Arboricultural Impact Assessment (March 2015, PJC Consulting); Energy Statement (April 2015, Frankham Consultancy Group); Phase 1 Ground Condition Assessment (March 2015, RSA Geotechnics LTD); Biodiversity report (September 2014, Greengage Environmental LLP)

#### Site C

P1- 00- 003 Rev 00; P1-00-102 Rev 00; P1-00-300 Rev 00; P1-00-301 Rev 00; P1-00-330 Rev 00; P1-00-331 Rev 00;

P1-00-332 Rev 00; P1-00-333 Rev 00; P2-00-050 Rev 00; P2-00-130 Rev 00; P2 -00 - 131 Rev 00; P3 - 22 - 001 Rev 00; P7 – 20 – 010 Rev 00; P2-00-230 Rev 00; P2-00-231 Rev 00; P2-00-330 Rev 00; P2-00-330 Rev 00; P2-00-331Rev 00; P2-00-332 Rev 00; P2-00-333 Rev 00; P3 -21 - 001 Rev 00; P3 - 22 - 001 Rev 00 Received 22 June 2015 P2-00-323 Rev 01; P3 - 21- 001 Rev 01; P3 – 22 - 003 Rev 01; P3- 20-004 Rev 01 P2-00-102 Rev 01; P3- 20-004 Rev 01 Received 10 November 2015

Planning Statement (June 2015, Indigo Planning); Transport Statement (April 2015, ttp Consulting); Construction Management Plan (April 2015, ttp Consulting); Daylight and Sunlight Assessment (September 2015, eb7); Extended Ecological Phase 1 Habitat Survey (September 2014, Greenguage); Code for Sustainable Homes Pre- Assessment Report (April 2015, Frankham Consultancy Group); Arboricultural Impact Assessment (March 2015, PJC Consulting); Energy Statement (April 2015, Frankham Consultancy Group); Phase 1 Ground Condition Assessment (March 2015, RSA Geotechnics LTD); Biodiversity report (September 2014, Greengage Environmental LLP)

## Background Papers

- (4) LE/390/B/TP
- (5) Local Development Framework Documents
- (6) The London Plan

## **1.0 Property/Site Description**

- 1.1 The Lee Green Housing Estate is a former Crown Estate, acquired by Peabody in 2011. The estate consists of predominantly modern dwelling houses and two flatted developments in addition to a number of converted Victorian properties to the eastern edge of the estate. Milbank Way dissects the estate and from which areas of the hardstand car parking, garages and ancillary buildings are accessed. Additionally, areas of communal open space, including a community garden with extensive landscaping and several mature trees are also located on the estate. The surrounding area is predominantly residential in character and comprises a mixture of detached, semi detached and terrace dwellings of varying type and ages. The estate is not located within a conservation area and is not subject to an Article 4 Direction.
- 1.2 It is advised that this report relates to three separate planning applications for 3 separate sites, all of which are located within the Lee Green Housing Estate. The proposed sites are as follows:

### Site A

- 1.3 Site A (DC/15/92720) is a narrow L shaped site that is located upon the western side of Millbank Way, which runs between Osberton Road and Dorville Road. The subject site is currently occupied by a 30 individual garages and are situated opposite a terrace of existing two storey red brick houses (1-8 Millbank Way). The rear gardens and private amenity areas of the houses located on Leyland Road and Osberton Road adjoin the southern and western boundaries of the subject site. The existing garages are in poor repair, many of which are disused and is the site of frequent fly tipping.

#### Site B

- 1.4 Site B (DC/15/92724) is situated within the Lee Green Estate and is a prominent site located at the intersection of Millbank Way and Osberton Road. Similar to Site A, this site occupied by ten single garages. To the north of the site is Tony Law House, which is a three storey block of flats while a row of two storey terraced houses is located to the south (27- 34 Millbank Way). Directly to the east of the site is a row of two storey terraced houses known as 11- 25 Cambridge Drive. It is noted that the 'redline' of the application site includes the adjoining hardstand car parking area immediately to the west of the site.

#### Site C

- 1.5 This is the smallest of the three sites, is located on the western side of Cambridge Drive and is occupied by an existing hard paved drying area, which most recently has been used as an informal car parking area. The site is situated along the rear property boundary of 27-33 Cambridge Drive and a three storey flatted development, which includes ground floor apartments positioned to the south of the subject site. The site currently has an existing vehicular access crossing that accesses onto Cambridge Drive, which would be retained as part of this application.

### **2.0 Planning History**

- 2.1 There is no relevant planning history for Site A, B or C.

### **3.0 Current Planning Applications**

- 3.1 Overall the subject applications propose the demolition of the existing garages and the construction of 17 dwellings, across Site A, B and C. Each application would include the following:

Table 1.1: Residential Mix

	<b>1 B 2P</b>	<b>2 B 3P</b>	<b>2B 4P</b>	<b>3B 5P</b>	<b>3B 6P</b>	<b>Total</b>
<b>Site A</b>	4		4	4		12
<b>Site B</b>		1	1	1	1	4
<b>Site C</b>		1				1

Site A:

- 3.2 The subject application would involve the demolition of 30 single storey garages, the removal of 3 trees and the construction of a part two/part three storey brick building to provide 4 one bedroom, 4 two bedroom and 4 three bedroom self-contained flats together with associated landscaping, amenity space, refuse storage and detached cycle storage areas. The proposed development would run along Mill Bank Way and comprise of four main building elements each with a distinctive pitched roof profile, interconnected by lower two storey elements. Access to the proposed development would be provided from Millbank Way, with communal access doors to the upper floor flats, interspersed between separate entrances to the ground floor units.
- 3.3 The proposed 3 storey elements would have a maximum height of 11.6 metres with the inter connecting two storey elements being 6 metres in height. The proposed roof would be finished using a zinc standing seam roof with a photovoltaic array and two roof lights finished flush to each southern roof slope.
- 3.4 It is proposed that provision would be made for refuse storage within separate bin storage areas located within the front setback from Millbank Way. Further to this, it is proposed that 16 cycle parking spaces would be provided within a designated bike store also to be located within the front setback.

Site B:

- 3.5 Similar to Site A, Site B would involve the demolition of 10 exiting garages and the construction of a part 2/ part 3 storey building including roof space with terraces to the west and east elevations to provide 2 two bedroom ground floor flats and 2 three bedroom maisonettes at second and third floor levels. The proposed development would have a similar architectural vernacular as Site A, and would have two three storey flank elements linked by a lower two storey element. The proposed flatted development would be finished using a common pallet of materials in terms of face brick, zinc clad roof and aluminium framed windows.

- 3.6 Both ground floor flats would be accessed via individual entrances located on the proposed north and south facades, with the access for the upper floor flats being provided on the western façade. Refuse and cycle storage would be provided adjacent to each entrance.
- 3.7 One ground floor flat (Flat 13) is identified as an accessible unit and would be provided with a designated off street parking space, located within the adjoining car park, adjacent to the proposed unit.
- 3.8 The current application also proposes the reconstruction of the existing refuse enclosure for flats at 9-26 Millbank Way which is located to the south west corner of the of the subject site.

#### Site C:

- 3.9 The subject application would involve the construction of a wheelchair accessible 2 bedroom bungalow that would be accessed from the Cambridge Drive and would involve associated landscaping, external amenity space, refuse storage area and the provision of one accessible car parking space, to be located within the front setback of the proposed dwelling. The proposed dwelling would be single storey and would have a maximum height of 5.6 metres. As with Sites A and B, a common vernacular would be utilised throughout the proposed development in addition to use of identical materials and finishes.
- 3.10 The current application also proposes the reconstruction of the existing refuse enclosure for flats at 35 Cambridge Drive which is located in the south east corner of the of the subject site.

#### Supporting Documents

- 3.11 Planning Statement including Statement of Community Engagement (June 2015, Indigo Planning): This document provides a policy compliance overview in support of the subject application.
- 3.12 Transport Statement (April 2015, ttp Consulting): This document states that the site has a PTAL rating of 3, indicating moderate access to public transport and seeks to justify the level of vehicle and cycle parking proposed. Contained within the Transport Statement submitted includes a Delivery and Servicing Strategy
- 3.13 Construction Management Plan (April 2015, ttp Consulting): A CMP has been submitted in support of the application, which includes details of the access for the Site A, B and C. The document sets out working hours for the site and a programme of works for the development (with an approximate programme duration of 52 weeks).
- 3.14 Daylight and Sunlight Assessment (September 2015, eb7): This report assesses daylight and sunlight levels received by the residential properties (including amenity space where applicable) for the proposed

development at Sites A, B and C. Following concerns, a revised document was submitted.

- 3.15 Arboricultural Impact Assessment (March 2015, PJC Consulting): The report outlines that the proposed development would involve the removal of 3 x category B trees, 5 x category C trees. There are also 2 trees within the site that are rated as category A (high quality) trees which would be retained and protected during construction. The report concludes that the removal of the category B trees would be mitigated by replanting during the soft landscaping phase of development, whilst the removal of the category C trees is not considered to be detrimental.
- 3.16 Energy Strategy (April 2015, Frankham Consultancy Group): This document provides detail as to how the proposed development will comply with relevant policy requirement as detailed within the London Plan and Council Core Strategy.
- 3.17 Phase 1 Ground Condition Assessment (March 2015, RSA Geotechnics LTD): The Phase 1 Risk Assessment identified that the potential for contaminants is low and small in scale however recommends however the existing garages located on Sites A and B are identified as having Asbestos roofing panels present.
- 3.18 Biodiversity report (September 2014, Greengage Environmental LLP): The report details that the scale and nature of the proposed development will not give rise to any negative impacts to any designated site for nature conservation. Furthermore, the report finds that proposed the recommended ecological enhancements contained within the report are incorporated, the development would have a positive impact on the biodiversity value of the site.

#### **4.0 Consultation**

- 4.1 This section outlines the consultation carried out by the applicant (Indigo Planning) prior to submission and the Council following the submission of each application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to residents in the surrounding area and the relevant ward Councillors. Thames Water Development Planning, the Lee Manor Society, Lewisham Tree Officer, the Ecological Regeneration Manager, the Highways Officer, and the Environmental Sustainability department were also consulted and responses are detailed below.
- 4.3 The applicant engaged in early pre-application discussions and detailed written advice was provided by Council officers. The proposed scheme was accordingly amended in line with officers comments.

- 4.4 Following submission of the application, the following internal consultee responses were received:

Strategic Housing Officer

- 5.1 The Strategic Housing Officer is supportive of the development and particularly welcomes the affordable housing provision and tenure proposed.

Highways and Transportation

- 5.2 Council's Highway's officer has not raised any objection to the proposed development. During the course of the assessment of the current application the following additional information was provided:

- Maps detailing the location of available parking;
- The location of the vacant garages identified and sufficient evidence of their vacancy (e.g. pictures);
- The location of cycle and bin storage areas; and
- The phasing of construction.

- 5.3 Accordingly the application is considerable acceptable subject to the securing of a Construction Logistics Management Plan which is to be submitted and approved in writing prior to the commencement of development

- 5.4 The applicant will also be required to enter into a S278 agreement with the Highway Authority to secure highways reinstatement/improvement works on the public highway adjacent to the application sites. This is detailed in the relevant section below.

Ecological Regeneration Manager

- 5.5 The Ecology Officer commented that the Extended Ecological Survey and the Bat Report were acceptable in principle but noted the following:

- Demolition will need to be carried out as soon as possible and/or another survey will be deemed necessary as the survey is nearing the end of its validity;
- It is recommended that a solid number/quantity of features for implementation is secured i.e. 16 bat and/or bird boxes (reflective of the number of units);
- The bat report recommends that the development should implement a sensitive lighting scheme;
- Guidance around the sensitivity of lighting to wildlife is provided and should be secured by planning conditions.

- 5.6 Ecology is discussed in the relevant section below.

Written Responses received from Local Residents and Organisations

- 5.7 In response to the proposed development at Site A, 3 letters of support were received by Council and 7 letters of objection in addition to 1 petition against the development, signed by 10 people from 7 properties. It is noted that 4 of the seven properties that submitted a objection were signatories of the petition.
- 5.8 In response to the proposed development at Site A, 3 letters of support were received by Council and 7 letters of objection in addition to 1 petition against the development, signed by 10 people from 7 properties. It is noted that 4 of the seven properties that submitted a objection were signatories of the petition.
- 5.9 6 letters of objection and 1 petition was received in opposition to the proposed development at Site B.
- 5.10 For Site C 1 letter of objection was received, however the concerns raised related primarily to the proposed development at Sites A and B.
- 5.11 Note: It is advised that as Site A, B and C are separate applications and were separately notified, all comments received have been considered accordingly and are listed in relation to the relevant site. Further to this officers advise that several responses received from adjoining properties referenced more than one site in a submission and for clarity all concerns have been detailed under each relevant site.

## **SUPPORT**

### **Site A**

- 5.12 Residents and members of the public have expressed support of replacing the dilapidated and disused garages which in recent years have become hotspots for fly tipping.

### **Site B**

- 5.13 Similarly as above, the redevelopment of this site is welcomed. It is expressed that all three proposals positively respond to the city-wide and national housing need and that all three developments are designed to a very high standard.

## **OBJECTION**

### **Site A**

- 5.14 Comments can be categorised into the following subsections:

#### Overlooking/Loss of Privacy

- 5.15 Some residents on Millbank Way and Dorville Road have commented that the proposed development of Site A would lead to overlooking their properties.

#### Design of the proposed development

- 5.16 Building is too high and will have considerable mass, and the design of the building is out of keeping with the adjoining properties which is inappropriate given the surrounding development;

#### Loss of Views

- 5.17 An objection has been raised on the grounds that the proposed development would interrupt views from the adjoining properties located between 1-8 Millbank Way;

#### Impact of the proposed construction work, including pilling operations, upon the surrounding development

- 5.18 Concerns have been raised regarding the potential impact of proposed foundation works considering the presence of Kempton Park Gravel Formation has been identified within the Ground Condition Assessment report;

#### Removal of existing trees

- 5.19 Objection is raised regarding the proposed removal of some existing trees onsite;

#### Methodology used as part of the accompanying Biodiversity report

- 5.20 Concerns have been raised regarding the validity of the finding of the accompanying ecology report. As the site visits conducted by the applicants ecologist were carried out outside of the optimal times and good practice guidelines, local residents are concerned that this could impact the result of the supporting ecology report.

#### Parking Stress

- 5.21 Objections have been raised that the proposed development would lead to parking congestion of the surrounding street as a result of the proposed development.

#### Daylight Sunlight

- 5.22 Comments have been raised with regard to the proposed daylight/sunlight massing model that has been used, in particular the positioning of the windows of the property at 17 Dorville Road.

#### Community Engagement

- 5.23 Some residents have commented that there was a lack of community engagement from the applicant and the consultant team.

#### **Site B**

- 5.24 Comments received in relation to Site B are largely similar to Site A and can be categorised into the following subsections:

Overlooking/Loss of Privacy

- 5.25 Some residents on Cambridge Drive and Tony Law House have commented that the proposed development would lead to overlooking their properties;

Design of the proposed development

- 5.26 Building is too high and will have considerable mass, and the design of the building is out of keeping with the adjoining properties which is inappropriate given the surrounding development

Impact of the proposed construction work, including pilling operations, upon the surrounding development

- 5.27 Concerns have been raised regarding the potential impact of proposed foundation works considering the presence of Kempton Park Gravel Formation has been identified within the Ground Condition Assessment report;

Removal of existing trees

- 5.28 Objection is raised regarding the proposed removal of some existing trees onsite;

Methodology used as part of the accompanying Biodiversity report

- 5.29 Concerns have been raised regarding the validity of the finding of the accompanying ecology report. As the site visits conducted by the applicants ecologist were carried out outside of the optimal times and good practice guidelines, local residents are concerned that this could impact the result of the supporting ecology report;

Impact on Highway safety and Parking Stress

- 5.30 Objections have been raised that the proposed development would have a negative impact on highway safety and increase parking congestion of the surrounding street as a result of the proposed development;

Daylight Sunlight

- 5.31 Comments have been raised with regard to the proposed daylight/sunlight massing model that has been used, in particular the positioning of the windows;

Community Engagement

- 5.32 As with Site A, residents have commented that there was a lack of community engagement, prior to the submission of the subject applications.

### **Site C**

- 5.33 One objection was received, however the concerns raised related primarily to the proposed development at Sites A and B.

## **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 2015)

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

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.8 Innovative energy technologies
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.13 Sustainable drainage
- Policy 5.18 Construction, excavation and demolition waste
- Policy 5.21 Contaminated land
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.14 Improving air quality

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

#### London Plan Supplementary Planning Guidance (SPG)

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

Accessible London: Achieving an Inclusive Environment (2004)

Sustainable Design and Construction (2006)

Shaping Neighbourhoods: Character and Context (June 2014)

Sustainable Design and Construction SPG (April 2014)

Housing (November 2012)

Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

#### Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy

Spatial Policy 2 Regeneration and Growth Areas

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 3 Strategic Industrial Locations and Local Employment Locations

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 9 Improving local air quality

Core Strategy Policy 10 Managing and reducing the risk of flooding

Core Strategy Policy 11 River and waterways network

Core Strategy Policy 12 Open space and environmental assets

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 18 The location and design of tall buildings

Core Strategy Policy 21 Planning obligations

#### Development Management Local Plan

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

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

- DM Policy 1 Presumption in favour of sustainable development
- DM Policy 7 Affordable rented housing
- DM Policy 22 Sustainable design and construction
- DM Policy 23 Air quality
- DM Policy 24 Biodiversity, living roofs and artificial playing pitches
- DM Policy 25 Landscaping and trees
- DM Policy 26 Noise and vibration
- DM Policy 27 Lighting
- DM Policy 28 Contaminated land
- DM Policy 29 Car parking
- 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
- DM Policy 33 Infill, backland, back garden and amenity area development

Residential Standards Supplementary Planning Document (August 2006)

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

Planning Obligations Supplementary Planning Document (February 2015)

6.12 This document sets out guidance and standards relating to the provision of affordable housing within the Borough and provides detailed guidance on the likely type and quantum of financial obligations necessary to mitigate the impacts of different types of development.

## **Planning Considerations**

- 6.13 The main issues to be considered in respect of the proposed applications are:
- a) Principle of Development
  - b) Design
  - c) Quality of Accommodation
  - d) Highways and Traffic Issues
  - e) Residential Amenity
  - f) Sustainability and Energy
  - g) Ecology and Landscaping
  - h) Land Contamination
  - i) Planning Obligations

## **Principle of Development**

- 6.14 Paragraph 53 of the NPPF states that 'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
- 6.15 Policy 3.4 'Optimising housing potential' of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.
- 6.16 DM Policy 33 of the Development Management Local Plan states that if a site is considered suitable for development, planning permission will not be granted unless the proposed development is of the highest design quality, relates successfully and is sensitive to the existing design quality of the streetscape, and sensitive to the setting of heritage assets. This includes the importance of spaces between buildings which may be as important as the character of the buildings themselves, and the size and proportions of adjacent buildings.
- 6.17 The acceptability of the principle of development will depend on how the site is classified and also on the character of the area and the urban design function a space fulfils. If a site is considered suitable for development, planning permission will only be granted for development of the highest design quality that successfully relates to the streetscape and character of the surrounding buildings and site layouts.
- 6.18 DM 33 states that the development of infill sites will only be permitted where they:
- 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 identified in Table 2.1 Urban typologies in Lewisham and to the special distinctiveness of any relevant conservation area;

- c. result in no significant overshadowing or overlooking, and no loss of security or amenity to adjacent houses and gardens;
  - d. provide appropriate amenity space in line with DM Policy 32 (Housing design, layout and space standards);
  - 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.
- 6.19 In total the three proposed applications would introduce an additional 17 new residential units to Lee Green Estate. The estate currently provides two flatted developments and several terraces of two-storey housing. In the case of Sites A and B, the proposed development would replace 30 garages and 10 garages respectively while Site C is a former clothes drying area and informal parking area.
- 6.20 The proposed infill developments have been specifically designed to fit the site and surroundings well and to respect the character of the surrounding streetscape. The details of the application demonstrate how the proposal seeks to address issues of design and residential amenity. However considering the proposal in light of the site context and planning policy, the principle of developing Sites A and B for the provision of 12 units and 4 units respectively while a single residential dwelling upon Site C are considered acceptable subject to a high standard and sustainable design and a layout which responds to each site context, and which takes account of the amenities of neighbouring properties.

### Design

- 6.21 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.22 Paragraph 63 of the NPPF states that in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. In addition to this, paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.

- 6.23 In relation to Lewisham, Core Strategy Policy 15 outlines how the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.24 DM Policy 32 of the Development Management Local Plan seeks to apply the above design principles more specifically to individual proposals. It seeks to ensure that the siting and layout of all new-building housing responds positively to the site specific constraints and opportunities as well as to the existing and emerging context of the site and surrounding area.
- 6.25 Further to this, DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 6.26 Table 2.1 of DM Policy 30 identifies the different urban typologies in Lewisham and outlines that new development in amenity and non garden areas within this typology should not seek to replicate this layout. Instead, it should aim to reintroduce positive elements such as clear legible routes and well defined private and public spaces.
- 6.27 The proposed development utilises site specific design responses to redevelop existing underused garages and hard paved drying areas to provide additional residential units. As existing, the site is considered to have the capacity to support additional development and would utilise development already present within the estate i.e. flatted developments and single dwelling houses. Further to the proposed development of the three site would not result in a reduction of either existing private gardens or communal open spaces within the estate.

*Site A (DC/15/92720)*

- 6.28 The proposed development would be part two/part three storeys in height and would be set back from street by between 1 and 3 metres and from the boundary wall of the estate, adjoining the rear gardens of the properties addressing Leyland Parade, by between 3.3 and 5 metres. All proposed units would be accessed from the primary Millbank Way frontage, with areas of defensible space provided through the inclusion of front gardens areas replicating the adjoining terrace of houses located directly opposite.
- 6.29 In terms of height, scale and massing the proposed development is considered to be suitable. In particular the scheme is considered to successfully respond to the adjacent development, through the introduction of four distinct three store elements, interconnected by two storey components. Officers are therefore satisfied that the

proposed design would suitably reduce the massing of the proposed development and ensure it would be keeping with the existing development within the estate and the wider surrounding area.

- 6.30 Officers note that the proposed development has a simple design approach, and includes a varied roof form to reduce the overall mass of the building. The simple design that this results in is considered to have merit but makes the detailing of the building and proposed use of materials of vital importance to support such an approach. It is therefore necessary for the applicant to demonstrate how high quality materials and detailing will be delivered. During the course of the application, Officers have sought additional information on the proposed materials and their detailing to support the application. These details confirm the use of a good quality brick (Mystique) which will complement the more traditional red brick used on the surrounding properties. Aluminium windows, doors and balcony railings are also proposed and this choice of materials is supported by officers. The colour of the mortar used will also be an important consideration. A condition is therefore proposed requiring sample panels of the brick to be constructed on site so that the mortar colour and pointing can be agreed with officers.
- 6.31 In terms of detailing, the submitted drawings confirm that the windows and doors would feature 160mm depth reveals with the window head being finished in brick. Furthermore the returns to the balconies would be finished with matching brick slips. It is considered that the details provided demonstrate that despite the simplicity of the building form, the detailing ensures that the proposed scheme would be a high quality design response. Conditions are recommended to secure these details.
- 6.32 Concern has been raised from adjoining properties owners regarding the height and massing of the proposal. In this regard, the tallest elements would be three storeys and therefore one storey higher than the adjoining terrace of properties, situated on Milbank Way. Officers are satisfied however, that the building has been designed to sufficiently break up this massing, through the introduction of varying building heights. The detailing of the façade itself which features generous reveals, inset balconies and double height openings would provide texture and visual interest that would further reduce the bulk of the proposal. On balance, and subject to securing the quality of the materials and detailing as set out above, it is considered that the scheme as designed would result in a high quality design response that it worth of support by Council.

#### *Site B*

- 6.33 As previously stated, the proposed development would involve a part 2/ part 3 storey building and would seek to provide 2 two bedroom ground floor flats and 2 three bedroom maisonettes at second and third floor levels. The proposed development would seek to follow the

common architectural language that would be present across all three application sites.

- 6.34 The proposed design approach would seek to provide individual access for both ground floor flats from Osberton Road and Milbank Way. Access to the upper floor flats would be provided via a communal entrance located on the proposed western façade, opposite Tony Law House. Officers welcome the proposed entrance strategy, which would activate underused areas within the estate, particular in relation to Osberton Road. It is also proposed that provision for waste and cycle storage would be made adjacent to each entrance.
- 6.35 The proposed development is considered to represent a considered design philosophy, relating to the construction of a sensitive infill development that would suitably respond the surrounding built development, in particular the three storey Tony Law House and the adjoining two storey terrace of properties situated between No 11- 25 Cambridge Drive and No 27- 34 Millbank Way. The proposed design would also include the distinctive roof profile common throughout the three application sites. The proposed use of a combination of high quality and durable materials including face brick, zinc roof covering and aluminium framed windows are considered to be acceptable for such a prominent site.
- 6.36 As with Site A, it is considered that the use of such a simple design approach is highly dependant upon the quality and detailing of materials, so as to ensure this design approach can be suitably achieved. The applicant has specified the materials to be used and a condition has been recommended to be imposed, should the application be approved required further samples of materials to be provided prior to the commencement of above ground works. It is considered that the applicant has demonstrated that despite the simplicity of the building form, the proposed detailing would result in the creation of a distinctive building, which would read as part of a family of three infill buildings within the estate. Additional details were provided to Officers in relation to windows, balconies and guttering and these are considered to demonstrate how high quality materials and detailing will be delivered. Conditions have been recommended, should the application be approved that prior to commencement the applicant shall be required to construct a sample brick panel on site, for approval by Officers.

#### *Site C*

- 6.37 The proposed single storey house would be brick finished, with a zinc roof and would have a private rear garden with hardstand disable parking space located to the front of the property. The proposed development is considered to be acceptable within the proposed location. The inclusion of a matching pitched roof profile and common use of building materials across Site A, B and C allows for the creation

of a high quality accessible housing unit while also respecting the scale of the surrounding existing development.

- 6.38 In summary, officers consider that the proposed building height, layout are acceptable and consider that initial concerns regarding the detailing of each proposed application have been reworked and sufficient detail has been submitted so that officers are satisfied that the proposed design would be of high quality.
- 6.39 It is recognised that due to the existing layout of the proposed sites, the proposed developments would be prominent from surrounding view points. However, the arrangement and siting of the proposed schemes are considered to make good use of the environment within the Lee Green Estate. Officers are satisfied that whilst the proposal would be a step change from the existing underused garaged sites (Site A and B) and vacant Site C overall, the existing estate would not be compromised by the proposed development.

#### Deliverability

- 6.40 As detailed above, all three applications would involve the use of high quality materials which would be expensive to deliver. Deliverability is a consideration within the NPPF and the viability and deliverability of development should be considered in plan making. The NPPF goes on to say that to ensure viability, the cost of requirements should, when taking into account the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable. In this case, to overcome concerns about the scale, massing and design of the scheme and the relationship with the immediate context which are fundamental to the acceptability of the redevelopment of this site, the scheme was designed and details provided to demonstrate the inherent quality of the architecture and design approach. The subject application proposes to meet the Council's 50% affordable housing policy requirement while still providing a high quality standard of design. The design quality of the scheme is integral to the acceptability of the scale and mass. As such, any future attempt to vary the scheme or reduce the quality of the design or materials could not be accepted as a minor material amendment but will instead require the principles of the proposal, including its scale and massing to be reconsidered.

#### Quality of Accommodation

##### *Size*

- 6.41 Core Strategy Policy 1 'Housing provision, mix and affordability' states that the Council will seek the maximum provision of affordable housing with a strategic target for 50% affordable housing from all sources. In order to ensure that the proposed development responds to local need, the provision of family housing (3+ bedrooms) will be expected as part of any new development with 10 or more dwellings. In the case of

affordable housing, the Council will seek a mix of 42% as family dwellings.

- 6.42 Overall across all three application sites, it is proposed to provide 17 residential units and the table below provides a breakdown of the proposed accommodation:

Table 1.2: Residential Mix\*

	<b>1 B 2P</b>	<b>2 B 3P</b>	<b>2B 4P</b>	<b>3B 5P</b>	<b>3B 6P</b>	<b>Total</b>
<b>Site A</b>	4		4	4		12
<b>Site B</b>		(1)	1	1	1	4
<b>Site C</b>		(1)				1

*\*Wheelchair accessible units shown in ( )*

- 6.43 As set out in the table above, 6 of the proposed 17 units would be 3 bedroom family dwellings, which would be provided between Site A and B. The inclusion of family accommodation is welcomed and the provision of four 3 bedroom units with direct access onto ground floor private garden space is considered to be a suitable design response and would make a valuable contribution to the supply of family sized dwellings within the local area.

#### *Affordable Housing*

- 6.44 In accordance with The London Plan and Core Strategy, affordable housing will be sought on developments of 10 units or more. The starting point for negotiation is 50%, and would be subject to a financial viability assessment. To ensure mixed tenure and promote mixed and balanced communities, the affordable housing component to be provided should achieve at least 70% affordable/ social rented housing and 30% intermediate housing.
- 6.45 The proposed scheme would provide 52% of proposed units for affordable housing and would be provided as a mixture of affordable rent, social rent and shared ownership.
- 6.46 The proposed affordable housing would be spread across all three sites and provide a range of unit sizes and tenures which are detailed in the table below. It is noted that there would not be any distinction between the private housing and the affordable housing offer in terms of either materials and finishes or access arrangements.

Table 1.3: Affordable Housing Mix

Site	Unit number annotated on drawings	Unit type	Area sqm	Tenure
A	5	2B4P	71	Affordable Rent
A	9	1B2P	58	Affordable Rent
A	10	1B2P	58	Shared Ownership
A	11	1B2P	58	Shared Ownership
B	13	2B3P	67.7	Affordable Rent
B	14	2B4P	70	Affordable Rent
B	15	3B6P	122	Social Rent
B	16	3B5P	106	Social Rent
C	17	2B3P	69	Affordable Rent

- 6.47 As detailed in the table above, two of the proposed affordable units would be intermediate housing, in the form of shared ownership, while five would be affordable rent and two units would be social rent.
- 6.48 The proposed affordable rent units would be let at a level of no more than 80% of market rate while two 3 bedroom units proposed on Site B would be let at a social rent level.
- 6.49 In summary, based upon the submitted details the proposed development will comply with the required 50% affordable housing requirement as per Core Strategy Policy 1 'Housing provision, mix and affordability'. Officers therefore raise no objections to the proposed provision of affordable housing.

*Standard of Residential Accommodation*

- 6.50 London Plan Policy 3.5 sets out the minimum floor space standards for new houses relative to the number of occupants. It outlines that the design of all new dwellings should include adequately sized rooms, convenient and efficient room layouts and meet the changing needs of Londoners' over their lifetimes.
- 6.51 New residential development is no longer required to meet the Lifetime Homes Criteria at planning stage which is to be delivered through Building regulations, however this remains a matter to consider to

ensure that a scheme is capable of meeting this standard. Lifetime Homes Criteria seeks to incorporate a set of principles that should be implicit in good housing design enabling housing that maximizes utility, independence and quality of life. The scheme has been designed to achieve compliance with the Lifetimes Homes Standard for all units.

- 6.52 Two wheelchair units would be provided within the scheme, compliant with Core Strategy Policy 1 Housing provision, mix and affordability, which requires a minimum 10% provision of wheelchair units in schemes providing 10 or more residential units. From 1 October 2015, this would be in accordance with Building Regulation M4 (3) Wheelchair User Dwellings.’ The wheelchair units will be secured by planning condition.
- 6.53 DM Policy 32 ‘Housing design, layout and space standards’ and Policy 3.5 ‘Quality and design of housing developments’ of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision. Informed by the NPPF, the Mayors Housing SPG provides guidance on how to implement the housing policies in the London Plan. In particular, it provides detail on how to carry forward the Mayor’s view that “providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods”.
- 6.54 In addition to this, DM Policy 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and include space suitable for children’s play.
- 6.55 The Mayor of London published the Minor Alterations to the London Plan 2015 which states that reduces the minimum ceiling height from 2.5 metres to 2.3 meters for at least 75% of the gross internal area of the dwelling. It is noted however that 2.5 meters would become the recommended floor to ceiling height.

Table 1.4 : Residential Internal Floor Areas

<b>Unit type</b>	<b>No. of units</b>	<b>Policy requirement (GIA sq m) (Table 3.3, Policy 3.5 London Plan 2015)</b>	<b>Proposed GIA (sq m)</b>
<b>1B2P</b>	4	50	Min: 58
<b>2B3P(Wheelchair</b>	2	61	Min: 61

<b>Housing)</b>			
<b>2B4P</b>	3	70	Min: 70
<b>3B5P</b>	4	86	Min: 87
<b>3B5P (2 storey)</b>	1	96	Min: 106
<b>3B6P (2 storey)</b>	1	105	Min: 122

- 6.56 The proposed development that would be located at Sites A and B a floor to ceiling height of 2.5m at ground and first floor level. However due to the proposed roof design, the floor to ceiling heights of the proposed second floor units would vary between 1.5- 4.9 metres in the case of Site A and 1.5 - 4.5 metres in the case of the Site B. The applicant has provided detailed drawings which demonstrate that a minimum 2.3 metre floor to ceiling heights have been provided for approximately 78% for the second floor areas. In addition to this, as previously stated, officers are supportive of the proposed roof design which successfully reduces the bulk and scale of the proposed development while adding variation and architectural interest to the proposed development.
- 6.57 Nevertheless, officer acknowledge that ceiling heights are an important element in the design of a dwelling and can impact upon the internal amenity of a property in terms of light, ventilation, thermal comfort and flexibility of use. All units would comply with the minimum internal floor space standards and would also be dual aspect. Accordingly the proposed development, is considered to be acceptable and would provide a high standard of internal accommodation.
- 6.58 In terms of private open space, Standard 4.10.1 of the Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5 sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. All units would be provided with at lease the minimum quantum of private open space however it is noted that units 1-4 in Site A, Units 13 and 14 in Site B and Unit 17 on Site C would all be provided with private external courtyards with areas ranging between 30sqm and 45 sqm.
- 6.59 In relation to solar access, the subject application is supported by a Daylight and Sunlight report prepared by eb7 Limited. The accompanying report however only relates to the impact of the proposed development upon the adjoining residential properties and does not include the an assessment of the level of daylight received by the proposed residential units. While ordinarily officers would expect confirmation from the applicant in this regard, as all units would be a minimum of dual aspect and would be positioned away from adjoining properties and officers are satisfied that in the case of the proposed

development, the levels of internal daylight and sunlight received would be acceptable.

- 6.60 It is considered that the proposed units would be provided with a suitable level of outlook and amenity. Officers therefore consider that the proposed development would be provided with an acceptable standard of accommodation.

#### *Child playspace*

- 6.61 The proposed development would result in a child yield of 10 children based on the Council's Planning Obligations SPD calculator model, which would be broken down into five 0-5 year olds and three 5-11 year olds and two children over the age of 12. London Plan policy 3.6 Children and young people's play and informal recreation facilities states that developments including housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. The Mayor's Supplementary Planning Guidance 'shaping neighbourhoods: play and informal recreation (2012)' requires a minimum area of 10sq.m of play space for each child, which is also used as a local benchmark. It goes on to state that the 10sq.m per child benchmark should be set in the context of the overall open space requirements, and where open space provision is genuinely playable, the open space may count towards the play space provision.
- 6.62 As part of the proposed applications it is not proposed to provide any play space onsite and Lewisham's Planning Obligations SPD provides a methodology for calculating a financial contribution in lieu of the provision of the required space.
- 6.63 The Lee Green estate currently benefits from a relatively large area of communal open space which would be available for use by future residents as an area to informal recreation. Further to this, officers note that the Edith Nesbit Gardens adjoins the estate and includes play facilities for a range of age groups. Accordingly officers consider that a financial contribution of £13,000 towards the installation of new play equipment within the vicinity of the development would ensure that there would be an adequate provision of playspace which would both be necessary and reasonable in order to mitigate against the impact of the proposed development.
- 6.64 While the payment of a financial contribution would be acceptable, the applicant has indicated the possible provision of playspace within the estate is currently being investigated. This provision would also appropriately mitigate against the impact of the development. As a result officers consider that either the provision of the play space or the payment of a financial contribution would be appropriate mitigation. As a result officers consider that it is appropriate in the circumstances to secure the provision of the playspace to a minimum value of £13000 prior to the occupation of the developments. The type of play space

and location of which to be agreed with officers prior to commencement of development, If the provision is not possible then within six months of commencement to pay to the Council the commuted sum of £13000 for the provision of play space by the Council in the vicinity of the development.

#### Highways and Traffic Issues

- 6.65 The London Plan (2015) states that in locations with good public transport accessibility, car-free developments should be promoted.
- 6.66 The 3 sites collectively benefit from a moderate PTAL rating of 3. The existing walking and cycling links to and from the site are adequate and the level of traffic likely to be generated by the proposal is minimal. There are a number of bus services that operate in the vicinity of the site on a regular basis as demonstrated in the Transport Statement which accompanies the planning application.
- 6.67 Two off street accessible parking spaces are proposed to be provided. One space would serve accessible Flat 13, located within the Site B and would be created through the reconfiguration of the existing hardstand parking area, located immediately to the south of the proposed site. A second off street parking space would be located in hardstand to the front of the site and would serve the proposed accessible bungalow at Site C, being accessed from Cambridge Drive.
- 6.68 With the exception of two accessible spaces, no additional off-street parking would be provided for the proposed development. It is proposed that all car-parking needs of the development are to be met on-street.
- 6.69 As previously stated all three applications have been accompanied by Transport Statement (TS) prepared TTP Consulting, which has been reviewed by Council's Highways Officer. The statement demonstrates that there is sufficient capacity along the adjoining road network and within the off street parking areas in the estate to accommodate both the parking displacement caused by the loss of the existing garages and the likely additional parking demand which would be generated by the proposed additional units. This is considered to be acceptable.
- 6.70 Objections have been received by adjoining owners regarding the capacity of the surrounding streets to absorb the additional parking demand caused as a result of the loss of the existing garages. Officers are satisfied that sufficient evidence has been presented to the Council to confirm that the loss of the garages is acceptable. The application is supported by a survey of the usage of the garages, and supports the applicants contention that they are primarily either used for storage or are vacant. It is noted that a small portion are currently in use for car parking, however officers are satisfied that the loss of the garages

would not contribute significantly to parking stress of the surrounding properties, should the proposed applications be approved.

6.71 Secure and dry parking for a total of 30 bicycles are detailed on the proposed plans, which are provided across the three proposed sites as follows:

- Site A: 16 cycle spaces would be provided for the proposed development within a combined storage area, while cycle storage of the proposed ground flats identified on the proposed ground plan (02058 P2 00110) as Flat 1 and Flat 4 would be provided with separate storage area with the separate rear private courtyard areas;
- Site B: 8 cycle space would to the provided within two separate bike store areas at ground floor level;
- Site C: Two secure cycle spaces would be provided and would be situated to the rear of the proposed dwelling;

This meets the necessary standard and would be secured by condition.

#### *Servicing and Refuse*

6.72 In regard to refuse and servicing, separated waste storage areas would be provided for the subject sites, and would be serviced accordance with existing arrangements for the estate. It is understood that new refuse stores adjoining or adjacent to the three sites would be provided. Accordingly the proposed refuse details and positioning are considered acceptable would be secured by condition.

#### *Construction*

6.73 The Council's Highways Officer has reviewed the Construction Management Plan, prepared by TTP Consulting, submitted in support of each application site. The Construction Management Plan outlines details of the management of traffic during the construction period and seeks to provide a robust construction strategy that will minimise the potential for disruption to local residents and other users of the adjacent highway network. Officers are satisfied that this will manage the construction process appropriately and a condition is recommended requiring this to be implemented.

#### Residential Amenity

##### **Site A**

#### *Impact on Adjoining Properties*

6.74 A Daylight and Sunlight Assessment prepared by eb7 was submitted in support of the subject application. This report has been prepared in

accordance with the Building Research Establishment's good practice guide "Site Layout planning for daylight and sunlight".

- 6.75 This report assesses the impact of daylight and sunlight as a result of the proposed development across all three applications. In relation to Site A the impact upon the following the properties has been addressed:
- 1 - 8 Millbank Way
  - 4 - 6 Osberton Road
  - 17 Dorville Road
- 6.76 The overall impacts as a result of the proposed development indicate full compliance with the BRE guidance.

#### *Amenity Space*

- 6.77 The south facing amenity space of 4, 6 and 8 Osberton Road have been assessed for sunlight amenity, (whether the proposal overshadows the existing amenity space serving the rear of 4-8 Osberton Road.) The reduction in sunlight levels was not considered noticeable as they are well above the BRE guide's suggested target, therefore the proposal would not result in a considerable negative impact upon the adjoining properties.

#### *Overlooking*

- 6.78 The proposed development at Site A would adjoin the rear of the existing residential development which address Osberton Road and Leyland Road. The proposed flatted development does not propose any windows on the northern (side) elevation and would be positioned between 8.5 and 19 metres from the adjoining properties. It is therefore considered that the proposed development would not result in an over bearing impact on the adjoining properties or impact upon privacy.
- 6.79 The proposed development would adjoin the rear boundary wall of the properties at 31-37 Leyland Road and would maintain a separation distance of between 21-27 metres. In addition to this, the proposed windows along this façade, at ground and first floor, would serve non habitable rooms or stairwells only and would be opaque glazed, hence mitigating any potential overlooking. The proposed second floor units would involve high level windows serving kitchen, however these windows would not allow overlooking into the adjoining residential properties.
- 6.80 Objections have been received regarding the impact of the proposed development upon the adjoining properties located to the east of the site at 1- 8 Millbank Way. A separation distance from the adjoining properties of approximately 17 metres would be maintained. Further to this it is noted that the Residential Standards SPD (Updated 2012)

states the 'acceptable distance between front elevations should normally be determined by the character of road widths in the area'. The separation distances between Site A and the properties on the opposite side of Millbank Way are therefore considered to have an adequate separation distance.

- 6.81 Concerns have also been raised by the residents of the property located at 17 Dorville Road in regard to the proposed development. Specifically concerns are raised that the proposed development would result in a substantial overbearing impact upon the rear private open space area of the adjoining property. While officers acknowledge that the proposed development would increase the sense of enclosure of the adjoining property, all rear facing windows would be opaque glazed to prevent overlooking. Furthermore as previously noted, the adjoining property would continue to meet BRE guidance in terms of daylight and sunlight. Accordingly it is considered that, on balance, the proposed development is acceptable.
- 6.82 In conclusion, the proposed development at Site A is not considered to have an unacceptable impact on the amenity of the surrounding residential properties.

## **Site B**

### *Impact on Adjoining Properties*

- 6.83 Following on from the equivalent assessment of the impact of the proposed development section under Site A, the Daylight/Sunlight report includes an assessment of the impact of the proposed development at Site B. The impact of the proposal at the following properties has been specifically assessed:
- 23- 25 Cambridge Drive
  - 30 - 34 Cambridge Drive
  - Tony Law House, 8 Osberton Road

- 6.84 23 and 25 Cambridge Drive are two properties located towards the end of a terrace of dwellings situated to the east of proposed Site B, with No. 25 located directly adjacent to the site. The Daylight/Sunlight report in regard to these properties indicates full compliance with the BRE guidance.

### *Amenity Space*

- 6.85 When assessing the impact of new development upon the external amenity areas/ gardens of adjoining properties, BRE guidance recommends at least half of the rear garden area receives two hours of sunlight on 21 March. However, where an existing area does not comply with this standard, as is the case with the existing north facing

rear gardens of the adjoining properties located at 23 and 25 Cambridge Drive, 0.8 times of the existing value should be retained.

- 6.86 The impact of overshadowing of Site B upon rear gardens of 23 and 25 Cambridge Drive have been assessed and in the case of 23 Cambridge Drive, 0.9 times the former area that experiences 2 hours or more of sunlight would be maintained and therefore would be compliant with the BRE guidelines.
- 6.87 In regards to the amenity area for 25 Cambridge Drive, the submitted report details that the area of garden that experiences 2 hours or more of sunlight would be reduced by 36% and therefore would not be compliant with the BRE guidelines. The submitted report notes that due to the orientation of the existing rear garden, this area is sensitive to changes in the surrounding built environment.
- 6.88 Officers consider that on balance the proposed non compliance is deemed to be acceptable, considering that the rear amenity area of 25 Cambridge Drive is north facing therefore is not orientated to maximise sunlight, as demonstrated by the sunlight levels currently received. Considering that 0.63 of the former area would be retained in what is a constrained amenity area, this would not give rise to a level of impact which would warrant the refusal of this application.
- 6.89 The properties located at 30 - 34 Cambridge Drive and Tony Law House, 8 Osberton Road have also been assessed in regard to the impact in the Daylight and Sunlight levels and were found to be fully compliant with BRE targets.

#### *Overlooking*

- 6.90 As stated above, the separation distances that are considered acceptable are dictated by road widths in the area. The separation distance between Site B and Tony Law House is proposed to be 17m at a minimum and is considered to be more than adequate to ensure the proposal would not unduly impact the privacy of existing occupants at Tony Law House.
- 6.91 To the rear eastern elevation the site, the proposed development proposes one bedroom and one bathroom window at first floor level and a second floor balcony associated with Flat 15 and would adjoin the side boundary of 25 Cambridge Drive. It is noted however that the proposed development would not share any direct views onto the adjoining properties and would not adjoin or overlook the rear private amenity spaces of this property. While the proposed development would result in a change to the existing built form, from the existing garages, it is considered that the proposed development would not result in an overbearing impact upon the adjoining properties and is therefore considered to be acceptable.

- 6.92 In conclusion, the proposal is not considered to have an unacceptable impact on residential amenity of the surrounding properties.

### **Site C**

#### *Impact on Adjoining Properties*

- 6.93 In addition to the aforementioned daylight and sunlight assessments, the properties at 27-34 Millbank Way, 27-33 Cambridge Drive, and 35 Cambridge Drive have been considered in relation to the proposal at Site C. It is considered that these properties are sufficiently separated from the adjoining properties and therefore it is considered that proposed single storey dwelling would not negatively impact the adjoining properties.
- 6.94 In terms of the impact on privacy of adjoining properties, it is noted that the subject site is adjoined on the north, west and south by residential properties. It is considered however that the proposed design takes account of the immediate surroundings and does not propose any windows on either the northern or southern side elevations in order to prevent shared views between properties.
- 6.95 It is noted that the rear western elevation is located approximately 18 metres from the properties situated at 27-34 Milbank Way. This separation distance is considered sufficient especially when considering that a rear boundary fence is proposed which would further prevent any overlooking from the proposed development.
- 6.96 In conclusion, the proposal is not considered to have an unacceptable impact on residential amenity of the adjoining residential properties.

#### *Impacts of construction on Adjoining Properties*

- 6.97 The applicant has indicated that the proposed development for Site A, B and C would be implemented simultaneously and officers therefore have considered the impact of construction upon adjoining properties and the Lee Green Estate in the same fashion.
- 6.98 The application is supported by a Construction Management Plan which includes details of the site access for the Site A, B and C, control of pedestrian movements through the estate and location of loading areas. The proposed plan also sets out working hours for each site and a programme of works for the development which would have a duration of 52 weeks.
- 6.99 The submitted plan has been reviewed by Highways Officers and is considered to be acceptable in principle however a condition has been recommend to be imposed upon each consent requiring a Construction Management Plan be submitted and approved by Council prior to the commencement of development.

- 6.100 Concerns have also been raised from the adjoining residents regarding the Geotechnical Report which was submitted in support of each application. Particular concern has been raised in regard to the geological conditions of the site and the presence of Kempton Park Gravel formations, which are identified as potentially transmitting excessive ground vibrations when certain piling methods are used. Officers have sought details of the proposed piling to be submitted prior to the commencement of development and subject to this condition, the construction impacts are considered to be acceptable.
- 6.101 The submitted Geotechnical Report also identifies the presence of Asbestos within the roof covering of the existing garages of Site A and B. An informative is recommended to be included should the application be approved advising the applicant of their responsibility to identify and manage such asbestos during demolition works.

#### Sustainability and Energy

- 6.102 In the earlier stages of the preparation of the scheme, the applicant would have been advised to meet Code for Sustainable Homes (CSH) Level 4. This requirement has been withdrawn however the pre-assessment accompanying this application demonstrates that the design of the scheme will meet this standard.
- 6.103 In line with the Mayor's Energy Strategy, solar photovoltaic array satisfies the London plan requirement to achieve a 35.15% reduction in carbon emissions. This together with the examples of water efficiency highlighted in the Code for Sustainable homes demonstrated that the proposal is compliant with London Plan policies 5.2 and 5.3, Core Strategy Policy 8 and Development Management Policy 22.

#### Ecology and Landscaping

- 6.104 Policy 5.10 'Urban Greening' of the London Plan outlines the importance of urban greening such as new planting in the public realm, recognising its role in adapting to and reducing the effects of climate change. Core Strategy Policy 12 'Open space and environmental assets' sets out the value of green in the public realm stating that local biodiversity should be preserved and enhanced whilst trees should be protected or replaced where loss does occur. As a result of this, Development Management Policy 25 'Landscaping and trees' requires all applications for major development to submit a Landscape Scheme.
- 6.105 There are no statutory designations of national or international importance within the boundary of the site. There are however, two Local Nature Reserves (LNR's) identified and 18 Sites of Importance for Nature Conservation (SINC) within a 2km radius of the sites. In response to this, an Ecological Survey Report was submitted with this application. The findings of the report show that all sites have a low ecological value.

- 6.106 The applicant submitted an Ecology report prepared by Greengage which includes a bat survey report. The report sought to establish the ecological value of the site and identify any associated impacts. The report concluded that the scale and nature of the proposed development would not give rise to any negative impacts upon nature conservation across the site. The proposed development would also not have any adverse impact upon bats. It did however provide a series of recommendations to enhance the biodiversity value of the site. These include wildlife planting, the provision of bird and bat boxes and sensitive external lighting. These commitments are welcomed by the Council's ecological regeneration team and would be required by condition.
- 6.107 As outlined earlier in the report, the application submission includes a general landscaping strategy which is considered to be acceptable. Nevertheless, the acceptability of the proposed landscaping with regards to design, amenity and biodiversity is subject to the submission of a detailed Landscaping Scheme that would be required by condition.

#### *Arboriculture*

- 6.108 An Arboricultural Impact Assessment (AIA) prepared by PJC Consultancy accompanies the subject application. The report outlines that the proposed development would involve the removal of 3 x category B trees, 5 x category C trees. There are also 2 trees within the site that are categorised as category A (high quality) trees. The removal of the category B trees would be mitigated by replanting during the soft landscaping phase of development, whilst the removal of the category C trees is not considered to be detrimental. Officers are satisfied that the landscaping condition would ensure that the proposed development would not result in a loss of high quality trees (category A trees) and that the loss of category B trees would be mitigated through the proposed landscaping. A condition would also be imposed to ensure that the category A trees are adequately protected during the construction phase. This is considered acceptable by Councils Arboricultural Officer.
- 6.109 For the reasons outlined above, the details outlined in relation to trees and biodiversity enhancement recommendations are considered to be acceptable and will be controlled by condition.

#### Land Contamination

- 6.110 Policy 5.21 'Contaminated Land' states that the Mayor supports the remediation of contaminated sites and outlines that appropriate measures should be taken to ensure that development of previously contaminated land does not activate or spread contamination. In response to this, DM Policy 28 'Contaminated land' seeks to ensure that contamination is properly addressed.

6.111 The Phase 1 Ground Condition Assessment (Contamination) submitted in support of subject application has been reviewed by Council's Principal Environmental Protection Officer. No objection has been raised to the proposed development subject to the inclusion of a condition requiring the contaminative assessment to be undertaken.

#### Planning Obligations

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

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

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

6.114 Officers consider that the obligations outlined below under Recommendation A (Paragraph 11.1) are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

### **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:

- (b) 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
- (c) 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 Equalities Considerations**

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

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

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

8.3 In this particular case, it is not considered that the nature of the proposed development would result in a harmful impact upon equality.

## **9.0 Conclusion**

9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.

9.2 Combined, the three proposed applications, would provide for the high quality redevelopment of three existing vacant or underutilised sites within the Lee Green Estate. Additionally 52% of proposed units would be available for social and affordable housing, which would be provided across all sites.

9.3 The development would make positive use of presently under-used sites and utilises high quality design to make a positive contribution to the local area.

9.4 For these reasons, the proposals are considered acceptable and are therefore recommended for approval.

## **10.0 RECOMMENDATIONS**

### **10.1 RECOMMENDATION (A)**

To agree the proposals and authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other

appropriate powers) securing for Site A, B and C the following principal matters including other such amendments as considered appropriate to ensure the acceptable implementation of the development. The Heads of Term are to be as follows:

S106 items

- Affordable Housing as detailed in the table below. All affordable rents to be capped at 80% of market value.

Site	Unit number annotated on drawings	Unit type	Area sqm	Tenure
A	5	2B4P	71	Affordable Rent
A	9	1B2P	58	Affordable Rent
A	10	1B2P	58	Shared Ownership
A	11	1B2P	58	Shared Ownership
B	13	2B3P	67.7	Affordable Rent
B	14	2B4P	70	Affordable Rent
B	15	3B6P	122	Social Rent
B	16	3B5P	106	Social Rent
C	17	2B3P	69	Affordable Rent

- Enter into a s278 agreement to undertake highway improvements to surrounding streets which bound the application sites.
- Use of Local Labour and contributions of £9,010
- Contribution towards the provision playspace within Edith Nesbit Gardens £13,000
- Contribution to meet the cost of the consultation, design and possible implementation of a Controlled Parking Zone in the streets that surround the application sites.
-

- Meeting the Councils legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

## **10.2 RECOMMENDATION (B)**

Upon the completion of a satisfactory Section 106 pursuant to recommendation A, in relation to the matters set out above, authorise the Head of Planning to Grant Permission for site A under DC/15/92720 subject to the following conditions:-

### **Full Planning Permission Time Limit**

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.

### **Develop in Accordance with Approved Plan**

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

P1-00-001 Rev 00; P1-00-100 Rev 00;P1-00-110 Rev 00; P1-00-300 Rev 00; P1-00-301 Rev 00; P1-00-310 Rev 00; P1-00-311 Rev 00; P1-00-312 Rev 00; P1-00-313 Rev 00; P2-00-050 Rev 00; P2-00-110 Rev 00; P3 - 21- 001 Rev 00; P3 -22 - 001 Rev 00; P3 - 22 - 002 Rev 00; P3 – 20 - 004 Rev 00; P7 – 20 – 010 Rev 00 Received 22 June 2015; P2-00-100 Rev 01; P2-00-111 Rev 01; P2-00-112 Rev 01; P2-00-113 Rev 01; P2-00-210 Rev 01; P2-00-211 Rev 01; P2-00-212 Rev 01; P2-00-213 Rev 01; P2-00-214 Rev 01; P2-00-301 Rev 01; P2-00-303 Rev 01; P2-00-310 Rev 01; P2-00-311 Rev 01; P2-00-312 Rev 01; P2-00-313 Rev 01; P3 -12-001 Rev 01; P3 - 21 - 002 Rev 01; P3 – 22 - 003 Rev 01 Received 10 November 2015

Planning Statement (June 2015, Indigo Planning); Transport Statement (April 2015, ttp Consulting); Construction Management Plan (April 2015, ttp Consulting); Daylight and Sunlight Assessment (September 2015, eb7); Extended Ecological Phase 1 Habitat Survey (September 2014, Greenguage); Code for Sustainable Homes Pre- Assessment Report (April 2015, Frankham Consultancy Group); Arboricultural Impact Assessment (March 2015, PJC Consulting); Energy Statement (April 2015, Frankham Consultancy Group); Phase 1 Ground Condition Assessment (March 2015, RSA Geotechnics LTD); Biodiversity report (September 2014, Greengage Environmental LLP)

**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.

### **Protecting Residential Properties**

3.
  - a. The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmax (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
  - b. Details of a sound insulation scheme complying with paragraph (a) of this condition shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
  - c. The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

**Reason:** To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration, DM Policy 31 Alterations and extensions to existing buildings including residential extensions, 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).

### **Surface Water**

4.
  - a. A scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions shall be implemented in accordance with the recommendations contained within the submitted Code for Sustainable Homes Pre-assessment Report, dated April 2015 prepared by Frankham Consultancy Group
  - b. The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

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

### **Piling Operations**

5. a. No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority.  
  
b. Details of any such operations must be submitted to and approved in writing by the local planning authority prior to commencement of development on site (excluding demolition of the existing buildings) and shall be accompanied by details of the relevant penetrative methods.  
  
c. Any such work shall be carried out only in accordance with the details approved under part (b).

**Reason:** To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network and Development Management Local Plan (November 2014) DM Policy 28 Contaminated land.

### **Materials/Design Quality**

6. The detailed design and material samples of the windows, drainpipes and external doors/roof coverings to be used on the building have been submitted and approved in writing by the Local Planning Authority prior to construction of the above ground works. 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.

### **Architectural Details**

7. a. Notwithstanding the details hereby approved, detailed plans at a scale of 1:20 showing detail of the balconies, shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.  
  
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 Urban Design for Lewisham Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban Design and Local Character.

### **Sample Brickwork**

8. A sample panel of the proposed brick including proposed mortar and pointing work shall be built on site (using the proposed materials hereby approved), and shall be approved in writing by the local planning authority prior to construction of the above ground works.

The development shall only 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 Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

### **Construction Logistics Plan**

9. a. 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:

- 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 vehicle activity.
- iii. Measures to deal with safe pedestrian movement.

b. The measures specified in the approved details shall be implemented prior to the 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).

### **Cycle Provision**

10. a. A minimum of 16 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved refs. P2-00-110-00 and P7- 20 – 010- 00.

b. A minimum of **2** additional secure and dry cycle parking spaces shall be provided for both Flat No. 1 and Flat No. 4 within the rear garden area of each flat

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).

### **Soft Landscaping**

11. 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 Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

### **Bird/Bat Boxes**

12. Details of the number and location of the bird/bat boxes to be provided, as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

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

### **External Lighting**

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

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

### **Plumbing or Pipes**

14. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the buildings.

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

### **Construction Deliveries and Hours**

15. No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

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

### **Operation of Machinery**

16. No machinery shall be operated on the premises before 8 am or after 6 pm on weekdays, or before 8 am or after 1 pm on Saturdays, nor at any time on Sundays or Public Holidays.

**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, DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

**Land Contamination**

17. (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-

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

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

(iii) The required remediation scheme implemented in full.

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

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

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

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before

placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination as detailed in the Ground Investigation Report (March 2015, RSA Geotechnics Limited) is identified and remedied in view of the historical uses of the site, details which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

### **Refuse Storage**

18. (a) Details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(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).

### **Boundary Treatments**

19. (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).

### **External Reveals**

20. All window and door openings shall be constructed with minimum 160mm deep external reveals.

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

### **Trees**

21. None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority

**Reason:** To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and policies DM 25 Landscaping and trees and 30 Urban design and local character of the Development Management Local Plan (November 2014).

### **Energy:**

22. The development hereby approved shall not be carried out other than in strict accordance with the Energy Strategy prepared by Frankham Consultancy Group dated April 2015 including the 19% Carbon Dioxide Emissions Savings relative to 2013 Part L Building Regulations.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions and 5.3 Sustainable design and construction in the London Plan (2011).

### **Waste Management:**

23. The Development shall not be occupied until a Waste Management Plan has been submitted to and approved in writing by the local planning authority. The measures shall be in general accordance with the Transport Statement dated April 2015 prepared by TTP Consulting. The approved waste management plan shall thereafter be retained and maintained in perpetuity.

**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).

**Overlooking:**

24. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the windows to be installed in the on the rear west elevation of the building hereby approved shall be fitted as obscure glazed and retained in perpetuity.
25. **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).

**Use of flat roofs**

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

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

**Wheelchair Housing:**

27. (a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified in the schedule below:

Unit reference number	Approved Document M (2015) Access Requirement	Dwelling type
Flats 1-12	M4(2)	Accessible and

		adaptable
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(b) No development above ground level shall commence until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).

(c) The development shall be carried out in accordance with the details approved under part (b).

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

**INFORMATIVES**

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

(B) The applicant is advised that some conditions require details to be submitted prior to the commencement of works as they seek to manage the impact of the construction works and mitigate land contamination and secure design details, including of materials which are needed before works commence.

**10.3 RECOMMENDATION (C)**

Upon the completion of a satisfactory Section 106 pursuant to recommendation A, in relation to the matters set out above, authorise the Head of Planning to Grant Permission for site B under DC/15/92724 subject to the following conditions:-

**Full Planning Permission Time Limit**

27. 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.

**Develop in Accordance with Approved Plan**

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

P1-00-002 Rev 00; P1-00-101 Rev 00; P1-00-120 Rev 00; P1-00-300 Rev 00; P1-00-301 Rev 00; P1-00-302 Rev 00; P1-00-303 Rev 00; P1-00-320 Rev 00; P1-00-321 Rev 00; P1-00-322 Rev 00; P1-00-323 Rev 00; P2-00-050 Rev 00; P2-00-120 Rev 00; P2-00-121 Rev 00; P3 -21 - 001 Rev 00; P3 - 22 - 001 Rev 00; P7 – 20 – 010 Rev 00 Received 22 June 2015 P2-00-122 Rev 01; P2-00-123 Rev 01; P2-00-220 Rev 01; P2-00-221 Rev 01; P2-00-222 Rev 01; P2-00-223 Rev 01; P2-00-224 Rev 01; P2-00-320 Rev 01; P2-00-321 Rev 01; P2-00-323 Rev 01; P3 - 21- 001 Rev 01; P3 – 22 - 003 Rev 01; P3- 20-004 Rev 01 Received 10 November 2015

Planning Statement (June 2015, Indigo Planning); Transport Statement (April 2015, ttp Consulting); Construction Management Plan (April 2015, ttp Consulting); Daylight and Sunlight Assessment (September 2015, eb7); Extended Ecological Phase 1 Habitat Survey (September 2014, Greenguage); Code for Sustainable Homes Pre- Assessment Report (April 2015, Frankham Consultancy Group); Arboricultural Impact Assessment (March 2015, PJC Consulting); Energy Statement (April 2015, Frankham Consultancy Group); Phase 1 Ground Condition Assessment (March 2015, RSA Geotechnics LTD); Biodiversity report (September 2014, Greengage Environmental LLP)

**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.

**Protecting Residential Properties**

29. a. The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB L<sub>Amax</sub> (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
- b. Details of a sound insulation scheme complying with paragraph (a) of this condition shall be submitted to and approved in writing by the

local planning authority prior to construction of the above ground works.

c. The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

**Reason:** To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration, DM Policy 31 Alterations and extensions to existing buildings including residential extensions, 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).

### **Surface Water**

30. A scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions shall be implemented in accordance with the recommendations contained within the submitted Code for Sustainable Homes Pre-assessment Report, dated April 2015 prepared by Frankham Consultancy Group

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

### **Piling Operations**

31. a. No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority.

b. Details of any such operations must be submitted to and approved in writing by the local planning authority prior to commencement of development on site (excluding demolition of the existing buildings) and shall be accompanied by details of the relevant penetrative methods.

c. Any such work shall be carried out only in accordance with the details approved under part (b).

**Reason:** To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network and Development Management Local Plan (November 2014) DM Policy 28

Contaminated land.

### **Materials/Design Quality**

32. The detailed design and material samples of the windows, drainpipes and external doors/roof coverings to be used on the building have been submitted and the cladding have been shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. 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.

### **Architectural Details**

33. a. Notwithstanding the details hereby approved, detailed plans at a scale of 1:20 showing detail of the balconies shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

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 Urban Design for Lewisham Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban Design and Local Character.

### **Sample Brickwork**

34. A sample panel of the proposed brick including proposed mortar and pointing work shall be built on site (using the proposed materials hereby approved), and shall be approved in writing by the local planning authority prior to construction of the above ground works.

The development shall only 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 Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

### **Construction Logistics Plan**

35. a. 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:
- iv. Rationalise travel and traffic routes to and from the site.
  - v. 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.
  - vi. Measures to deal with safe pedestrian movement.
- b. The measures specified in the approved details shall be implemented prior to the 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).

### **Cycle Provision**

36. (a) Eight secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved refs. P2-00-120-00 and P7-20-010-00
- (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).

### **Soft Landscaping**

37. 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 Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

### **Bird/Bat Boxes**

38. Details of the number and location of the bird/bat boxes to be provided, as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

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

### **External Lighting**

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

### **Reason**

In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and

to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

### **Plumbing or Pipes**

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

### **Reason**

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

### **Construction Deliveries and Hours**

41. No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

### **Reason:**

In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with 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).

### **Operation of Machinery**

42. No machinery shall be operated on the premises before 8 am or after 6 pm on weekdays, or before 8 am or after 1 pm on Saturdays, nor at any time on Sundays or Public Holidays.

### **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, DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

### **Land Contamination**

43. (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-

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

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

(iii) The required remediation scheme implemented in full.

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

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

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

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

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination as detailed in the Ground Investigation Report (March 2015, RSA Geotechnics Ltd) is identified and remedied in view of the historical uses of the site, details which may have included industrial processes and to comply with DM Policy

28 Contaminated Land of the Development Management Local Plan (November 2014).

**Refuse Storage**

44. (a) Details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(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).

**Boundary treatments**

45. (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).

**Window Reveals**

46. All window and door openings shall be constructed with minimum 160mm deep external reveals.

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

### **Trees**

47. None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority

**Reason:** To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and policies DM 25 Landscaping and trees and 30 Urban design and local character of the Development Management Local Plan (November 2014).

### **Energy**

48. The development hereby approved shall not be carried out other than in strict accordance with the Energy Strategy prepared by Frankham Consultancy Group dated April 2015 including the 19% Carbon Dioxide Emissions Savings relative to 2013 Part L Building Regulations.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions and 5.3 Sustainable design and construction in the London Plan (2011).

### **Waste Management Plan**

49. The development shall not be occupied until a Waste Management Plan has been submitted to and approved in writing by the local planning authority. The measures shall be in general accordance with the Transport Statement dated April 2015 prepared by TTP. The approved waste management plan shall thereafter be retained and maintained in perpetuity.

**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).

50. Details of the proposed refuse enclosure for flats at 9-26 Millbank Way which is located to the south west corner of the of the subject site hereby approved shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

**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).

**Use of flat roofs**

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

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

**Wheelchair Housing**

52. (a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified in the schedule below:

Unit reference number	Approved Document M (2015) Access Requirement	Dwelling type
Flat 13	M4(3)(2)(b)	Wheelchair user (on completion)
Flat14, Maisonette15, Maisonette16,	M4(2)	Accessible and adaptable

b) No development above ground level shall commence until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).

(d) The development shall be carried out in accordance with the details approved under part (b).

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

space standards of the Development Management Local Plan (November 2014).

### **INFORMATIVES**

- (A) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (B) The applicant is advised that some conditions require details to be submitted prior to the commencement of works as they seek to manage the impact of the construction works and mitigate land contamination and secure design details, including of materials which are needed before works commence.

### **10.4 RECOMMENDATION (D)**

Upon the completion of a satisfactory Section 106 pursuant to recommendation A, in relation to the matters set out above, authorise the Head of Planning to Grant Permission for site C under DC 15/92707 subject to the following conditions:-

#### **Full Planning Permission Time Limit**

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.

#### **Develop in Accordance with Approved Plan**

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

P1- 00- 003 Rev 00; P1-00-102 Rev 00; P1-00-300 Rev 00; P1-00-301 Rev 00; P1-00-330 Rev 00; P1-00-331 Rev 00; P1-00-332 Rev 00; P1-00-333 Rev 00; P2-00-050 Rev 00; P2-00-130 Rev 00; P2 -00 - 131 Rev 00; P3 - 22 - 001 Rev 00; P7 – 20 – 010 Rev 00; P2-00-230 Rev 00; P2-00-231 Rev 00; P2-00-330 Rev 00; P2-00-330 Rev 00; P2-00-331Rev 00; P2-00-332 Rev 00; P2-00-333 Rev 00; P3 -21 - 001 Rev 00; P3 - 22 - 001 Rev 00 Received 22 June 2015; P2-00-323 Rev 01; P3 - 21- 001 Rev 01; P3 – 22 - 003 Rev 01; P3- 20-004 Rev 01 P2-00-102 Rev 01; P3- 20-004 Rev 01 Received 10 November 2015

Planning Statement (June 2015, Indigo Planning); Transport Statement (April 2015, ttp Consulting); Construction Management Plan (April 2015, ttp Consulting); Daylight and Sunlight Assessment (September 2015, eb7); Extended Ecological Phase 1 Habitat Survey (September 2014, Greenguage); Code for Sustainable Homes Pre- Assessment Report (April 2015, Frankham Consultancy Group); Arboricultural Impact Assessment (March 2015, PJC Consulting); Energy Statement (April 2015, Frankham Consultancy Group); Phase 1 Ground Condition Assessment (March 2015, RSA Geotechnics LTD); Biodiversity report (September 2014, Greengage Environmental LLP)

**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.

### **Materials/Design Quality**

3. A detailed schedule of all external materials and finishes, windows and external doors and roof coverings to be used on the building have been submitted to and approved in writing by the local planning authority prior to construction of the above ground works. 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.

### **Construction Logistics Plan**

4. a. 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:
  - 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 vehicle activity.
  - iii. Measures to deal with safe pedestrian movement.
- b. The measures specified in the approved details shall be implemented prior to the 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).

### **Cycle Provision**

5. (a) Two secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved ref. P2-00-130-00 and P7-20-010-00.

(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).

### **Soft Landscaping**

6. (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 Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

### **Plumbing or Pipes**

7. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or

modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the buildings.

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

### **Construction Deliveries and Hours**

8. No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

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

### **Operation of Machinery**

9. No machinery shall be operated on the premises before 8 am or after 6 pm on weekdays, or before 8 am or after 1 pm on Saturdays, nor at any time on Sundays or Public Holidays.

**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, DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

### **Land Contamination**

10. (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-

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

- (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for

contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.

(iii) The required remediation scheme implemented in full.

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

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

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

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

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination as detailed in the Ground Investment Report (March 2015, RSA Geotechnics Ltd is identified and remedied in view of the historical uses of the site, details which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

### **Refuse Storage**

11. (a) Details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved, shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(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).

### **Boundary treatments**

12. (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).

### **External Reveals**

13. All window and door openings shall be constructed with minimum **160** mm deep external reveals

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

### **Permitted Development**

14. No extensions or alterations to the building 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).

### **Permitted Development**

15. 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 the 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 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

**Waste storage:**

16. Details of the proposed refuse enclosure for flats at 35 Cambridge Drive hereby approved shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

**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).

**Wheelchair Housing:**

17. (a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified in the schedule below:

<b>Unit number</b>	<b>reference</b>	<b>Approved Document M (2015) Access Requirement</b>	<b>Dwelling type</b>
Accessible 17	Bungalow	M4(3)(2)(b)	Wheelchair user (on completion)

- (b) No development above ground level shall commence until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).

(c) The development shall be carried out in accordance with the details approved under part (b).

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

### **INFORMATIVES**

- (A) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (B) The applicant is advised that some conditions require details to be submitted prior to the commencement of works as they seek to manage the impact of the construction works and mitigate land contamination and secure design details, including of materials which are needed before works commence.

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# Site B, Lee Green Estate, SE12



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

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Committee	PLANNING COMMITTEE C	
Report Title	WOODSTOCK COURT, BURNT ASH HILL, LONDON, SE12 9HT	
Ward	LEE GREEN	
Contributors	LUKE MANNIX	
Class	PART 1	11 AUGUST 2016

Reg. Nos. DC/15/94702

Application dated 04.12.2015

Applicant HFBT Architects [on behalf of Mr Martin]

Proposal The demolition of existing garages and stores and the construction of 8 three bedroom part two/part three storey dwellings on land to the rear of Woodstock Court, Burnt Ash Hill SE12, together with alterations to the internal vehicle access and the provision of on-site parking, communal and private landscaping, commercial and residential refuse storage and cycle parking

Applicant's Plan Nos. PL-1000; EX 1001; EX 1002; EX 1003; PL-1102; PL-1103; PL-1104; PL-1110; PL-1111; PL-1112; PL-1113; PL-1114; Design and Access Statement; Transport Statement; Daylight and Sunlight Study (received 4th December 2015); PL-1001; PL-1100; PL-1101 (received 20th June 2016); Arboricultural Method Statement (received 28th June 2016); PL-1120 (received 14th July 2016)

Background Papers (1) Case File LE/365/A/TP  
(2) Local Development Framework Documents  
(3) The London Plan

Designation None

Screening N/A

**1.0 Property/Site Description**

- 1.1 The application relates to an area of land to the rear of Woodstock Court, Burnt Ash Hill. The land contains garages for vehicle and private storage ancillary to the residential units, vehicle manoeuvring area and open amenity space.
- 1.2 Woodstock Court is a mixed use inter war building consisting of ground floor commercial units with residential above. The surrounding area has a mixed typology, including the shopping parade along Burnt Ash Hill, Our Lady of Lourdes Roman Catholic Church to the south and suburban semi-detached dwellings to the east.
- 1.3 The site is not located in a Conservation Area and is not a listed building.

- 1.4 The site, as well as containing garages and hard landscaping for vehicle movement, also contains a number of mature lime trees along the eastern boundary, as well as along the access roads. These trees are considered to be of moderate value providing beneficial amenity and screening. The site also contains smaller trees which are of low to no value. The site's topography slopes gently up from north to south.
- 1.5 The site has a PTAL value of 3, based on a scale of 0-6b with 6b being highest. The site has access from both Woodyates Road and Burnt Ash Hill and in the past has been used for informal parking, however it is understood that this has been reduced as the owner has clamped down on unauthorised parking.

## **2.0 Planning History**

- 2.1 No relevant history.

## **3.0 Current Planning Applications**

### The Proposal

- 3.1 Planning permission is sought for the demolition of the existing garages and storage units at land to the rear of Woodstock Court and the construction of 8 three bedroom dwellings.
- 3.2 The dwellings would be three storeys in height with pitched roofs which follows the topography of the site (i.e. the northern dwellings are lower than the southern dwellings). The height of the buildings would be 9.7m in total and 8.4m high at the eaves. The building lines and upper floor massing would be staggered to provide entrances and amenity space.
- 3.3 The proposed materials would include Danehill Yellow brick plinth on the ground floor with natural slate tiles at the upper floors. The windows would be double glazed with aluminium PPC frame finished with RAL 7005. The ground and upper floor amenity would be bordered with PPC black metal railings and timber board fencing.
- 3.4 The scheme would utilise the existing access points from Woodyates Road and Burnt Ash Hill. Re-landscaping of the site would include a new internal road to allow vehicle movement and provide car parking. Areas of soft amenity space would be provided to the rear of the buildings as private amenity for the new dwellings as well as to the rear of Woodstock Court for communal amenity. Private amenity space would also be provided for the ground floor units at Woodstock Court.
- 3.5 Bin and bicycle stores would be located to the front of the proposed buildings. In addition, two new stores for the commercial and residential units would be provided to the rear of Woodstock Court. The refuse would be collected by refuse vehicles who would enter and exit the site from the Woodyates Road entrance.

### Supporting Documents

- a) *Design and Access Statement*

3.6 Prepared by HFBT Architects dated November 2015. The document details the site context and the design approach following pre-application meetings and consultation with the nearby properties.

*b) Daylight and Sunlight Study*

3.7 Prepared by Right of Light Consulting dated 12 December 2014. The study assesses the impact of the proposed development on neighbouring properties using the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'

*c) Transport Statement*

3.8 Prepared by ttp consulting dated December 2015. The statement assesses the impact of the development on the highway, including parking and refuse collection, and advises the design of the internal road to comply with relevant vehicle movements.

*d) Construction Method Statement/Logistics Plan*

3.9 Dated November 2015, the document details the safety and amenity protection measures implemented on site during demolition and construction.

*e) Arboricultural Method Statement*

3.10 Prepared by Treework & Environmental Practice dated 23<sup>rd</sup> May 2016. It includes a tree survey with an assessment of tree quality and tree protection measures.

**4.0 Pre-Application Discussions**

4.1 The applicant approached the Council for pre-application advice regarding a proposal on the site in 2014. A response was issued within a letter dated 6<sup>th</sup> August 2014.

4.2 This proposal involved the construction of 9 three bedroom houses within a terrace row. The layout of the buildings was different in that the dwelling entrances faced away from Woodstock Court with private amenity space backing towards the ground floor retail units. The access road remain essentially as existing, running along the eastern edge of the site.

4.3 Officers considered that the principle of the development was acceptable. However, it was considered to create an awkward relationship with the existing units given they back onto the existing amenity space, creating poor frontage for the existing units. It was also considered that the layout adversely impacted on the amenities of the nearest units. Finally concerns were raised over the safety of pedestrians given the likely conflict between pedestrians and vehicles.

**5.0 Consultation**

5.1 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.

5.2 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors.

#### Written Responses received from Local Residents and Organisations

5.3 Five letters of objection were received and one raising comments from residents along Pitfold Road and Woodstock Court. The following concerns were raised:-

- The garages are not redundant and therefore impacts on the benefit they provide;
- The density is too great, which adversely impacts on the amenity space and reduces the amenity for existing residents in Woodstock Court;
- Design is out of keeping with the character of the area;
- There is no benefit from affordable housing;
- The proposed development would have an adverse impact on the adjoining highway network through the need for parking;
- The internal access does not allow refuse or emergency vehicle movement;
- Negative impact on the adjoining properties along Pitfold Road in terms of loss of privacy, loss of light, loss of views, visually overbearing and noise and pollution together with construction impacts;
- Loss of greenspace with negative impacts on the biodiversity of the area and on the existing mature trees on site.

5.4 Letters are available for members to view.

#### Tree Officer

5.5 The site contains a number of important trees along the eastern boundary and the access roads. There are significant concerns that the proposed building works, including vehicle movement along Burnt Ash Hill, would adversely impact on the root system of these trees and therefore an arboricultural study should be undertaken.

5.6 Following these comments, an Arboricultural Method Statement was prepared and submitted to officers. The tree officer has seen the statement and raised no objections.

#### Highways and Transportation

5.7 No objections were received. Should planning permission be approved, relevant conditions should be added in relation to parking management plan, construction management plan, refuse and details of the internal road access.

## **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 On 14 March 2016 the London Plan with updates to incorporate the Housing Standards and Parking Standards Minor Alterations was adopted. The policies relevant to this application are:

Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing developments  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.13 Parking  
Policy 7.6 Architecture

### London Plan Supplementary Planning Guidance (SPG)

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

Housing (2016)

#### Core Strategy

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

Spatial Policy 1 Lewisham Spatial Strategy  
Spatial Policy 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

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

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

DM Policy 25	Landscaping and trees
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

## **7.0 Planning Considerations**

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

- a) Principle of Development
- b) Design
- c) Housing
- d) Highways and Traffic Issues
- e) Impact on Adjoining Properties
- f) Sustainability and Energy
- g) Ecology and Landscaping

### Principle of Development

- 7.2 Housing is a priority within London, as recognised within the Borough housing targets of Policy 3.3 of the London Plan.
- 7.3 Lewisham has an annual target of 1,385 new homes per year. Spatial Policy 1 of the Core Strategy highlights that the majority of the new housing will be located within areas of regeneration such as Lewisham, Catford, Deptford and New Cross. However it is also considered that Areas of Stability and Managed Change will deliver approximately 14% of the Borough's housing requirement, including through infill development were appropriate.
- 7.4 The Council will also aim to meet the housing need of the Borough through the encouraging the provision of specific unit mixes and types. The Lewisham Strategic Housing Market Assessment (SHMA), which is used as an evidence base for the Core Strategy, highlights a need for family housing, which is defined as units with three or more bedrooms.
- 7.5 Taking into account the provision of family housing and the location, it is considered that the proposed development is in general consistent with the strategic vision of the Council's LDF.
- 7.6 It is noted that an objection raised the lack of benefit to the Borough in terms of affordable housing. Officers note that the proposal does not constitute more than 10 new dwellings, nor is it considered that the site is capable of providing 10 dwellings on the site. Therefore it is not considered to trigger the requirement for affordable housing as per Policy 1 of the Core Strategy. In any sense, this does not reduce the benefits of the provision of larger housing to the Borough.
- 7.7 The site is currently used as a mixture of garages, hard landscaping for vehicle movement, parking, servicing and refuse collection as well as communal amenity space. Under Part D of DM Policy 33, new development should retain adequate amenity space for the existing development.
- 7.8 The existing amenity space consists of 1880 sqm of lawn, as well as small planting. It is separated by an access road to a small brick building, which is presumed to be a substation, and bordered by the garages and vehicle movement space littered with refuse bins. It should also be taken into consideration the location of three parks which would be more suitable as amenity space within 15 minutes walk of the site. Therefore, whilst the amenity space is large in area, it is not considered to be of significant amenity value to the existing residents.

- 7.9 As a result of the proposed development, the amenity space would be reduced to 234 sqm of communal amenity space. It is also noted the private amenity space is also provided to the existing ground floor units. Officers acknowledge that there would be a reduction in amenity space available, however the development has the opportunity to improve the communal amenity space through appropriate landscaping, which is discussed later in the report.
- 7.10 Therefore, given the current nature of the area as well as improvements through landscaping, together with the benefits of providing family housing, it is considered that the development of the amenity space for the purposes of residential is acceptable.
- 7.11 Notwithstanding this, it is considered that development on infill, backland, back garden and amenity sites should meet the general and detailed design principles of DM Policy 33. This is in addition to the other design implications assessed against DM Policy 30 and 32 as well as an assessment of the development's impact on highways, neighbouring properties and ecology. These are detailed further below.

### Design

- 7.12 Good design is listed as a core planning principle within the NPPF and therefore Core Strategy Policy 15, DM Policy 30 and DM Policy 33 requires all new development to meet the highest quality design standard.
- 7.13 DM Policy 30 goes on to outline detailed design issues under Part 5 and states that an adequate response to these matters will be required in planning applications to demonstrate the required site specific design response, including:-
- the creation of a positive relationship to the existing townscape, natural landscape, open spaces and topography to preserve and / or create an urban form which contributes to local distinctiveness such as plot widths, building features and uses, roofscape, open space and views, panoramas and vistas including those identified in the London Plan, taking all available opportunities for enhancement;
  - the clear delineation of public routes by new building frontages, with convenient, safe and welcoming pedestrian routes to local facilities and the public transport network, including meeting the needs of less mobile people and people with young children;
  - the quality and durability of building materials and their sensitive use in relation to the context of the development. Materials used should be high quality and either match or complement existing development, and the reasons for the choice of materials should be clearly justified in relation to the existing built context
- 7.14 DM Policy 33 defines infill, backland, back garden and amenity sites under paragraph 2.251, however it goes on to state that in certain instances a site will not fit squarely into one of these definitions. In these circumstances, principles will be taken from the appropriate parts of the policy.
- 7.15 The subject site is not directly accessible by a publicly maintained highway, however access is gained from existing private roads from Woodyates Road and

Burnt Ash Hill. The site is occupied by garages and vehicle movement area, which is also used to store refuse bins and communal garden space for the residents of Woodstock Court. The amenity space is not considered to be for private use and therefore is not a backgarden.

- 7.16 Taking into account the above, the site is considered to be either a backland or amenity site as defined under paragraph 2.251. Therefore the development should be assessed against the principles of Part B and D of DM Policy 33. This includes how proposed development would repair or re-provide active street frontages and increase natural surveillance.
- 7.17 It should also be noted that under Part B of DM Policy 33, gated development would be resisted in order to promote the permeability of development and allow the integration of the site within the neighbourhood. Therefore security should be maintained through design. New development should also not result in a loss of security to adjacent dwellings.
- 7.18 The site is to the rear of Woodstock Court, which is a the three storey building with a pitched roof. To the rear of the site are two storey semi-detached dwellings fronting Pitfold Road, which also have pitched roofs. These dwellings are separated from the site by 27m-34m deep rear gardens. The site has limited visibility from the public realm, with small views between the semi-detached dwellings and from the Woodyates Road entrance.
- 7.19 The proposed development would be a mix of two and three storeys, with the two storey elements having a flat roof with terraces and the three storey element having pitched roofs. The building would be 9.7m high at its highest point and 8.4m high at the eaves. However it should be noted that the buildings, at their highest point, would not be higher than the eaves of Woodstock Court.
- 7.20 The proposed materials would include Danehill Yellow brick on the ground floor with natural slate to the upper floors and roof. The windows would be made of aluminium and, on the eastern elevation, would be spread over the ground and first floors and, on the western elevation, would be spread over all the floors. Windows would also be located on the northern elevation overlooking the Woodyates Road entrance.
- 7.21 Taking into account the low visibility of the site from the public realm, it is unlikely that the scale of the proposed development would have an adverse impact on the character of the area. In addition, the development would be subservient to the existing development at Woodstock Court. Therefore the scale of the development is considered to be appropriate within the context of the existing development.
- 7.22 The proposed use of brick on the lower ground level and tiles above is considered to be appropriate in principle given these are predominate materials in the area. It is noted that there are a limited number of windows in the front and rear elevation and this is considered to impact on the visual interest of the building. However, given the addition of further windows would adversely effect privacy of the backland site, coupled with the site's low visibility, this is considered to be acceptable.
- 7.23 Overall, the materials and contemporary design is considered to be appropriate. Notwithstanding this, materials should be submitted to ensure they are of the

highest quality before the commencement of development. This should be secured through condition.

- 7.24 The building layout shows the proposed development facing onto the communal amenity space and the internal road. It is also noted that there are some windows in the northern elevation to overlook the Woodyates Road entrance. Taking this into account, it is considered that the proposal provides suitable surveillance of the communal and publicly accessible spaces as outlined in DM Policy 33.
- 7.25 It should be noted that the proposal originally included security gates in the entrances from Woodyates Road and Burnt Ash Hill. Considering gated development would not be appropriate these were removed from the proposed development. In order to ensure these routes remain open, a condition securing this should be added.
- 7.26 In summary, officers consider that the design of the scheme is acceptable within the context of the backland/amenity site whilst not adversely impacting on the provision of amenity for existing residents.

### Housing

- 7.27 DM Policy 33 states that new development should provide appropriate internal amenities for future residents in line with DM Policy 32, which in turn utilises the standards of the London Plan. The Council also utilises the technical housing standards which is in line with the London Plan Housing SPG.
- 7.28 The scheme proposes eight 3b5p units set over three storeys. According to the technical housing standards, the minimum internal floorspace should be 99 sqm. In addition to this, built in storage should be 2.5 sqm. Finally, double bedrooms should be 11.5 sqm in area and 2.75m wide and single bedrooms should be 7.5 sqm in area and 2.15m wide.
- 7.29 The proposed floorplan of each residential unit follows a single template. Officers calculate the internal floor area to be 107 sqm, which meets the minimum requirement. In addition, the individual rooms meets the requirements of the housing standards.
- 7.30 The technical housing standards also state that the floor to ceiling heights should be a minimum 2.3m over 75% of the internal floor area. However, the London Plan strongly recommends a floor to ceiling height of 2.5m to account for London's heat island effect and provide appropriate amenities.
- 7.31 The applicant has provided proposed sections which show compliance with the London Plan and Technical Housing Standards.
- 7.32 DM Policy 32 and the London Plan expects new residential development to be dual aspect with appropriate room layout to provide adequate sunlight/daylight, privacy, outlook and ventilation.
- 7.33 The living rooms of the proposed dwellings are located on the ground floor, with windows located in the east elevation leading to the rear yards. Given the staggered nature of the floorplans, half of the units also have windows in the west elevation opening onto front gardens. The first floors contains bedrooms, with

windows in the east and west elevation, whilst the top floor has the main bedroom with openings onto the side terrace.

- 7.34 The proposed development would be dual aspect, as well as providing adequate natural ventilation through the openings. Furthermore, given the distance from other habitable windows, the privacy into the proposed rooms is considered to be acceptable. Finally, given the opening aspect and the distance from large structures, the units are considered to have suitable daylight/sunlight.
- 7.35 However, it is noted that half the living room windows in the east elevation are 4m from the boundary wall and the other half are enclosed either side by the three storey side elevation 4m deep. This is considered to affect the outlook and create a sense of enclosure from these rooms.
- 7.36 Whilst the outlook from these rooms are not ideal, when considered in connection with the remaining openings the level of outlook from the dwellings is deemed to be acceptable.
- 7.37 It is also noted that the main bedroom openings on the top floor look onto the terraces, which in some cases are 3.1m from the adjoining wall, and are north facing. Whilst this would impact on outlook and light, given the nature of the rooms as bedrooms, it is not considered to be unacceptable.
- 7.38 DM Policy 32 states new residential development should be provided with a readily accessible, secure, private and usable external space and include space suitable for children's play.
- 7.39 The proposed units would have private gardens provided to the rear. In addition, half of the units would be provided with gardens to the front as well. Finally, on the upper floor, the proposed development would include terraces to the side.
- 7.40 Officers consider that the amount of private open space is acceptable for future residents. In addition, it is considered to be appropriate in terms of light and privacy and suitable for family units.
- 7.41 Overall officers consider the standard of accommodation for the proposed units to be acceptable.

#### Highways and Traffic Issues

##### a) Access

- 7.42 DM Policy 33 states that new development in backland sites will only be permitted where a proper means of access and servicing which is convenient and safe both for drivers and pedestrians.
- 7.43 The proposed development would utilise the existing access points from Woodyates Road and Burnt Ash Hill. However, the current internal road would be removed and the surface upgraded to include shared surfacing for both pedestrian and vehicle use. The proposed road would be one-way, with the exception of emergency vehicles and refuse vehicles which could not exit using the Burnt Ash Hill egress point.

- 7.44 No details of the landscaping have been proposed showing the shared scheme. However, the Transport Statement included swept paths in Appendix E which showed access points could safely incorporate vehicle movement with space for pedestrian access.
- 7.45 Therefore, whilst the details have not been provided, it is considered that the principle of the access is acceptable. This shared surface should be included in a hard landscaping scheme which can be secured through condition. Any landscaping should include measures to ensure safe vehicle speeds and pedestrian movements, including speed humps and pedestrian crossings.
- 7.46 Refuse is intended to be collected by Council waste contractors utilising the internal road. The transport statement shows swept paths which outlines that refuse vehicles can utilise the access point and the internal road without issue. However, the vehicle would have to turn and leave via the access point, which would be against the one way system, which may impact on vehicle movement.
- 7.47 Officers have encouraged the applicant to find other means of refuse collection, including a management system of temporarily locating the refuse to Woodyates Road or Burnt Ash Hill however it is acknowledged that this would not be possible for a scheme of this size. In addition, without provision of refuse for existing residents and commercial units to the rear, it is likely that refuse could be stored along Burnt Ash Hill, which would not be acceptable.
- 7.48 Therefore, officers acknowledge that the system of refuse vehicles entering and exiting from Woodyates Road is the appropriate option. Moreover, it is considered that, taking into account the infrequent vehicle trips of refuse collection vehicles, this would not have a significant impact on other vehicle movements in the development. Signage would be secured as part of the Parking Management Plan regarding refuse vehicle movement to ensure that there would not be any conflict with other vehicle movements. Overall, therefore the refuse scheme is considered acceptable.
- 7.49 It is understood that the current road is not used for servicing of the ground floor commercial units. Notwithstanding this, a condition should be added restricting the use of the internal road from use by commercial servicing vehicles.
- 7.50 Therefore officers consider that the access and egress points proposed provide an appropriate means of access which is safe for pedestrians and vehicles.

*b) Car Parking*

- 7.51 The NPPF states that transport policies play an important role in meeting sustainable development through the promotion of sustainable modes of transporting.
- 7.52 In line with this, the London Plan seeks to find a balance between promoting sustainable modes of transport and preventing the provision of excessive vehicle parking which can undermine cycling, walking and public transport. With this in mind, new development should provide parking in line with the maximum standards in Table 6.2 of the Addendum to Chapter 6.
- 7.53 The Council also takes a restricted approach to car parking, with Core Strategy Policy 14 referencing the standards of the London Plan.

- 7.54 Under Table 6.2, new residential development formed of three bedroom dwellings should provide 1.5 parking spaces per dwelling. Therefore, for the eight proposed dwellings, a maximum of 12 parking spaces should be provided.
- 7.55 The proposed development would include one parking space to the front of each new dwelling. In addition, 17 parking spaces are provided around the edge of the access road. However these spaces are to be re-provided for the existing residents of Woodstock Court and not for any new dwelling.
- 7.56 Whilst 25 car parking spaces are proposed, only 8 would be allocated to the new dwellings. This is considered to be in line with the London Plan.
- 7.57 Officers consider that, in order to ensure the parking provided is appropriately allocated, a parking management plan should be submitted for assessment. This should also look at improving the existing informal parking along the access road from Burnt Ash Hill. This should be secured through condition.
- 7.58 The London Plan states that 20% of all spaces must be for electric vehicles with an additional 20% passive provision for electric vehicles in the future. This is to ensure the scheme incorporates sustainable private vehicles and reduce air quality impacts from the development.
- 7.59 No details of this has been shown, however officers consider that this should be conditioned to ensure compliance.
- 7.60 Overall, the level of car parking is considered to be in line with the transport policy.

*c) Cycle Parking*

- 7.61 In order to promote sustainable transport modes, the new dwellings should be provided with cycle parking in line with the London Plan. For 3 bedroom units, 2 cycle parking spaces should be provided.
- 7.62 Each proposed unit has two cycle parking sheds provided to the front of the dwellings. Therefore the level of cycle parking is considered to be acceptable.

*d) Refuse and Servicing*

- 7.63 Refuse storage is located to the front of each dwelling. Each storage unit has capacity shown for two wheelie bins. In addition to this, two storage units are shown for the residents and commercial units of Woodstock Court which are 25 sqm and 30 sqm respectively. In terms of capacity and location, officers consider that the refuse scheme is acceptable. Access by refuse vehicles is discussed above.

*e) Other*

- 7.64 The proposed development, given its proximity to existing residential units and the constrained nature of the site, has the ability to result in adverse impacts from construction works.
- 7.65 The application includes a Construction Method Statement/Logistics Plan, however this is not considered to cover matters such as dust suppression, noise

reduction measures, vehicle movement plans or number and type of vehicles for instance.

- 7.66 Therefore officers consider that the plan is not acceptable in mitigating any adverse impact. However, officers consider that a condition can adequately address these issues.

#### Impact on Adjoining Properties

- 7.67 DM Policy 33 states that development of both backland and amenity sites will only be permitted where they provide no significant loss of privacy and amenity, and no loss of security for adjoining residential development and private back gardens.
- 7.68 The proposed development would be part two/part three storeys in height. It would be situated 12m-13m from the northern arm of Woodstock Court, 13m-14m from the southern arm of Woodstock Court and 23m from the main building of Woodstock Court. In addition, the building would be 12m from the rear elevation of 6 Woodyates Road and between 28-38m from the rear elevation of 4-12 Pitfold Road. The building would be four metres from the boundary of 6 Woodyates Road and 4-12 Pitfold Road.
- 7.69 Objections have been received in relation to loss of light to the residents of Pitfold Road. There is also the possibility that the development could adversely impact on light into the windows of Woodstock Court and 6-14 Woodyates Road.
- 7.70 The applicant has submitted a daylight/sunlight study which takes into consideration the main habitable windows and garden areas in the area. This is assessed against the BRE guide standards, including tests of daylight through Visible Sky Component (VSC) and daylight distribution, sunlight availability to windows and overshadowing to gardens and amenity space. The findings are shown in the appendices of the study.
- 7.71 The study finds that in terms of daylight, the only windows that would be affected are along the ground and first floor of Woodstock Court, in particular the northern and southern section of the building. The study then asserts that the VSC to the windows are already limited given the design of the building with balconies above. In line with the BRE guide, the windows are then assessed if the balconies are not in place. The results show that the windows would otherwise meet the standards and therefore it is concluded that the impact is acceptable. No adverse impact to daylight is shown for residents along Pitfold and Woodyates Road.
- 7.72 In terms of sunlight, the study again shows that the windows most impacted are the nearest windows in Woodstock Court. These windows are noted as being significantly impacted to an extent that the level of direct sunlight is already below the recommended standard shown in the BRE guide. The reduction shown as a result of the proposed development is not significant to completely remove sunlight from these windows. The study also shows that there would be some reduction to 6 Woodyates Road, however this would not reduce the level below the recommended standards. Again, there is no adverse reduction shown to the windows along Pitfold Road in terms of sunlight.
- 7.73 The study shows that the proposed development would not result in a reduction of sunlight to the private gardens of dwellings along Pitfold Road and Woodyates

Road, nor significant reductions of sunlight to the amenity space of Woodstock Court beyond the established level.

- 7.74 Officers have given regard to the findings of the report and consider them to be accurate. Taking into account the established impact on the windows of the lower floors of Woodstock Court, the proposed development would not result in a significant increase in loss of daylight. Furthermore, taking into account the distance of the development from the nearest windows at Pitfold Road and Woodyates Road, together with the significant depth of the garden, the amount of daylight and sunlight into dwellings and gardens is considered to be acceptable.
- 7.75 Therefore officers consider that there is no significant adverse impact in terms of loss of light to neighbouring properties.
- 7.76 In terms of privacy, the policy justification of DM Policy 32 recommends a distance of 21m between habitable windows as a general rule.
- 7.77 Habitable windows would be located primarily in the east and west elevation, which is more than 21m from the nearest habitable window. Windows would also be located in the north elevation, however this would overlook the entrance from Woodyates Road and not any habitable window. Therefore officers do not consider that the proposed development would adversely impact the privacy of nearby dwellings.
- 7.78 It is noted that the proposed windows, as well as the proposed terraces, would overlook the rear gardens of 2-12 Pitfold Road which is only 4m away. Officers consider that this reduces the privacy of these gardens; however, given the nature of the garden use compared to private dwellings, it is considered that the impact is not significant enough to warrant a refusal.
- 7.79 Overall, officers consider that the level of overlooking from the proposed development would not have a significant adverse impact on the amenities of the residents.
- 7.80 In terms of impacts upon views, there are no protected views or vistas in the area and right to a view is not considered a planning matter. In terms of loss of outlook, officers consider that the separation between the proposed development and the nearest habitable windows is sufficient to not result in any significant impact.
- 7.81 Objections have been raised in relation to the visual impact on the neighbouring properties. Officers consider that the design of the building is of suitable quality, with the use of natural slate on the first and second floors to be appropriate in softening the building's appearance. In addition, the distance of separation from the main habitable windows is sufficient to ensure any impact on the visual amenities in terms of overbearing development is satisfactorily mitigated. Finally, a scheme of external lighting should be secured through condition and submitted for approval prior to the occupation of the units to ensure no adverse amenity impacts from lightspill.
- 7.82 Therefore there would be no adverse impact on the visual amenities of neighbouring residents.
- 7.83 In summary, officers consider that the impact of the proposed development on neighbouring properties is acceptable.

## Sustainability and Energy

- 7.84 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes from planning to be absorbed into Building Regulation requirements which will be introduced following an amendment to the Planning and Energy Act 2008. This is expected to take place later in 2016.
- 7.85 However, as an interim measure to require sustainability improvements on small scale schemes, Local Government Authority has the benefit of enforcing a Code for Sustainable Homes equivalent in terms of water and energy reduction. Specifically, these are:-
- a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and,
  - water efficiency measures to achieve a target of maximum 110 litres per person per day which includes a 5 litre allowance for external water use.
- 7.86 It is recommended that a condition be included securing this within the development.

## Ecology and Landscaping

- 7.87 The site consists of communal amenity space, garages and areas of tarmac for vehicle movement. The site is not designated for any ecological or biodiversity purposes. Furthermore, the site is located in a highly built up area. Therefore the likelihood for wildlife habitats is considered to be low.
- 7.88 Taking this into account, together with the minor nature of the scheme, it is not considered necessary to undertake any ecological survey or assessment of the developments impact on endangered species.
- 7.89 Notwithstanding this, the site does have a number of mature trees on site. An Arboricultural Method Statement has been prepared and includes a tree survey which identifies 40 trees on or near the site, 34 of which could potentially be impacted as a result of the proposed development. Of the 40 trees surveyed, 23 were classified as being of moderate value. These are located along the eastern boundary of the site, along the access road from Burnt Ash Hill and along Woodyates Road.
- 7.90 As a result of the proposed development, 10 trees would be removed. These trees are either of low value due to age or location or are unclassified as they are dead and decaying. Therefore the proposed development is not considered to adversely impact on any existing trees of significant amenity or landscape value.
- 7.91 Taking into account the importance of these trees to the amenity of the area, together with screening along the eastern boundary, officers consider it appropriate to place appropriate protection measures during the construction works.
- 7.92 The supporting statement also includes tree protection measures under Appendix D. Officers consider it appropriate to condition the document to secure the measures.

- 7.93 DM Policy 25 outlines that, where appropriate, development will be required to submit a Landscape Scheme, proportionate to the size of the development. Taking into account the proposal intends to reduce the existing communal amenity space as a result of the development, officers consider that this should be offset with appropriate landscaping for the amenity of existing and future residents. In addition, considering the appropriate delineation of routes for vehicle and pedestrian movement, hard landscaping would also need to be appropriate for the safety of users.
- 7.94 The scheme outlines the general layout of hard and soft landscaping, including the internal road, indicative location of trees, shrubs and lawn and boundary treatment. Whilst officers consider the principle of the landscaping, including the layout, acceptable, detailed information of tree locations, species, measurements or pit depths, hard landscaping materials, or maintenance and management strategies have not been submitted for assessment. Therefore officers cannot guarantee that the landscaping would be of appropriate quality or suitably maintained for the lifetime of the scheme.
- 7.95 However, officers consider that a condition which requires the submission of these details could appropriately deal with this matter. In addition, officers consider that other improvements can be added to the landscaping of the communal space, such as seating.
- 7.96 Overall, officers consider that the development would have an acceptable impact on ecology, trees and, with the submission of appropriate details, would provide appropriate amenity.

## **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, as well as the Lewisham local CIL, is therefore a material consideration. CIL is payable on this application 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 Officers consider that the principle of development of the part backland site/part amenity site for residential is acceptable. It is considered that the provision of family housing would be beneficial to the housing need of the Borough.

10.2 The site has limited views from the public realm, and officers consider that the modern appearance of the building and the proposed materials are appropriate in the context of the scheme. The proposed landscaping is appropriate in principle, however detailed matters would need to be agreed through condition to ensure it is successfully implemented.

10.3 The proposed standard of accommodation is considered to be in compliance with the relevant policy guidance.

10.4 The scheme would include a new access road within the development. Swept paths have been submitted with the application and show that the access points and internal road can incorporate safe vehicle movement and therefore it is considered to be sufficient to provide safe pedestrian and vehicle access.

10.5 The level of car and cycle parking is considered to be within the London Plan standards. Furthermore, through appropriate conditions, it is considered that the development would not have any adverse impact on the surrounding highway network.

10.6 Whilst there will be some impacts on the amenities of neighbouring properties, these are not considered to be so significant to be unacceptable.

10.7 The application has submitted evidence to ensure the scheme would be compliant in terms of sustainability as well as no adverse impacts on existing trees.

10.8 Therefore, officers have assessed the proposed development in light of the relevant policies and other material matters and consider it to be acceptable.

## **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:

PL-1000; EX 1001; EX 1002; EX 1003; PL-1102; PL-1103; PL-1104; PL-1110; PL-1111; PL-1112; PL-1113; PL-1114; Design and Access Statement; Transport Statement; Daylight and Sunlight Study (received 4th December 2015); PL-1001; PL-1100; PL-1101 (received 20th June 2016); Arboricultural Method Statement (received 28th June 2016); PL-1120 (received 14th July 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 related activity.
  - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2016).

- (4) (a) The development shall be constructed in those materials as submitted namely: Danehill Yellow brick, natural slate tiles, aluminium windows, timber doors and PPC metal railings.
- (b) Prior to the commencement of development, a sample panel of the brick and natural slate tiles shall be constructed on site and photographic evidence submitted to and approved in writing by the Local Planning Authority.
- (b) The scheme shall be carried out in full accordance with those details, as approved.

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

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

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2016), 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.

- (7) (a) No development shall commence on site until a Parking Management Plan, which includes (but is not limited to):-
- (i) signage and details of how parking areas are defined;
  - (ii) measures to deter informal parking; and,
  - (iii) monitoring and review systems.

has been submitted to and approved in writing by the local planning authority.

- (b) The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to in perpetuity.

**Reason:** To ensure satisfactory parking management and reduce the impact of parking activity in accordance with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction and Policy 6.3 Assessing effects of development on transport capacity of the London Plan (2016).

- (8) (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 Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

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

**Reason:** To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (2016), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

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

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

- (12) The development hereby approved shall not be occupied until the vehicular access and the whole of the car parking accommodation as shown on plans PL-1001 Rev A and PL-1101 Rev B has been constructed and shall be retained permanently thereafter.

**Reason:** In order to ensure that satisfactory means of access is provided and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan (November 2014) and Table 6.2 of the London Plan (2016).

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

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

- (14) None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority. The development shall be undertaken in accordance with the Tree Protection Plan (TPP) hereby approved within the Arboricultural Method Statement.

**Reason:** To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and policies DM 25 Landscaping and trees and 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (15) (a) A minimum of 16 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).

- (16) The buildings hereby approved shall be constructed in accordance with the approved Sustainability Statement in order to achieve the following requirements:
- a minimum 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and
  - a reduction in potable water demand to a maximum of 110 litres per person per day

**Reason:** To comply with Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (17) No vehicles, including construction vehicles, shall enter the site from Burnt Ash Hill. The access road hereby approved shall not be used for the servicing of the ground floor commercial units of Woodstock Court.

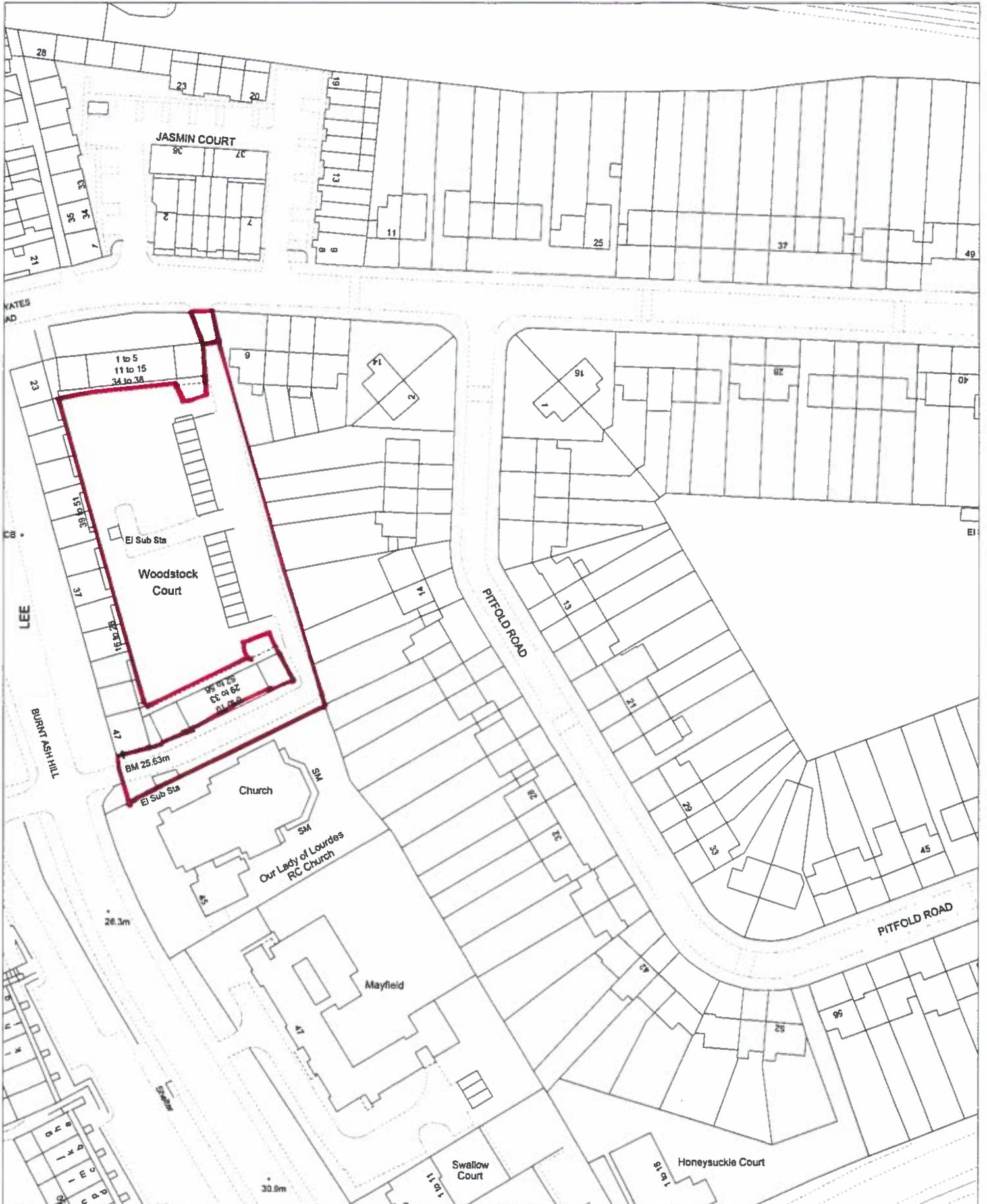
**Reason:** To ensure the proposed development does not result in any adverse movements on the site which may endanger residential users or cause adverse impacts on the surrounding highway network in compliance with DM Policy 33 Development of infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014) and Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

## **INFORMATIVES**

- (A) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (B) The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- (C) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: -
- <http://www.lewisham.gov.uk/myserVICES/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- (D) 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) The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- (F) The applicant is advised that Conditions 3 (Construction Management Plan), 4 (Materials), 5 (Refuse Storage), 6 (Hard Landscaping Scheme) and 7 (Parking Management Plan) require details to be submitted to the Council prior to the commencement of development, which includes demolition of the on site structures.

These details are required to ensure the design is of the highest quality and amenity and the surrounding highway network are not adversely effected as a result of the development prior to the commencement of development.

# Woodstock Court, SE12



Scale:1250

Base on the  
Ordnance Survey map  
Licence no:100017710  
London, SE8 4RU

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Committee	PLANNING COMMITTEE C	
Report Title	43 Greenland Mews, SE8 5JW	
Ward	Evelyn	
Contributors	Simon Vivers / Maeve Wylie	
Class	PART 1	3 May 2016

<u>Reg. Nos.</u>	DC/16/095640
<u>Application dated</u>	24/02/16
<u>Applicant</u>	Raziel Holdings Limited
<u>Proposal</u>	The construction of a second floor extension at 43 Greenland Mews SE8.
<u>Applicant's Plan Nos.</u>	2597/P/112 Rev E, 2597/P/101 Rev A, 2597/P/102 Rev A, 2597/P/111 Rev D, 2597/P/114 Rev A, 2597/P/115 Rev B, 2597/PH/01, Design & Access Statement
<u>Background Papers</u>	(1) Case File DE/460/43/TP (2) Core Strategy (Adopted June 2011) and Development Management Local Plan (adopted November 2014)
<u>Designation</u>	Area of Archaeological Priority PTAL 1b Flood Risk Zone 2 Flood Risk Zone 3 London Underground Zone Not in a Conservation Area Not a Listed Building Unclassified

**1.0 Property/Site Description**

- 1.1 No.43 is a two storey double-fronted terraced dwelling house located within Greenland Mews, a gated development off Trundleys Road. The property is located on the west side of the access road in a long east facing terrace of 26 houses, most of which are three storeys in height, are constructed with yellow brick and have an integral garage. 43 Greenland Mews is finished in red brick and matches two other properties on this side of the mews with a different design (lower height, red brick and different form) which are interspersed between the larger 3 storey house type.
- 1.2 The property formerly featured an integral garage at ground floor level which has been converted for use as a living room. There is a bedroom at ground floor level and at first floor level there is an open plan kitchen/living/dining room, a toilet, ensuite bedroom and terrace.
- 1.3 The site is located in an Area of Archaeological Priority, is not located in a Conservation Area and is not a listed building. The Overground railway line

runs to the rear and most of the properties on this side of Greenland Mews are single aspect.

## **2.0 Planning History**

- 2.1 DC/13/83636 – Conversion of garage into living space together with alterations to the front elevation. This application was refused because the large infill window proposed to replace the garage door was considered unacceptable in design terms.
- 2.2 DC/13/84369 - The applicant subsequently reapplied with an amended window design which matched those existing on the property. Permission was granted.
- 2.3 DC/14/86820 – Permission was refused for the construction of an extension at first floor level to the front and an additional floor at second floor level at 43 Greenland Mews SE8 to provide additional living space on the grounds that an additional storey would cause harm to the architectural integrity of the terrace as a whole.
- 2.4 An appeal against this decision was dismissed on the 5<sup>th</sup> September 2014. The Inspector found that the proposal, “By itself... would be materially harmful to the appearance of the street scene, the group of buildings and therefore the character of the mews”. In addition, it was found that “given the repetitive form of the properties it would be difficult to resist similar proposals and if this were allowed this would further significantly harm the character and appearance of the area.”
- 2.5 DC/14/89210 – Permission was refused for the construction of a second floor extension at 43 Greenland Mews SE8 to provide additional living space. The reason for refusal was also on the grounds that the additional storey would cause material harm to the architectural integrity of the terrace and due to the poor standard of the proposed accommodation in terms of inadequate floorspace, amenity space and ceiling heights.
- 2.6 DC/15/93752 – The construction of a second floor extension at 43 Greenland Mews SE8 to provide additional living space – withdrawn by agent.
- 2.7 PRE/16/002183 – Preapplication advice regarding the construction of a second floor roof extension incorporating a terrace. The following advice was offered:
- Previous applications were refused on the basis of design.
  - The principle of constructing a second floor roof extension and terrace resulting in an additional second storey is acceptable subject to the detailing of the front elevation. The massing of the front elevation should be broken up in order to provide further articulation and to replicate the properties of the existing dwellings within the mews.

## **3.0 Current Planning Application**

- 3.1 The application seeks planning permission to construct an additional storey at second floor level. It would be finished in vertical slate facing to the front elevation, and would have a red brick section above the existing bay to form an enclosed terrace. The rear elevation would be constructed of brickwork to match existing. The height of the extended building would be set down from the height of the adjoining properties on either side by 430mm. The roof material is shown to be concrete tiles to match the existing roof and those of adjacent properties.
- 3.2 The proposal would result in what was originally a two bedroom property being enlarged to a three bedroom (plus study) property.

#### **4.0 Consultation**

- 4.1 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Adjoining occupiers, Evelyn Ward Councillors and Rail for London were consulted as part of the application.

#### Written Responses received from Local Residents and Organisations

- 4.3 Nine objections were received from residents within Greenland Mews. Grounds of objection are summarised as follows:

##### *Design*

- The proposal would represent overdevelopment and would destroy (and contrast with) the architectural integrity and character of the Mews;
- No other dwelling of the same design has a second storey.
- The proposal would result in four bedroom property from what was originally a one bedroom property, and has inadequate parking provision and external amenity space

##### *Amenity*

- The proposal would result in a multiple occupancy residence, and not a single dwelling.
- The property was only designed as a one bedroom house, increasing the occupancy puts a burden on the mews which was never designed for ever increasing occupancy;
- General cumulative erosion of the current quite amenity of the Mews through additional HMO style development
- The proposal would result in a loss of daylight to the property opposite the site. A daylight/sunlight assessment has not been submitted.
- The additional storey plus terrace would result in a loss of privacy to nearby residents;
- Noise disturbance and traffic and safety conflicts during construction.
- Construction process will result in damage to our property and will require the removal of tiles. No mention has been made in the documents of insurances against damage or compensation;

- How will construction vehicles deliver materials? This will cause blockage to the mews and mean that there is no access for emergency vehicles. The newly laid brickwork of the private road will be damaged;
- Excess rubbish from the site and inadequate storage provision

#### *General/Other Matters*

- Frustration in having to respond multiple times to very similar applications.
- Proposal is not substantially improved compared to previous applications;
- Lawfulness over current HMO use of the site
- Structural integrity of the site may not support an additional storey
- Similarity to 13 Greenland Mews, which is used as a HMO.
- A condition should restrict number of occupants to four people.
- A Site Notice was not displayed

#### Written response received from Rail for London

4.4 Concerns are raised regarding the proximity of the site to the East London Line, in particular in respect of the proposed underpinning works to the existing foundations, and the temporary works for the scheme. Conditions are therefore sought to secure details of scaffolding and the design and construction methodology for the foundations.

## **5.0 Policy Context**

### Introduction

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)

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

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)'.

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 2016)

On the 15<sup>th</sup> March 2015, the London Plan (consolidated with alterations since 2011) was adopted. However, on the 14<sup>th</sup> March 2016, the London Plan was updated to include the Housing Standards and Parking Standards Minor Alterations to the London Plan. The London Plan policies relevant to this application are:

Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.8	Heritage assets and archeology

#### Core Strategy

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

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

#### Development Management Local Plan

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:

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

DM Policy 1	Presumption in favour of sustainable development
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings

Residential Standards Supplementary Planning Document (August 2006, updated 2012)

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 planning considerations for this application are:
- a) design and scale and its impact on the host building and the character and setting of neighbouring buildings;
  - b) impact that the proposal has on the amenity of adjoining occupiers; and
  - c) standard of accommodation

Design & Scale

- 6.2 Greenland Mews has its own distinct character which was designed as a whole with a variety of different house types, intended to complement each other. The subject property is located within a long terrace of 26 properties on the west side of the Mews. Much of this terrace is of a very uniform design, consisting of three storey terraced properties constructed of yellow brick, a repetitive fenestration pattern and a balcony providing amenity space at second floor level.
- 6.3 The subject property is one of three, two-storey red brick properties set back slightly from the main terrace and which are wider, being double-fronted. This helps to punctuate the otherwise three storey yellow brick frontage. The arrangement of this terrace has been designed so that it is articulated every three properties with either a gable feature to the front elevation or a red brick two storey, double-fronted property. The subject property therefore acts as a marker in the terrace, breaking its uniformity and adding interest to what would otherwise be a row of 26 homogenous properties.
- 6.4 It is noted that the site has a long planning history, with previous applications refused for similar developments. The design of the proposal has progressed through the successive applications, and differs from earlier proposals through the reduction in the ridge height of the additional storey so that it is set below that of its neighbours and a revised front elevation treatment. In particular, the design demonstrates a reduction in the extent of brickwork to the front elevation and maintains a defined front projection providing greater articulation and a general reduction in massing of the front of the property. The extension will maintain the existing front and rear building lines of the

property. The front elevation of the extension would be predominately tiled facing, which would appear as a more lightweight and less visually dominant material, allowing the extension to be read as a subservient addition to the original brick property.

- 6.5 Through the appropriate use of materials, proportional increases in massing and set down from the ridgeline of adjacent properties, on balance it is considered that the proposal would adequately preserve the punctuation and break up of the run of taller three storey properties within the western side of the mews, and not result in any unreasonable terracing effect or harm to the integrity of the group. As such, the previous design concerns have been overcome and the proposal is not considered to cause any unreasonable harm to the character and setting of the site and neighbouring properties.

#### Standard of Residential Accommodation

- 6.6 Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing developments to be of the highest quality internally, externally and in relation to their context. This policy sets out the minimum floor space standards for new houses relative to the number of occupants and taking into account commonly required furniture and spaces needed for differing activities and circulation, in line with Lifetime Home Standards. Core Strategy Policy 1, Development Local Plan Policy 32, London Plan Policy 3.5 and the London Plan Housing SPG seek to ensure that all new residential development meets minimum size standards.
- 6.7 Nationally prescribed space standards were released in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation and remains solely within the planning system as a new form of technical planning standard.
- 6.8 The national housing standards are roughly in compliance with the space standards of the London Plan. However there are differences in the spacing of individual rooms as well as floor to ceiling heights. In the instance of conflict, the national housing standards take precedent.
- 6.9 The three bedrooms would range in area from 8.0m<sup>2</sup> to 12.00m<sup>2</sup> (the study is 11.1m<sup>2</sup>). Under the technical housing standards, one bedroom would be sufficient for double size, and the remaining two bedrooms and study would be single room size due to their room width not exceeding 2.55m. The standards require that the main double room has a minimum width of 2.75m (and every other double room 2.55m wide). The double room is existing and therefore the minor non compliance in terms of room width is considered acceptable. Rooms created as part of the application would also be acceptable in terms of their head height, with the floor to ceiling height being 2.5m for the bulk of the floor.
- 6.10 The proposal would preserve the existing roof terrace at first floor level, and also establish a terrace at second floor level. The new terrace would have a depth of 1.5m and an area of 3.4m<sup>2</sup>. As such, this is considered to be acceptable for what is a secondary amenity space for the property, and of value given the fact that the property has a single aspect. Overall the

proposal as a whole would result in a dwelling which has an acceptable standard of accommodation.

- 6.11 Grounds of objection include concern that the property would be used as a House in Multiple Occupation (HMO). Officers consider that the layout of the property (3-4 bedroom, 3 bathroom and with an open plan living and kitchen area) is acceptable for a dwelling. It is noted that the property could be used as a HMO for up to six people without the need for planning permission. As the scheme is considered acceptable, this is not considered a material planning consideration.

#### Residential Amenity

- 6.12 For areas of stability and managed change, Core Strategy Policy 15 states that small household extensions and adaptations to existing housing will need to be designed to protect neighbour amenity.
- 6.13 DM Policy 30 states that residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens.
- 6.14 The proposal would not be expected to have a significant adverse impact on the amenity of neighbouring residents in terms of loss of light, privacy or noise generation on account of its scale and position. Therefore the proposed works are consistent with Core Strategy Policy 15 and DM Policy 31.

### **7.0 Equalities Considerations**

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

### **8.0 Conclusion**

- 8.1 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 (2016) and the National Planning Policy Framework (2012).

8.2 In summary, on balance the proposed works are considered to be appropriate in its scale, form and materials and to preserve the character and appearance of the dwelling in accordance with DM policies 1, 30, 31 and Core Strategy Policies 8, 15

**9.0 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. Prior to the commencement of development, plans for any proposed scaffolding shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Rail for London.

**Reason:** To protect the safe and efficient operation of the railway.

3. Prior to the commencement of development, full details of the design and construction methodology for the foundations shall be submitted to and approved in writing by the Local Planning Authority in consultation with Rail for London. Thereafter, the works shall only be carried out in accordance with the approved details in a manner that does not endanger the safe operation of the railway

**Reason:** To protect the safe and efficient operation of the railway.

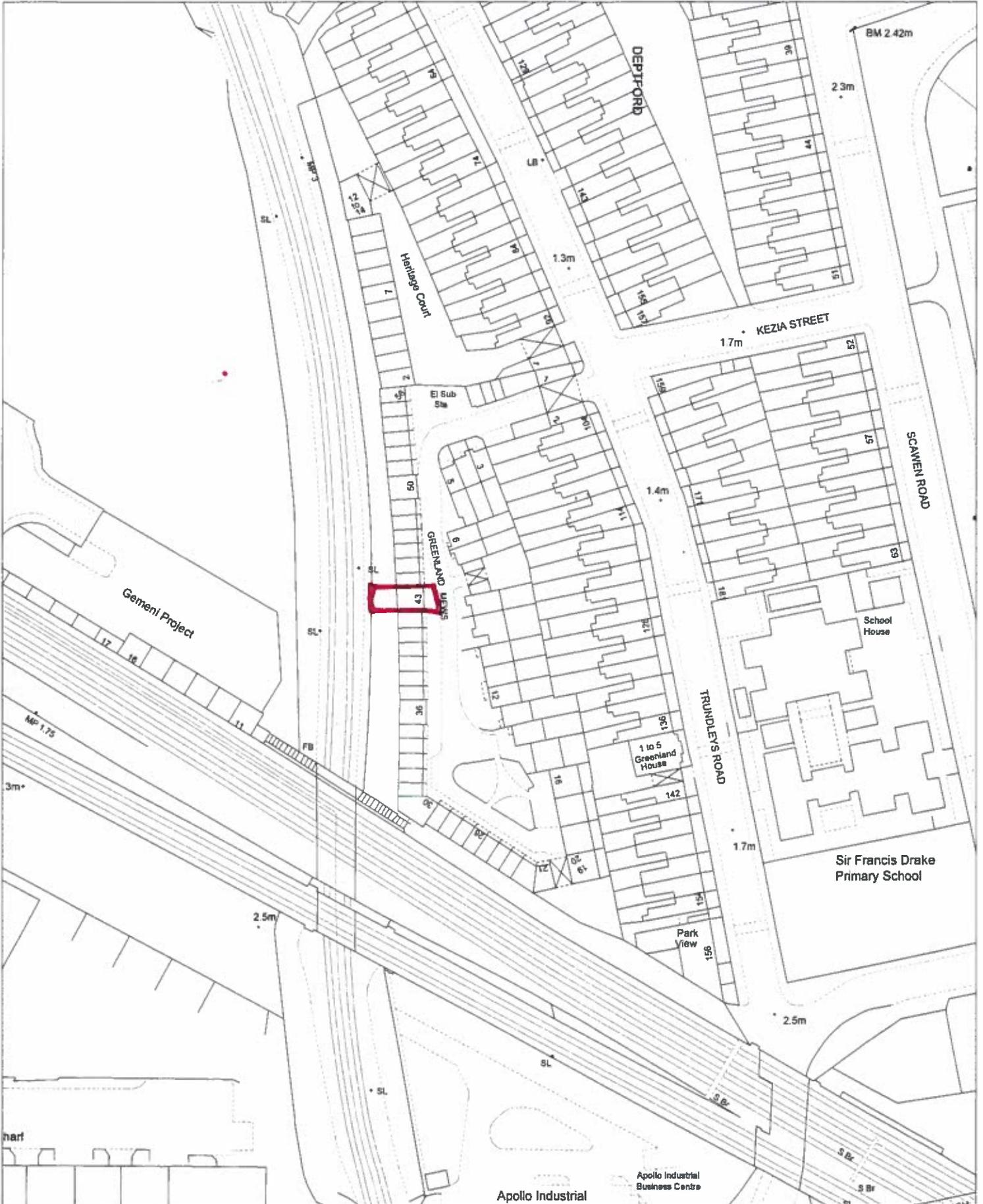
4. The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

2597/P/112 Rev E, 2597/P/101 Rev A, 2597/P/102 Rev A, 2597/P/111 Rev D, 2597/P/114 Rev A, 2597/P/115 Rev B, 2597/PH/01, Design & Access Statement

**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.

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# 43 Greenland Mews, SE8



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Committee	PLANNING COMMITTEE C	
Report Title	367 QUEENS ROAD, LONDON, SE14	
Ward	Telegraph Hill	
Contributors	Colm Harte	
Class	PART 1	11 August 2016

Reg. Nos. (A) DC/14/90110  
(B) DC/14/90111

Application dated 05 December 2014

Applicant QR Living Ltd

Proposal

(A) Listed Building Consent for internal and external alterations at 367 Queens Road SE14, to facilitate a change of use from a sui-generis use comprising a Private Members Social Club with ancillary residential accommodation to a Private Members Social Club (sui-generis) and 2 one bedroom, 1 two bedroom and 1 four bedroom self-contained flats.

(B) Retrospective planning application for the change of use of 367 Queens Road SE14 from a sui-generis use comprising a Private Members Social Club with ancillary residential accommodation to a Private Members Social Club (sui-generis) and 2 one bedroom, 1 two bedroom and 1 four bedroom self-contained flats, together with alterations to the side elevations together with the proposed construction of the entrance canopy to the side western elevation.

Applicant's Plan Nos. SP-01 Rev PL1; SP-02 Rev PL2; EX-01 Rev PL3; EX-01 Rev PL2(Existing Ground Floor Plan); EX-03 Rev PL2; EX-04 Rev PL2; EX-05 Rev PL2; EX-06 Rev PL2; EX-07 Rev PL1; GA-01 Rev PL4; GA-02 Rev PL3; GA-04 Rev PL3; GA-05 Rev PL4; GA-06 Rev PL2; GA-13 Rev PL3; GA-14 Rev PL1; Design & Access Statement (November 2014/ Segley); Heritage Statement (February 2014/ Segley); Sound Insulation: Field tests for compliance with

insulation requirements for walls and floors

Background Papers

- (1) Case File
- (2) DE/330/367/TP
- (3) Local Development Framework Documents
- (4) The London Plan

Designation

Hatcham Conservation Area  
HB Grade 2  
A Road

**1.0 Property/Site Description**

- 1.1 The subject property, known as The Hatcham Liberal Club, is located on the northern side of Queens Road, within the vicinity of New Cross Gate at the intersection New Cross Road and Queens Road. The existing three storey building is nationally listed at Grade II by English Heritage (LEN: 124552).
- 1.2 The building is believed to date from between 1894 and 1914 and is stylistic of a late Victorian or early Edwardian design. The building is in a Queen Anne Dutch style, brick built, with the primary façade in red brick with ceramic dressings and pantiled roof with 5 tall brick chimneystacks. The building is three storeys in height in addition to attic and basement levels. The front façade contains two end Dutch gables below which are a pair of sash windows. At ground and first floor, there are a pair of two storey canted bays below with decorated pediments, either side of the main entrance.
- 1.3 Both the interior and exterior of the subject property have been subject to alterations, restorations and repairs which have been carried out without the benefit of Planning Permission or Listed Building Consent. A detailed description of these work has been outlined in report below.
- 1.4 Historically, the property would have been in use as the Hatcham Liberal Club and is an example of a surviving Liberal Club building, illustrating the late nineteenth and early twentieth century movements for both self-improvement and political liberalism. This building has had a troubled recent history and at one point was almost vacant and semi-derelict. It appears that the club which owned and operated the building has not been sustainable for some time and therefore lacked the funds to maintain or repair the building.
- 1.5 The property is currently in use as four self contained residential units while permission is sought for the of the club room as a social club, however this use has not commenced.

## **2.0 Relevant Planning History**

DC/09/72057 (Planning Permission) and DC/09/72058 (Listed Building Consent)

- 2.1 An application was approved on 13/05/2010 involved the demolition of the existing buildings to the rear of 369 Queens Road SE14 and the construction of a four storey building comprising a new function room/snooker Hall/Gym and 9 three bedroom self-contained flats, together with alterations to the upper part of the existing Hatcham Liberal Club to provide a one bedroom caretaker's flat and a four bedroom self-contained flat and the provision of associated amenity space, bin and cycle stores.
- 2.2 A review of the planning officers report details that the new residential development, constructed to the rear of the application property, was intended as enabling development to fund the refurbishment of the Grade II listed building, which is the subject of this application. As part of the previous application, approval was granted for the conversion of the upper part of the listed building into two flats, one of which was intended as accommodation for a caretaker of the building and other, occupying the entire third floor to be rented as a self contained residential unit so generate a rental income for the private members club.
- 2.3 The circumstances following the approval of planning permission DC/09/72057 are unclear however, based upon discussion with the applicant, it would appear that following the development and sale of the new build residential scheme situated to the rear of the application site, the development partner of the club, entered bankruptcy and accordingly the refurbishment of the Liberal Club was not carried out.

## **3.0 Current Applications**

- 3.1 Listed Building Consent is sought under DC/14/90110, for internal and external alterations at to the existing property to enable the provision of a Private Members Social Club and 2 one bedroom, 1 two bedroom and 1 four bedroom self-contained flats.
- 3.2 Under application number DC/14/90111, retrospective planning permission is sought for the change of use of the application site from a Private Members Social Club with ancillary residential accommodation to a provide 2 one bedroom, 1 two bedroom and 1 four bedroom self-contained flats, together with external alterations to the side elevations and the proposed construction of the entrance canopy to the side western elevation.
- 3.3 The current applications would be comprised of the following.:

Ground floor:

- 3.4 Considerable works have been carried out to the ground floor of the existing property. Plans submitted in support of the current applications indicate that the layout of the ground floor of the club prior to unauthorised works being carried out and these plans detail that the ground floor would have been predominantly occupied by the main club meeting and function rooms. The unauthorised works have resulted in a reduced and refurbished club room which has been fitted with bar, kitchen and toilet facilities. Access to the function room has been reconfigured and is accessed via the western side access path.
- 3.5 The reconfigured floor plan would see the main entrance utilised as the primary residential entrance, and would serve two 1 bedroom residential units at ground floor, which would be accessed from either side of the main entrance lobby and circulation area.
- 3.6 The primary internal changes which have been carried out to enable these works are as follows:

Entrance Hall and Lobby

- 3.7 The works which have been carried out to the entrance hall and lobby of the listed building include the removal of partition walls inside the front door and the blocking up of one of the two double doors from the lobby to the club room. Works have also been carried out to repair the internal ceilings and tiled walls of the lobby area.
- 3.8 In order to facilitate the creation of two ground floor residential units, the former male and female toilets and associated bathroom fittings on the south west corner of the building have been removed and a new doorway between the two former toilet areas has been installed.

Club Room

- 3.9 The applicant has removed and replaced the original flat concrete roof, that was an example of an early concrete structure, and had become structurally unsound. In addition to this, works have been carried out which involve the removal and replacement of associated timber panelling and rooflights. The applicant has removed the ceiling, coving, wall plaster and decorations throughout the club room. In order to facilitate the creation of both the proposed ground floor units, the applicant has reduced the size of the club room, through the insertion of two partition walls to enable the provision of the bedroom areas for each ground floor unit.

First floor:

- 3.10 As with the ground floor, the application has been accompanied with floor plans indicating the internal configuration of the first floor area,

prior to works being undertaken. Originally the first floor would have included committee meeting rooms which addressed Queens Road and would have also included residential accommodation for a club steward. It is noted however that the Council has limited information or photographic records of the building prior to the works having been undertaken.

3.11 The first floor has been converted to provide one 2 bedroom (2b4p) residential unit, and in order to enable this conversion, the following works have been carried out:

- Insertion of partition wall and door across the landing;
- Removal of small bar and associated service lift the North East corner;
- Insertion to plasterboard to historic ceiling;
- Replacement of the existing floor boarding along with insertion of underfloor heating on the former committee room in the south east corner of the building.

Second floor:

3.12 As with the first floor, unauthorised works have been carried out to create one (4b8p) self contained residential unit. It is noted that the previous configuration of the second floor would have included a series of smaller rooms, which were most likely used for temporary accommodation by members of the club. The works carried out are as follows;

- Installation of plaster boarding of ceilings throughout the second floor;
- Removal and replacement of internal doors;
- Removal of partition walls and existing linen cupboard;
- Removal of eastern wall, chimney breast and stack;
- Insertion of two openings through existing internal walls to enable the creation of the bedroom 3 and 4;

External works:

3.13 The applicant has also carried out alterations and repairs to both the external façade and boundary treatments of the building. In this regard, the following works have been carried out:

- Refurbishment of front façade including original wooden sash windows;

- Insertion of side access door to the western elevation to serve the reconfigured club room;
- Refurbishment of the existing gates and fences;
- Repair and reconstruction of front boundary walls;
- Construction of a bin storage area within the front boundary;

### **Supporting Documents**

#### 3.14 Design & Access Statement

This document provides a description of the site, outlines the site conditions that have influenced the scheme, sets out to describe the design principles behind the proposed development and explains the rationale for the scheme. The document covers site context, opportunities, design principles, connectivity, layout, appearance, access, landscape and sustainability.

#### 3.15 Heritage Statement

This document outlines that the application property is a Grade II listed building located within the Hatcham Conservation area. The document highlights the areas of specific interest and significance of the building.

#### 3.16 Sound Insulation: Field tests for compliance with insulation requirements for walls and floors

The document details the acoustic and sound insulation tests carried within the application building and concludes that a suitable level of acoustic comfort has been provided between the amended club room and the ground floor residential dwellings as constructed.

#### Consultation

3.17 Letters were sent to neighbours of the site, local ward councillors and the relevant amenity societies. Along with this press notices were displayed. One submission was received from the Telegraph Hill Society and the objections related to the following relevant planning issues;

3.18 The local amenities society though commending the applicant on the high quality restoration works to the façade of the building, raised objections to the introduction self contained residential units, particularly at ground floor.

3.19 In particular concerns were raised regarding the potential conflict between residential units on the ground floor and the club function

room both in regard access to an from the club via the side passageway and noise impacting the residential amenity.

- 3.20 Further objection has been raised to the conversion of the committee rooms at first floor to residential use.

#### Highways

- 3.21 The proposed development was referred to the Council's Highways officers who is supportive of the car free nature of the proposed development. A condition has be recommended to be imposed, should the application be approved, requiring the submission of a Delivery and Servicing Plan prior to the use of the members club commencing.

#### Historic England

- 3.22 Historic England have been notified of the subject development. No objections have been raised and have recommended that the development be determined on the basis of advice by the Council's Conservation Officer.

### **4.0 Policy Context**

#### Introduction

- 4.1 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)

- 4.2 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

- 4.3 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)'.
- 4.4 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

- 4.5 The Technical housing standards – nationally described space standard (March 2015)

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

- 4.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. In March 2016 the Minor Alterations to the London Plan were adopted. The policies relevant to this application are:

Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and Design of Housing Developments.  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable Design and Construction.  
Policy 6.9 Cycling  
Policy 7.4 Local Character  
Policy 7.6 Architecture  
Policy 7.4 Local character

Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.9 Heritage-led regeneration

London Plan Supplementary Planning Guidance (SPG)

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

Housing (March 2016)

Sustainable Design and Construction (2006)

Core Strategy (2011)

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

Spatial Policy 1 Lewisham Spatial Strategy

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 12 Open space and environmental assets

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 21 Planning obligations

Development Management Local Plan (November 2014)

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

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 26 Noise and vibration
- DM Policy 29 Car parking
- 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
- 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 garden.
- DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets

## **5.0 Listed Building Considerations**

- 5.1 The Government recognises heritage assets as a finite and irreplaceable cultural resource that should be cared for and be managed responsibly. Policies on all levels are aimed to preserve heritage assets for the appreciation and enjoyment of this and future generations.
- 5.2 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 listed building consent must be obtained for "works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest". The whole building is subject to this control, internally and externally, whether or not a particular feature is specifically mentioned in the list description.
- 5.3 In terms of London-wide and policy, Policy 7.9 *Heritage-led regeneration of the London Plan*; Core Strategy Policy 16 *Conservation areas, heritage assets and the historic environment* 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*, all seek to ensure that the value and significance of heritage assets and their settings are enhanced and conserved and state that only alterations to listed buildings that relate sensitively to the buildings significance should be approved.
- 5.4 National guidance on the management of the historic built environment is set out in the National Planning Policy Framework (NPPF) and its Practice Guide. As a Grade II listed building, the site is a "designated heritage asset" in terms of NPPF.
- 5.5 The subject property was listed relatively recently and the listing description describes the property as being Circa 1880 in Queen Anne Dutch style. The property is three storeys in height with two end Dutch gables with circular windows to attics. There is a central porch with decorated pediment with lettering "EST. 1880".

- 5.6 In relation to the interior of the property, the listing states that the entrance hall has tiled walls with round-headed panels and three doorcases. Staircase has metal balustrading, mahogany handrail and tiled dado panelling. Both the committee room and meeting room at the first floor are also included within in the description.

***Impact of the proposal on the significance of the Hatcham Liberal Club***

- 5.7 The current application has been reviewed by the Council's Conservation Officers and Historic England. No objection has been raised by Historic England and the Council's Conservation Officer provided detailed comments regarding the works as carried out, which are detailed in the assessment below.
- 5.8 Officers acknowledge that some harm has been done to the building as a result of the unauthorised works being carried out, however it is considered that these would be less than substantial. National Planning Policy Guidance advises that in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. The historical significance of the subject site lies both in the local townscape value of building, primarily its front façade along with the historic fabric of the building. The guiding principles for any alteration and conversion of a building are treating authentic fabric with respect and adopting the approach of minimal intervention.
- 5.9 The NPPF states that the more important the asset, the greater the weight that should be given to the asset's conservation. The application property is subject to a Grade II listing and that this should be taken into account when assessing the degree of weight that should be given to the building's conservation. It is one of the highest levels of protection that can be afforded to a building when its conservation is found to be of national significance and therefore appropriate that the need to conserve the building and the elements that contribute to this significance are given substantial weight by the Council.
- 5.10 The Council's conservation officer, has highlighted the plan form of the building as being important to the significance of the asset. It is therefore considered that to protect the historical interest of the asset, any proposal would need to retain or enhance the appreciation of the structural plan form and volumes which enabled the function of the building as a private members social club.

Ground Floor

- 5.11 At ground floor, the key elements of the central lobby and stairway, the club rooms and the function room are elements identified by the

councils conservation officers as contributing to the significance of the heritage asset.

- 5.12 It is noted that a considerable amount of unauthorised works have been carried out to the ground floor of the building and officers acknowledge that some interventions and alterations to the plan of the ground floor are of concern. In particular, alterations to the original plan form of the ground floor through the removal of one of the two entrance doors, which would have connected between the entrance lobby and the rear club room. A further concern relates to the reduction in the area of the club room, through the insertion of two partition walls, to enable both ground floor residential units to comply with nation technical guidelines in relation to residential unit sizes.
- 5.13 Notwithstanding these issues, a significant amount of works carried out to the ground floor are deemed to be positive interventions which have been carried out to a high standard. In particular, officers note that the repair and restoration to the front entrance and lobby area including the wall and floor tiles and the refurbishment of the stairs are welcomed by officers. Furthermore the removal of the toilets and associated partitions, which were non-original and unsympathetic additions, are all welcomed. Additionally, while elements of the original ground floor layout has been interrupted, its main entrance and lobby have been retained and refurbished.
- 5.14 It is further noted that the unauthorised works also include the demolition and replacement of the original flat concrete roof, positioned to the rear of the building. Officers however accept that this element had become structurally unsound and was beyond repair. Accordingly no objection is raised to the retention of the replacement roof.

#### First Floor

- 5.15 Prior to the unauthorised works being carried out, the first floor would have included club and committee meeting rooms, addressing onto Queens Road, and would have also included residential accommodation for the steward of the club, situated to the rear of the building.
- 5.16 As part of the unauthorised works, the first floor has been converted to provide 1 residential unit. To enable the conversion the applicant has carried out alterations to the building layout, including the insertion of partition wall and door across the landing of the stairs, the removal of a small bar and associated service lift and the insertion of plasterboard to the historic ceilings. Further to this the applicant has removed and replaced the existing floor boarding and has inserted underfloor heating to the former committee room in the south east of the building.

- 5.17 The work as carried out, has been viewed onsite by the Council's Conservation officer and is largely considered to be acceptable. The installation of underfloor heating on the first floor however is of concern. Officers note that the Council has limited information in terms of internal layouts or photographic surveys of the property prior to the unauthorised works being undertaken. It is noted however the applicant contends that the original flooring was removed by the previous developer, during construction works of the residential development to the rear of the property. While the removal of the original flooring and installation of a underfloor heating system is a non original intervention to existing listed building, which ordinary would not be acceptable, the original building would have had a limited heating system, unsuitable for modern residential dwellings. Furthermore, had the applicant sought to install alternative forms of the heating, e.g. wall hung radiators, this could have potentially resulted in damage to the existing decorative timber wall panelling. This would be considered to be a far less acceptable intervention, especially considering that the panelling is specifically detailed in the listing description and has been restored to a very high standard as part of works carried out.

#### Second Floor

- 5.18 As with the ground and first floor, alterations have been carried out to the second floor to create one 4 bedroom unit. A limited amount of information exists in relation to the configuration and condition of the property prior to the unauthorised works being carried out. The applicant has submitted plans which detail the previous configuration of the second floor, would have included a series of smaller rooms that would have preformed a secondary function to the overall building and, most likely, have provided temporary accommodation for club members.
- 5.19 The original floor plan configuration has been largely retained with the exception of the amalgamation of three rooms into to one room, indicated as being a kitchen/living/dining area. The other alterations including the addition of plasterboard to ceilings, replacement of doors and minor changes to the internal configuration do not raise conservation concerns. The alterations to the third floor have been carried out sympathetically and enable the provision of a large family sized residential unit. Accordingly no objection is raised to the alterations, as carried out to the second floor area. It is further noted that as part of a previous approval (DC/09/72057) permission was granted for the creation of a similar one 4 bedroom unit at second floor level.

#### External Works

- 5.20 It is acknowledged that prior to works commencing, the existing building was in a poor state of repair. As part of the unauthorised works, the applicant has undertaken considerable repairs and

refurbishment to the exterior of the building, in addition to carrying out restoration and repair works to the front boundary treatments. These have been reviewed by officers and are considered to have been carried out to a very high standard. Accordingly no objection is raised to the external works as completed.

- 5.21 As detailed in the report above, the internal and external works as carried out, are largely considered to have been completed to a very high standard and comprise of sensitive interventions and alterations to a listed building which was in a poor state of repair. Officers do however note that elements of the work as carried out fall short of the what would be expected of alterations to a listed building.. While officers recognise that certain alterations, in particular changes to the original ground floor layout via alterations to the rear club room are regrettable, it is noted that these interventions could, at a later date be removed in order to reinstate the original plan form of the building. Balanced with this, the high quality and sensitive approach that has been followed by the applicant, officers are satisfied that the works as carried out do not constitute substantial harm to the host property and are considered to be acceptable.

## **6.0 Planning Considerations**

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

- a) Principle of development
- b) Design
- c) Quality of Residential Accommodation
- d) Impact on the Amenity of Neighbouring Properties
- e) Highways and Traffic Issues
- f) Sustainability and Energy

### Principle of Development

- 6.2 The impacts of the works as already carried out upon the listed building have been assessed in the report above and are considered to be acceptable.
- 6.3 With regard to introducing a residential use to the building, the upper floors would have originally been in some form of residential use, albeit directly related to the club use i.e. manager/steward flat or overnight accommodation for club members. Furthermore, the previous application, (DC/09/72057) granted approval for the creation two residential units, at first and second floor respectively. Accordingly, the principle of the use of the upper floors of the current building as residential accommodation is acceptable.
- 6.4 It is noted however that the introduction of self contained residential units, particularly at ground floor, could potentially result in the co-location of incongruous uses, by virtue of the club use impacting the amenity of the residential units.

- 6.5 As previously stated the DC/09/72057 is considered to have established the principle the use the existing building for self contained residential units, albeit the current application would increase the number of the units onsite. It is therefore considered that the principal of the introduction of residential use is acceptable, subject to acceptable design and level of residential amenity. This has been considered in detail in the relevant section below.

### Design

- 6.6 Core Strategy Policy 15 states that for all development the Council will apply national and regional policy and guidance to ensure the highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.7 Policy DM 30 ‘Urban design and local character’ states that the Council will expect a high standard of design in new development. The policy also sets the expectation for developments to create a positive relationship to the existing townscape, natural landscape and local topography. The quality and appropriateness of materials will be assessed in relation to the surrounding area and the height, scale and massing should relate to the urban typology of the area.
- 6.8 Development Management Local Plan DM Policy 31 ‘Alterations and extensions to existing buildings including residential extensions’ states that *“alterations and extensions, including roof extensions will be required to be of high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.”*
- 6.9 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
- 6.10 In regard to design, the current application seeks planning permission for the construction an awning, to be installed along the side (western) elevation which would provide a covered entrance to the existing club room. The proposed structure would be visible from both Queens Road and also when viewed from the flatted development which adjoins the application site, to the west and would have a similar profile as the existing entrance to the adjoining development situated at 369 Queens Road, located on the western elevation. The proposed covered entry would be a lightweight timber structure, with a glazed roof.

- 6.11 Officers consider that the proposed structure is acceptable in principle subject to the confirmation of the material specifications and the design of the guttering and downpipes details. Accordingly a condition has been recommended to be imposed, should the application be approved requiring the submission of these details.

#### Quality of Accommodation

##### *Standard of Residential Accommodation*

- 6.12 London Plan Policy 3.5 sets out the minimum floor space standards for new houses relative to the number of occupants. It outlines that the design of all new dwellings should include adequately sized rooms, convenient and efficient room layouts and meet the changing needs of Londoners' over their lifetimes.
- 6.13 New residential development is no longer required to meet the Lifetime Homes Criteria at planning stage which is to be delivered through Building regulations, however this remains a matter to consider to ensure that a scheme is capable of meeting this standard. Lifetime Homes Criteria seeks to incorporate a set of principles that should be implicit in good housing design enabling housing that maximizes utility, independence and quality of life. The scheme has been designed to achieve compliance with the Lifetimes Homes Standard for all units.
- 6.14 DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision. Informed by the NPPF, the Mayors Housing SPG provides guidance on how to implement the housing policies in the London Plan. In particular, it provides detail on how to carry forward the Mayor's view that "providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods".
- 6.15 Nationally prescribed space standards were released in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation and remains solely within the planning system as a new form of technical planning standard.
- 6.16 The national housing standards are roughly in compliance with the space standards of the London Plan. However there are differences

in the spacing of individual rooms as well as floor to ceiling heights. In the instance of conflict, the national housing standards take precedent.

- 6.17 In addition to this, DM Policy 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and include space suitable for children’s play.
- 6.18 The Mayor of London published the Minor Alterations to the London Plan 2015 which states that reduces the minimum ceiling height from 2.5 metres to 2.3 meters for at least 75% of the gross internal area of the dwelling. It is noted however that 2.5 meters would become the recommended floor to ceiling height.

Table 1.1 : Residential Internal Floor Areas

<b>Unit type</b>	<b>Policy requirement (GIA sq m) National Technical Standard</b>	<b>Proposed GIA (sq m)</b>
<b>Flat 1 (1b2p)</b>	50 sqm	57.1 sqm
<b>Flat 2 (1b2p)</b>	50 sqm	52.1sqm
<b>Flat 3 (2b4p)</b>	70 sqm	129.6 sqm
<b>Flat 4 (4b8p)</b>	117 sqm	127.3 sqm

- 6.19 The National Technical Housing Standards detail that all double bedrooms must have a minimum area of 11.5sqm and a minimum width of 2.75m. All residential units, as constructed, meet this standard.
- 6.20 Standard 26 of the Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. When dealing with conversions of existing buildings, in particular heritage assets such as the application property, the Council adopts a pragmatic approach to the provision of amenity space. Where external space can be provided it will be secured, but in some instances it is not possible to provide garden space. Officers note that all units have floor areas in excess of the minimum requirements. All units are dual aspect, and the internal configuration has positioned the sleeping areas to the rear of the existing building, away from Queens Road which is heavily trafficked and generates a significant amount of noise.

- 6.21 As detailed in the report above, officers note that the existing club use would be retained but limited to the refurbished club room, located within the rear ground floor component of the existing property. The club room has been fitted out with a refurbished bar and kitchen, to be used in association with the existing club room. A possible issue is the impact on the standard of residential amenity for the ground floor units, as created, due to the proximity of the club function room. In particular concerns have been raised relation to the repositioning of the entry of the club, via the western side boundary, which directly adjoins the bedroom windows of Flat 1. It is further noted that the this access would also be used for deliveries and servicing of the club.
- 6.22 The use of the application properly as a private members social club, which is a sui generis use, is not subject to any of the standard restrictions in regard hours of operation, house of deliveries, servicing or noise. Development consent DC/09/72057 addressed the potential issues of noise and disturbance caused by the continued use of the application property as a social club. The previous planning officer stated that the Council “were not aware of significant complaints of noise or nuisance in relation to the previous operation of the club”.
- 6.23 Furthermore, it is considered that the development as constructed has considerably altered the nature of the existing use of the social club. The applicant has detailed that the club would function 3 days a week, between 6pm- 11pm. It is considered that a condition limiting use of the club to these hours is reasonable along with limitations to amplified music. Officers also note that limited information has been provided in relation to the servicing of the club use, however this is not considered to be an intense use and accordingly it would be reasonable to seek this information prior to the commencement of this use.
- 6.24 The current application has also been supported by an assessment of the sound insulation between both the clubroom and the ground floor flats, along with the sound insulation between residential units at upper floor level.
- 6.25 Officers further note that the Council as licensing authority would have control over hours of operation of the premises and the nature of any entertainment provided, including live music.
- 6.26 As part of the current application, and as detailed in the report above, a reconfigured access way to the club room is proposed to be provided, via the side western access way. Officers have raised concerns regarding the relationship between this entrance and the adjoining residential properties, which would also be utilised for servicing. Particular concern is raised regarding the relationship of Flat 1, as the sole bedroom windows would overlook onto the side access path for the social club.

- 6.27 In this regard, the visual privacy would be maintained via the introduction of obscure glazing on all western window adjacent to the entrance way. Officers acknowledge that ordinarily, the relationship between ground floor residential units and primary access to non residential uses would be objectionable. Considering however that the existing club is for private members, is not open to members of the general public. Officers deem on balance, the proposed configuration is acceptable considering the non intensive nature of the club use, which would be ensured with the use of conditions limiting hours and days of operation of the function room.
- 6.28 On balance given the size of units proposed and constraints imposed by the existing property, the standard of residential accommodation is considered to be acceptable.

#### Impact on the Amenity of Neighbouring Properties

- 6.29 DM Policy 32 states that new residential development must 'provide a satisfactory level of privacy, outlook and natural lighting for both its future residents and for its neighbours.'
- 6.30 It is not considered that the works as carried out would not result in any adverse impact on the amenity of the adjoining residential properties. The development as carried out, does not result in the construction of any additional building elements or result in the creation of any new opening, with the exception of the ground floor club entrance. The proposed development is therefore not consider to impact the existing outlook or natural light intake of neighbouring properties, neither would there be any unacceptable overlooking or loss of privacy.

#### Highways

- 6.31 Policy 6.13 of The London Plan states; 'The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car-parking provision that can undermine cycling, walking and public transport use.' 'In locations with high PTAL, car-free developments should be promoted.'
- 6.32 The site does not provide sufficient space for any off street car parking. The site is located within close proximity to bus routes and New Cross Gate station.
- 6.33 The applicant has proposed that the required six cycle spaces for the residential units would be located within the lobby are of the building. This is deemed to be an acceptable location.
- 6.34 Refuse storage would also be located within the front boundary, which is similar to adjoining development. The submitted plans show a storage area for four bins which is considered to be sufficient the cater for future residents.

- 6.35 Highways officers have raised no objections to the proposal, and are satisfied it would not result in any unacceptable increase in on-street parking.

#### Sustainability

- 6.36 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions.
- 6.37 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 6.38 Relevant policies within the London Plan Core Strategy would need to be addressed in any submission. London Plan Policy 5.2: Minimising Carbon Dioxide Emissions establishes an energy hierarchy based around using less energy, in particular by adopting sustainable design and construction, supplying energy efficiently, and using renewable energy.
- 6.39 The applicant has submitted a Sustainability Statement in support of the application, which satisfactorily addresses sustainability issues, confirming that Code Level 4 would be achieved.
- 6.40 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes, though residential development is still expected to meet code level in regard to energy performance and water efficiency.
- 6.41 A Ministerial Statement advised from 1 October 2015, the standard for energy efficiency in new residential development will be a 19% reduction in CO<sub>2</sub> emissions over Building Control requirements, which is equivalent to Code Level 4.
- 6.42 In regard to water efficiency, from 1 October 2015 new development is expected to achieve a consumption of 110 litres per person per day, including a 5 litre allowance for external water use.
- 6.43 In this case, considering the proposal relates to the conversion of an old building, with the retention of much of the original fabric, officers

acknowledge it would be difficult to achieve the new requirements. The applicant has advised they would seek to engage with Building Control should planning permission be granted in respect of energy and water efficiency.

## **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 Equalities Considerations**

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

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

8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

8.4 Equality issues have been duly considered as part of the assessment of this application. It is not considered that the application would have any direct or indirect impact on the protected characteristics.

## **9.0 Conclusion**

- 9.1 Officers note that prior to the works commencing the existing building was in a very poor state of repair. As part of the unauthorized works, the applicant has carried out high quality repair and refurbishment works both internally and externally to the listed building.
- 9.2 This application has been considered in the light of the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF, the policies set out in the Local Development Plan and other material considerations.
- 9.3 The assessment above has demonstrated that, with the imposition of appropriate conditions to mitigate any potential effects, there will be no significant impacts in relation to design, residential amenity or impact on the existing Grade II listed building.

## **10.0 RECOMMENDATION (A)**

**GRANT LISTED BUILDING CONSENT** subject to the following conditions :-

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

SP-01 Rev PL1; SP-02 Rev PL2; EX-01 Rev PL3; EX-01 Rev PL2(Existing Ground Floor Plan); EX-03 Rev PL2; EX-04 Rev PL2; EX-05 Rev PL2; EX-06 Rev PL2; EX-07 Rev PL1; GA-01 Rev PL4; GA-02 Rev PL3; GA-04 Rev PL3; GA-05 Rev PL4; GA-06 Rev PL2; Design & Access Statement (November 2014/ Segley); Heritage Statement (February 2014/ Segley); Sound Insulation: Field tests for compliance with insulation requirements for walls and floors

**Reason:** To ensure that the development is retained in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

2. No development shall commence on site until a detailed schedule and specification and samples of all materials to be used on the entrance canopy, to be located along the side western elevation 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 buildings 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.

## **RECOMMENDATION (B)**

**GRANT PLANNING CONSENT** subject to the following conditions :-

**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:

GA-13 Rev PL3; GA-14 Rev PL1

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

SP-01 Rev PL1; SP-02 Rev PL2; EX-01 Rev PL3; EX-01 Rev PL2(Existing Ground Floor Plan); EX-03 Rev PL2; EX-04 Rev PL2; EX-05 Rev PL2; EX-06 Rev PL2; EX-07 Rev PL1; GA-01 Rev PL4; GA-02 Rev PL3; GA-04 Rev PL3; GA-05 Rev PL4; GA-06 Rev PL2; Design & Access Statement (November 2014/ Segley); Heritage Statement (February 2014/ Segley); Sound Insulation: Field tests for compliance with insulation requirements for walls and floors

**Reason:** To ensure that the development is retained in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

4. No development shall commence on site until a detailed schedule and specification and samples of all materials to be used on the entrance canopy, to be located along the side western elevation 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 buildings 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.

5. A minimum of **6** secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved and maintained thereafter.

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

- 6.(a) The use of the club room shall not commence 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).

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

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

8. No deliveries shall be taken at or despatched from the site other than between the hours of 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).

9. The club premises shall only be open for operation between the hours of **6 p.m. and 11 p.m.** on Friday, Saturday and Sundays only and shall be closed at all other times.

**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, DM Policy 32 Housing design, layout and space standards Development Management Local Plan (November 2014)

1(No music, amplified sound system or other form of loud noise (such as singing or chanting) shall be used or generated which is audible outside the premises or within adjoining buildings.

**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).

### **Informatives**

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# Hatcham Liberal club, 367 Queens Road, SE14



Scale:1250

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

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