

## PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 12 AUGUST 2021 TIME 7.30 PM**

PLACE: **HYBRID MEETING: CATFORD LIBRARY AND REMOTE.**

Members of the Committee are summoned to attend this meeting:

**Membership  
Councillors:**

**James-J Walsh (Chair)  
James Royston (Vice-Chair)  
Obajimi Adefiranye  
Patrick Codd  
Liam Curran  
Sophie Davis  
Carl Handley  
Octavia Holland  
Luke Sorba**

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.

**Kim Wright  
Chief Executive  
Lewisham Town Hall  
London SE6 4RU  
Date: Tuesday, 3 August 2021**

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	PLANNING COMMITTEE A	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date: 12 August 2021

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

**(1) Personal interests**

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

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

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

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

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

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

### **(3) Other registerable interests**

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

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

### **(4) Non registerable interests**

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

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

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

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

## **(6) Sensitive information**

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

## **(7) Exempt categories**

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

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

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Committee	PLANNING COMMITTEE A	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 12 August 2021

### MINUTES

To approve the minutes of the meetings of:

- Planning Committee A held on the 10 June 2021.
- Planning Committee A (Council AGM), held on 26 May 2021

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**LEWISHAM COUNCIL  
PLANNING COMMITTEE A  
THURSDAY, 10 JUNE 2021 AT 7.39 PM  
MINUTES**

**PRESENT:** Councillor James-J Walsh (Chair), Councillors: James Royston (Vice-Chair), Patrick Codd, and Luke Sorba.

**UNDER STANDING ORDERS:** Councillor of Ladywell Ward: Carl Handley.

**APOLOGIES FOR ABSENCE:** Councillors: Obajimi Adefiranye, Liam Curran, Sophie Davis and Octavia Holland.

**OFFICERS:** Development Management Team Leader (DMTL), Planning Officer, Committee Officer.

**ALSO PRESENT:** Paula Young – Legal Representative.

**Item  
No.**

**1     Declarations of Interest**

The Chair advised the Committee:

- There would be a variation in the order of the meeting's agenda.
- That he had chaired a meeting in relation to item 3, on the meeting's agenda, but had no personal interest in the item.

**2     Minutes**

RESOLVED that the minutes of the meeting of the Planning Committee A held on 11 March 2021 be agreed.

**3     84 Ravensbourne Park, SE6**

The Planning Officer gave an illustrative presentation recommending the grant of planning permission for an application submitted under Section 73 of the Town and Country Planning Act 1990 for Minor Material Amendment in connection with the variation of Conditions (2) and (23) and the addition of a Condition to the planning permission (DC/19/113216) dated 22 June 2020 for Demolition of the existing two storey building at 84 Ravensbourne Park, SE6, and construction of 9

self-contained flats together with car parking spaces, bicycle storage spaces and associated landscaping (as amended by Section 96a application DC/21/121926 dated 27/05/2021) in order to allow:-

- Internal configuration of the approved scheme to change the Unit mix from 3x 1 beds, 4 x 2 beds and 2 x 3 beds to 7x 2 beds and 2 x 3 beds;
- Minor amendments to fenestration positioning

The Committee noted the report.

No questions were put to the Officer, by the Committee members.

The agent addressed the Committee on behalf of the applicant. He described the application site and the construction process. Members were advised that issues encountered and their impact on neighbouring properties had been noted by the applicant. The agent noted that they had not been satisfied with the development's stairwell. It was advised that this concern had been addressed to make the development compliant to building regulations. The agent concluded the development would result in 3 more bedroom spaces, 3 more residents and wheelchair access, via a wheelchair lift.

The Chair summarised the agents address, reminding members they were not considering a full application.

No questions were put to the agent, by the Committee members.

The following member's question put to the Officer related to increased density.

The Officer confirmed there would be an increase in density from 33 to 36 bedroom spaces. The Officer assured the Committee that the increase would not be considered a material difference.

The Committee considered the submissions made at the meeting, and

**RESOLVED - unanimously**

That it be noted that the Committee agreed to:

**GRANT** planning permission for an application submitted under Section 73 of the Town and Country Planning Act 1990 for Minor Material Amendment in connection with the variation of Conditions (2)

and (23) and the addition of a Condition to the planning permission (DC/19/113216) dated 22 June 2020 for Demolition of the existing two storey building at 84 Ravensbourne Park, SE6, and construction of 9 self-contained flats together with car parking spaces, bicycle storage spaces and associated landscaping (as amended by Section 96a application DC/21/121926 dated 27/05/2021) in order to allow:-

- Internal configuration of the approved scheme to change the Unit mix from 3x 1 beds, 4 x 2 beds and 2 x 3 beds to 7x 2 beds and 2 x 3 beds;
- Minor amendments to fenestration positioning

Subject to a S106 Legal Agreement and to the conditions and informatives outlined in the report.

#### **4 Land to the rear of 159-161 Brookbank Road, SE13 7DA**

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the construction of part single/part 2 storey block incorporating roof space to provide:

- 2 x 2 bedroom self-contained flats at the rear of 159-161 Brookbank Road SE13.

The Committee noted the report and that the main issues were:

- Principle of Development
- Housing
- Urban Design
- Transport
- Impact on living conditions of neighbours
- Impact on existing trees

Following the Officer's presentation, Committee members did not put any questions to the Officer.

The applicant did not attend the meeting.

A nearby resident addressed the Committee with objections to the proposal relating to height and overlooking. Another resident addressed the Committee and advised the members that the property he owned had been detached for 100 years. If the application were

granted, his property would be converted into a semi-detached property. The resident also advised the Committee of the impact of the developments characterisation on the surrounding area. Members were advised the application did not address the concerns raised such as privacy and the joining of the development to his own property.

Member's questions followed and related to clarification of particular points raised by the representative regarding his property, loss of privacy, overlooking, policy standards regarding the party wall and trees.

The Chair summarised the representative's speech and advised that a detached property would essentially be converted into a semi-detached, if the application were granted.

The Officer referred to an internet based satellite mapping application, to provide clarification to members regarding the development's boundaries and loss of privacy issues raised by the representative. Members were advised by the Officer that with regard to responsibilities, the development met the London plan criteria. In addition to this, the party wall was a separate issue, not managed by planning policy standards.

The Officer acknowledged that the trees could pose a highway risk as outlined in the Officer's report.

Committee member, Councillor Handley joined the meeting remotely. As such, he was not allowed to legally participate in the discussion of items on the agenda or cast votes. The Chair allowed Councillor to speak under Standing Orders.

Councillor Handley advised the Committee he felt it was unfair the representative purchased his home as a detached property, to then see it converted into a semi-detached by another individual's planning application, if granted. He felt there should be rules to govern such issues.

This view was supported by another member.

The DMTL advised the Committee to only consider material considerations. He confirmed there was no planning policy related to detached properties being converted into semi-detached through the submission of applications to the local authority. The DMTL advised the typology of the local area surrounding the development was mixed and therefore the current proposal was not objectionable. The DMTL also advised the party wall issue was not within the Officers remit to consider.

During the course of the meeting discussion concern was raised regarding the issue of the detached property being converted into a semi-detached property, if the application were granted.

The DMTL referred to the Party Wall Act and advised members that the Officers were discouraged from straying into this legislative area and reiterated it was not in the Officer's remit to do so.

The Committee considered the submissions made at the meeting, and

### **RESOLVED - unanimously**

That it be noted that the Committee agreed to:

**GRANT** planning permission for the construction of part single/part 2 storey block incorporating roof space to provide:

- 2 x 2 bedroom self-contained flats at the rear of 159-161 Brookbank Road SE13.

Subject to conditions and informatives outlined in the report.

## **5 49 Mount Ash Road, SE26 6LY**

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the demolition of existing rear extensions and the construction of a single storey extension to the rear of 49 Mount Ash Road, SE26.

The Committee noted the report and that the main issues were:

- Principle of Development
- Urban Design and Heritage Impact
- Impact on Adjoining Properties

No questions put to the Officer by the Committee.

The applicant addressed the Committee. The Committee were advised that the proposal would meet regulatory standards and would have no impact on sunlight, or the developments chimneys. The development would in fact reduce light pollution. Members were informed that no part of the original water closet existed today. Only the footprint of the original water closet might remain. Members were assured the flat roof

would not be used as a roof terrace. No railings or access to the flat roof, would be built on the development. The applicant made comments that a local resident in attendance had personal interest and objections, because they were a member of a local conservation society.

A resident addressed the Committee, first by clarifying that they were not representing the local Society in this matter and had recused themselves from the Society's separate objection. The resident made comments alleging the Council's handling of the case had been improper. They went on to advise members of their concerns with regard to aesthetics, guttering, impact on neighbouring properties, drains and sewage, gardens, the highway near the development, land slippage and noted issues regarding the Officer's report.

The Chair noted the comments made by the applicant and the resident, with regard to the local resident in attendance and the Council's handling of the application respectively. The Chair expressed his concerns with the comments made and advised the matter would be passed to the local authority's legal department to address.

No questions were put to the resident, by Committee members.

Member's put questions to the Officer regarding conditions in the construction management plan, applications submitted, service gap, guttering, building controls, applications granted for other extensions,

The Chair confirmed technical conditions could be removed by the Planning Committee, if desired.

The Officer provided clarification regarding the number of extension applications approved. Members were advised that 3 applications for extensions were approved by the Planning Committee over the past 6 years. The Committee was informed that 2 of those applications were approved under delegated powers. It was noted that some of the applications granted, were for extensions larger than the current proposal under consideration.

Bellingham Ward Councillor Alan Hall addressed the Committee, under Standing Orders. Councillor Hall was against the application. The Councillor advised that: legal advice had been received, that he

was not a member of the Sydenham Society and that he was addressing the Committee, on behalf of a resident. Councillor Hall expressed concerns regarding the transparency of the process, regarding the application under consideration, conservation and history of the application site. Councillor Hall asked it be noted for the record that comments made in the Officer's report regarding the proposal, were inaccurately attributed to him. He assured the Committee he did not speak to the Planning team about the application under consideration.

Councillor Hall gave a historical account of the application site, noting the history of the developments original toilets, sewage and drainage systems. Members were advised if the application were granted, it would allow these systems to be built over. This could give rise to noxious fumes accumulating underground. It was advised that consultation outside of the immediate vicinity of the proposal was not favourable. Concerns had been raised with regard to underground springs and slippage. Reference was made to case law where residents took the local authority to court with regard to the collapse of the local highway, near the application site.

No questions were put to Councillor Hall by the Committee.

The Officer advised members there would be no excavation on the application site. The development would be built entirely in the sunken courtyard area of the application site.

With regard to the historical aspect of the toilet, sewage and drainage systems, the Officer advised none of the original toilet system remained on the development. The Officer stated the applicant had entered into a build-over agreement with Thames Water.

The Officer also advised the gap between the extension could easily be cleared, therefore leaves blocking the guttering was not considered a material consideration.

During discussion a Member commented it was very important that the conditions of the construction management plan, relating to access via the rear of the application site for works, would remain and not be removed from the plan.

Members voted on the recommendation in the report with a result of 3 in favour of the proposal and 1 abstention. It was

**RESOLVED**

That it be noted that the Committee agreed to:

**GRANT** planning permission for the demolition of existing rear extensions and the construction of a single storey extension to the rear of 49 Mount Ash Road, SE26

Subject to conditions and informatives outlined in the report.

## **6 38 Ermine Road, London, SE13**

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the construction of a single storey rear infill extension to dwellinghouse at 38 Ermine Road, SE13.

The Committee noted the report.

No questions were put to the Officer by the Committee.

The applicant briefly addressed the Committee, describing the application site.

No questions were put to the applicant by the members.

A residents addressed the Committee. The resident advised Members objections to the proposal relating to: precedents set had been ignored, the request for a site visit not followed up, incorrect measurements and an inaccurate impact assessment.

Member's questions followed and related to the objectors relationship to the application, measurements, site visit, planning weight given to current application in relation to prior applications submitted and the 45/25 degree tests referred to as the '25 line rule'.

The Officer confirmed officers had confidence in the measurements provided by the applicant, despite no site visit. The Officer provided clarification of the measurements, as outlined in the Officer's report. The Chair summarised the Officer's reassurance that the measurements would have been double-checked by the applicant and the local authority.

The DMTL advised members it was difficult to attribute planning weight to other nearby approvals as no specific information was collated regarding other approvals and each case would have been assessed on its' own merits.



The Officer advised the Committee that 3 similar properties had been identified and provided the dates their applications were granted. The Officer provided clarification regarding the 45/25 degree tests and advised members that failure of a development to meet the test criteria would not necessarily constitute a harm. The Officer confirmed they were satisfied the proposal had met the test criteria and measures would be put in place to mitigate any concerns raised.

During discussion a Member commented on the measurements and the lack of a site visit, but were satisfied with the information provided by the Officer.

The Committee considered the submissions made at the meeting, and

**RESOLVED - unanimously**

That it be noted that the Committee agreed to:

**GRANT** planning permission for the construction of a single storey rear infill extension to dwellinghouse at 38 Ermine Road, SE13.

Subject to conditions and informatives outlined in the report.

The meeting closed at 9.41 pm.

Chair

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# MINUTES OF THE PLANNING COMMITTEE A

Wednesday, 26 May 2021 at 8.46 pm

PRESENT: Councillors James-J Walsh (Chair), Obajimi Adefiranye, Patrick Codd, Liam Curran, Carl Handley, Octavia Holland, James Royston and Luke Sorba.

## 1. Planning A membership

RESOLVED that the following Councillors be appointed to Planning Committee A for the Municipal Year 2021-22:

Councillor Adefiranye  
Councillor Codd  
Councillor Curran  
Councillor Davis  
Councillor Handley  
Councillor Holland  
Councillor Royston  
Councillor Sorba  
Councillor Walsh  
1 vacancy

## 2. Planning A Election of Chair

RESOLVED that Councillor Walsh be elected as Chair and Councillor Royston as Vice Chair for the Municipal Year 2021-22

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Committee	PLANNING COMMITTEE (A)	
Report Title	34 Sydenham Hill, London, SE26 6LS	
Ward	FOREST HILL	
Contributors	GEOFF WHITINGTON	
Class	PART 1	12 August 2021

Reg. Nos. DC/20/118980

Application dated 28.11.20

Applicant Danks Badnell Architects Ltd, on behalf of Sterlingbridge Property Developments Ltd

Proposal The alteration, conversion and change of use of Cedars at 34 Sydenham Hill SE26 and the construction of a part single/part two storey extension at the rear, terraces at lower ground level and the provision of associated car parking spaces and bicycle storage to provide 11 self-contained flats, together with the demolition of the existing Coach House and the construction of 8 two bedroom cottages and associated landscaping and parking area.

Background Papers

- 1) Submission drawings
- 2) Submission technical reports and documents
- 3) Internal consultee responses
- 4) Statutory consultee responses

Designation PTAL 1b  
Sydenham Hill Conservation Area  
Areas of Special Character

## 1 SUMMARY

- 1 Decisions on planning applications must be made in accordance with the development plan unless material considerations indicate otherwise (Section 38 (6) of the Planning and Compulsory Purchase Act 2004).
- 2 The application is before Committee because more than 3 local objections, and 3 amenity society objections have been received.

## 2 SITE AND CONTEXT

### *Site description and current use*

- 3 The site is located on the east side of Sydenham Hill, which leads up to Crystal Palace to the south, and Forest Hill to the north-east. The site is currently occupied by a locally listed 3-storey with basement building that was formerly in use as a training centre for the

Salvation Army (formerly Use Class D1, now F1(a)), and ancillary two residential units. The existing Cedars building was constructed in 1898 by Charles Ash Body.

- 4 To the rear is a spacious garden area with trees and shrubs to the perimeter. To the south of the site is a 2-storey former Coach House building that is currently derelict, and is accessed by an existing vehicular passageway from Sydenham Hill. This building is not locally listed.



**Site location plan**

### ***Character of area***

- 5 The surrounding area is predominantly residential, characterised by large villas and smaller terraced houses, whilst a low rise block of flatted accommodation lies directly to the south.
- 6 Sydenham Hill Wood lies on the opposite side of Sydenham Hill.

### ***Heritage/archaeology***

- 7 The site is located within the Sydenham Hill Conservation Area, and designated 'Areas of Special Character'.

### ***Transport***

- 8 The site has a PTAL rating of 1b on a scale of 1-6, where 1 represents poor access to public transport. Sydenham Hill is served by a single local bus route, with the nearest bus stop located 10m to the south of the application site. The nearest train station is Sydenham Hill located approximately 1.2km from the site.
- 9 There are no shops or other amenities within the immediate area.

### 3 RELEVANT PLANNING HISTORY

10 In 2020, an application proposing, 'The alteration, conversion and change of use of Cedars 34 Sydenham Hill SE26, and the construction of a part single/part two storey extension at the rear, terraces at lower ground level and the provision of associated car parking spaces and bicycle storage to provide 11 self-contained flats, together with the demolition of the existing Coach House and the construction of 8 two bedroom cottages and associated landscaping and parking area, and the felling of mature trees' was **withdrawn** by the Applicant. **(DC/17/103386)**

11 Prior to this, there is no planning history relating to the site. The single-storey extension with terrace at the rear of the building does not appear to have planning permission - due to the nature of the former use by the Salvation Army, the site likely benefitted from a special status that may have allowed for such development to be undertaken without express permission. Whatever the case, the extension is now lawful by virtue of the passage of time.

### 4 CURRENT PLANNING APPLICATION

#### 4.1 THE PROPOSALS

12 The current application proposes two elements:

- The alteration, extension and conversion of the existing Cedars building fronting Sydenham Hill to provide 11no. self-contained flats; and
- The demolition of the Coach House building to the rear of the site, and the construction of 8no. 2-storey dwelling-houses.

#### *Cedars*

13 The proposal includes the demolition of an existing single-storey extension to the rear of the Cedars building, and the construction of a replacement part single/part two storey extension.

14 At the front of the building, the existing lower ground floor would be increased in width, with the formation of two openings. The existing basement level lightwell would be extended in depth to 3 metres deep.

15 Internal alterations would be undertaken in conjunction with the conversion of the vacant building to provide 11 self-contained flats, comprised of 3, one bedroom and 8, two bedroom self-contained units.

16 Cedars' occupiers would have use of the communal rear garden, accessed directly from the building, whilst ground floor and lower ground floor occupiers would be afforded private terraces.

17 11no. parking spaces would be provided for the occupiers of Cedars, of which two would provide active electric charging points, and one disabled space.

#### Coach House Building

18 To the southern part of the site, it is proposed that the unoccupied Coach House building would be demolished and replaced by 8no. 2 bedroom, 2-storey terraced houses with

private rear gardens. Five parking spaces would be provided for future occupiers of the dwelling-houses, including two active electric charging points and a disabled bay.

19 A cluster of 5 trees close to the existing coach-house and car-parking area would be felled, including Sycamores, Yew and Holly. A minimum of 12no. replacement trees would be planted within the rear garden to mitigate the proposed loss.

20 In total, 16no. parking spaces would be provided across the site, together with 37no. dry and secure bicycle spaces.

21 Bins would be located within an enclosed communal refuse store adjacent to the western boundary close to the entry/exit point into the site.

## 5 CONSULTATION

### 5.1 APPLICATION PUBLICITY

22 Site notices were displayed on 3 December 2020 and a press notice was published on 9 December 2020.

23 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 17 November 2020.

24 Seventeen responses received, comprising 16 objections, 0 support and 1 comment.

25 Subsequently, a virtual local meeting was arranged for 20 May 2021, which was chaired by Cllr Gibbons, and attended by residents, the applicant team, and the planning officer. Minutes of the meeting are attached in **Appendix 1**.

#### 5.1.1 Comments in objection

Comment	Para where addressed
Scale of development	152
Proposal does not respect the heritage of the existing building or its setting	57, 145
Coach-houses are unsympathetic	152
Formation of enlarged lightwell would harm the character of Cedars	147
Impact upon Sydenham Hill CA	57, 164
Loss of trees	270
Destruction of valuable green space and wildlife habitat	253, 263
No affordable housing	98
Cramped accommodation in Cedars	108
Amenity impact	196, 200, 207
Inadequate infrastructure	282
Highways concerns	173
Refuse collection	189



26 The Sydenham Society have objected on the following grounds:

<b>Comment</b>	<b>Para where addressed</b>
Should provide affordable housing	98
Alterations to front of Cedars	147
Unsympathetic conversion	108
Excessive parking provision	173
Scale of Coach-house terrace would be dominant	152
Overlooking and loss of privacy to Panmure Court and Farley House	196
Will interrupt a wildlife corridor	253, 263
External lighting concerns	279
Lack of infrastructure	282
Poor choice of facing materials	155

27 Sydenham Hill Ridge Neighbourhood Forum have objected for the below reasons:

<b>Comment</b>	<b>Para where addressed</b>
Support renovation of Cedars building/ conversion	-
Coach-house is detrimental to character of CA.	152
Loss of green space and trees	270
Excessive scale	152
Insufficient parking	173
Sustainability	219
Refuse collection - unclear	189

28 The Forest Hill Society have objected to the proposal.

<b>Comment</b>	<b>Para where addressed</b>
Works to front of Cedars	147
No schedule relating to internal works	150
Demolition of Coach-house	57
Unacceptable backland development	64
Felling of mature trees	270

### 5.1.2 Neutral comments

29 One neutral comment received enquiring whether a public footpath could be provided to the southern edge of the site.

## **5.2 INTERNAL CONSULTATION**

30 The following internal consultees were notified on 17 November 2020.

31 Conservation: No objections to Cedars works. Acknowledges Coach-house is a non-designated heritage asset however demolition of Coach House acceptable on balance.

32 Highways: Raised no objections to the provision of off-street parking.

33 Trees: No objections to loss of trees, subject to suitable replacements.

34 Ecology: No objections, subject to conditions.

35 SuDS: No objections, subject to a condition.

## **5.3 EXTERNAL CONSULTATION**

36 The following External Consultees were notified on 17 November 2020.

37 Thames Water: Raised no objections.

38 Metropolitan Police (Designing Out Crime): Raises no objections.

### *Design Review Panel*

39 The scheme has not been review by Lewisham's Design Review Panel (DRP). Section 6.9 of Lewisham's Statement of Community Involvement (SCI) states that major applications and applications proposing significant new buildings within conservation areas will be referred to DRP.

40 The Planning Practice Guidance (PPG) states that the design review process can inform and improve design quality, but it is not intended to replace advice from statutory consultees and advisory bodies, or be a substitute for local authority design skills or community engagement.

41 In this case, the new build element within the conservation area is set away from the streetscene at the rear of the site. The terrace of houses proposed are not judged to be significant new buildings. The scheme is a smaller scale major application, and a large number of units created are achieved through conversion of an existing building. Likewise, the external interventions to the locally listed structure on the site are limited, as is set out in design sections below.

42 Officers are therefore satisfied in this instance and with regard to the specific circumstances of this case that the scheme has been fully scrutinised in design terms by Development Management Officers and the Senior Conservation Officer. A formal review by DRP is not required.

## **6 POLICY CONTEXT**

### **6.1 LEGISLATION**

43 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

44 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty when considering whether to grant planning permission for development which affects a conservation area to pay 'special attention' to the desirability of preserving or enhancing the character or appearance of that conservation area. Planning (Listed Buildings and Conservation Areas) Act 1990: S.66/S.72 gives the LPA special duties in respect of heritage assets.

## **6.2 MATERIAL CONSIDERATIONS**

45 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

46 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

47 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to aforementioned directions and the test of reasonableness.

## **6.3 NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2021 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

## **6.4 DEVELOPMENT PLAN**

48 The Development Plan comprises:

- London Plan (March 2021) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013) (SALP)
- Lewisham Town Centre Local Plan (February 2014) (LTCP)

## **6.5 SUPPLEMENTARY PLANNING GUIDANCE**

49 Lewisham SPG/SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)
- Planning Obligations Supplementary Planning Document (February 2015)

50 London Plan SPG/SPD:

- The control of dust and emissions during construction and demolition (July 2014)

- Accessible London: Achieving an Inclusive Environment (October 2014)
- Social Infrastructure (May 2015)
- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)

## 7 PLANNING CONSIDERATIONS

51 The main issues are:

- Principle of Development
- Housing
- Urban Design and Heritage Impacts
- Impact on Adjoining Properties
- Transport
- Sustainable Development
- Natural Environment

### 7.1 PRINCIPLE OF DEVELOPMENT

#### *General policy*

52 The National Planning Policy Framework (NPPF, revised 20<sup>th</sup> July 2021) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

53 Lewisham is defined as an Inner London borough in the London Plan, which sets out the Mayor of London's vision for Inner London. This includes among other things sustaining and enhancing its recent economic and demographic growth; supporting and sustaining existing and new communities; addressing its unique concentrations of deprivation; ensuring the availability of appropriate workspaces for the area's changing economy; and improving quality of life and health.

54 The London Plan (LP) sets out a sequential spatial approach to making the best use of land set out in LPP GG2 (Parts A to C) that should be followed.

#### *Policy*

55 The current London Plan outlines through Policy H1 that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sized and tenures in accordance with Local Development Frameworks. Residential developments should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment.

56 Locally, Core Strategy Policy 1 Housing provision, mix, and affordability sets out that housing developments will be expected to provide an appropriate mix of dwellings having regard to criteria such as the physical character of the building and site and location of schools, shops, open space and other infrastructure requirements (such as transport links).

- 57 DM Policy 1 of the Development Management Local Plan states that ‘when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to find solutions which mean that proposals secure development that improves the economic, social and environmental conditions of the borough’.
- 58 The Council's policy relating to this is set out in Core Strategy Policy 12: Open Space and environmental assets, which states;
- ‘In recognising the strategic importance of the natural environment and to help mitigate against climate change the Council will:
- conserve nature;
  - green the public realm;
  - provide opportunities for sport, recreation, leisure and well-being.’
- 59 DM Policy 36 states the Council will not grant permission where new development or alterations and extensions to existing buildings is incompatible with the special characteristics of conservation areas
- 60 DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest states;
- Developments in areas of special local character should sustain and enhance the characteristics that contribute to the special local spatial, architectural, townscape, landscape or archaeological distinctiveness of these areas.
- 61 Core Strategy Policy 1 states the Council will seek an appropriate mix of dwellings within a development, having regard to:
- (a) the physical character of the site or building and its setting;
  - (b) the previous or existing use of the site or building;
  - (c) access to private gardens or communal garden areas for family dwellings;
  - (d) the likely effect on demand for car parking within the area;
  - (e) the surrounding housing mix and density of population.

#### *Discussion*

- 62 The first issue relates to the principle of developing the site, which falls within the Sydenham Hill Conservation Area and designated ‘Areas of Special Character’.

#### ***Demolition of Coach-House***

- 63 DM Policy 37 seeks to resist the demolition of unlisted buildings in areas of special character where they are considered to contribute to architectural and townscape merit and local distinctiveness of the area.
- 64 The existing Coach House building to the rear of the site would be demolished as part of the proposals, and replaced with 8 new dwelling-houses.

- 65 The building does not form part of the local listing afforded to Cedars, however it is considered to be a non-designated heritage asset, attributed to:
- originally being an essential facility for the servicing of the Cedars building;
  - evidential value (albeit limited due to alterations) of remaining physical elements that inform of its previous functioning;
  - moderate to high 'historic' value;
  - moderate architectural significance.
- 66 The main Cedars building is considered to be at the high end of moderate architectural significance, whilst in comparison, the Coach-House on its own merits is at the lower end of moderate significance. The importance of the Coach-House is closely affiliated with the Cedars building due to its historic relationship.
- 67 Paragraph 203 of the NPPF sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 68 The loss of the Coach-House would detract from the historic integrity of the application site, however officers do not consider it would significantly harm the character of the Sydenham Hill Conservation Area or the Area of Special Character designation.
- 69 The extension and conversion works to the Cedars building is dependent upon the redevelopment of the Coach-House site. Considering the locally listed Cedars building would undergo significant internal and external improvements following a long period of inactivity; and the provision of new residential dwellings that meet with housing need in the Borough, this would outweigh the harm arising from the Coach-House demolition.
- 70 In accordance with balancing exercise Paragraph 203, the loss of the coach house is considered justified given the scale of the loss and the significant of the asset. This accords with the approach set out in Paragraph 204, which indicates that loss of heritage assets should not proceed without reasonable steps to ensure that redevelopment will proceed.
- 71 Officers therefore raise no objections to the loss of the existing Coach House building, subject to the wider site improvements noted above.
- 72 Officers consider it appropriate to require a programme of building recording by planning condition that would sustain the historic significance of the Coach-House beyond its lifespan. This is proposed to be secured by condition and in accordance with NPPF Paragraph 205.
- Definition of Land***
- 73 Objections have been received in regard to the principle of developing upon existing 'garden' land that would conflict with DM Policy 33(C), which seeks to resist new development within back gardens in perimeter form residential typologies.
- 74 In this case, the application site is not a typical perimeter garden, but instead an extensive plot of 0.59Ha that extends considerably to the rear and sides of the main Cedars building. The Coach House building is pre-dated by Cedars, and so therefore it is assumed that this particular element was originally garden land that served the main building.

- 75 Whilst the Coach House may lie within the curtilage of Cedars, it has always retained an element of separation due to the distance between the two buildings. This is further demonstrated by the site being served by the existing vehicular route from Sydenham Hill.
- 76 It is clear that the main garden that now serves Cedars is the spacious lawned area that lies directly to the rear of the building, and not the element currently occupied by the Coach House. Officers therefore consider the Coach House site displays 'backland' and some 'infill' characteristics, rather than 'back garden'. No part of the site has been used as a single family dwelling for many years.
- 77 'Backland' is defined in policy as 'landlocked' sites that are located at the rear of street frontages, whilst 'infill' includes areas to the side of houses and sites with street frontages – in this case, the Coach House lies a distance away from Sydenham Hill, however it has an element of frontage adjacent to the vehicular and pedestrian route sited within the neighbouring estate. Officers therefore consider the Coach House element of the site to be primarily of infill/ backland character, and the development does not represent development on back garden land.
- 78 Policy DM33 states there will be some instances where a particular site will not fall squarely within any one of these definitions. DM33(a) and (b) acknowledges the challenges in achieving successful development on these sites, and sets out subsequent requirements to ensure such aims are met. This will be further explored in the design section of this report.
- 79 It is acknowledged that the building has historically been ancillary to Cedars, however considering the scale and nature of the site, and the largely redundant condition of the existing buildings, officers consider there is an opportunity for the site to be developed appropriately and the Coach House proposal does not represent the development of back garden land in principle.
- 80 The principle of residential led-development which would also achieve the wider benefits of providing additional homes within the Borough and bring a heritage asset back into functional use would therefore be acceptable, subject to matters including design, standard of accommodation, visual impact and highways matters, whilst ensuring a successful approach to respecting and maintaining the Conservation Area and 'Areas of Special Character' designation.

***Cedars: Loss of Authorised D1(reclassified F1(a) Use***

*Policy*

- 81 NPPF para 120 (d) advises that decisions should promote and support the development of under-utilised land and buildings, including service yards, that can be used more effectively.
- 82 Policy S1(f) of the London Plan (2021) states that, "Development proposals that would result in a loss of social infrastructure in an area of defined need as identified in the borough's social infrastructure needs assessment required under Part A should only be permitted where;
- there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community, or
  - the loss is part of a wider public service transformation plan, which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services.

83 Part (g) advises that redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless this loss is part of a wider public service transformation plan.

84 This is supported through Core Strategy Policy 19, which states that the Council will apply the London Plan policies relating to healthcare, education and community and recreational facilities to ensure that there is no net loss of facilities.

#### *Discussion*

85 The site was formerly owned by the Salvation Army, who used the premises for training purposes (Use Class F1(a)), and ancillary residential. In recent years, it was also used as an 'International College for Officers' and 'Centre for Spiritual Life Development Institute.'

86 In 2014 the entire operation was relocated to larger premises in Sunbury Court in south-west London, and the Cedars building has since remained largely redundant.

87 Considering the former use dates back to the 1940s, officers are minded that the established use is F1(a) with ancillary residential.

88 Officers acknowledge that the building has been unused for a long period, and that there has been no net loss of F1(a) use as it has continued elsewhere, in accordance with CS 19 and LPP S1. The application site does not fall within an area of defined need for social infrastructure, which negates the requirements of LPP S1(f).

89 The site is not located within an easily accessible area, which CS 19 identifies as the preferred location for new community uses. Further, officers consider that the site does not lend itself to continued F1(a) use owing to it being surrounded by housing, and the subsequent potential for noise and disturbance to neighbouring occupiers.

90 For these reasons, officers raise no objections to the proposed development not including the provision of any form of social infrastructure, and are satisfied the proposal would not conflict with relevant planning policies.

#### ***Cedars Proposals***

91 In deciding any relevant planning permission that affects a locally listed heritage asset or its setting, the NPPF requires amongst other things that local planning authorities should take into account the desirability of sustaining and enhancing the significance of such heritage assets and of putting them to viable uses consistent with their conservation. They are also obliged to consider the positive contribution that conserving such heritage assets can make to sustainable communities including their economic vitality. Subject to scale and appearance, the principle of extending the locally listed building that would seek to conserve the heritage asset appropriately and bring it back into use would be supported.

92 Cedars has been identified as a locally listed building. Whilst local listing provides no additional statutory controls, the fact that a building or site is on a local list means that it is considered as a heritage asset. This is a material consideration when determining a planning application.

93 In regard to the conversion of the existing building, considering the current inactivity; its former training centre use; and the predominant residential character of the surrounding area, officers raise no objection to the principle of converting Cedars into self-contained flats, subject to the proposed standard of accommodation and compliance with DM Policy 32: Housing design, layout and space standards.



### **7.1.1 Principle of development conclusion**

94 In summary, officers raise no objections to the principle of developing the largely redundant site for residential purposes, subject to matters including appropriate design that would respect the character of the locally listed building and Sydenham Hill Conservation Area; standard of accommodation; neighbour impact; ecology; and highways.

## **7.2 HOUSING**

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

### **7.2.1 Contribution to housing supply**

#### *Policy*

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

97 LPP D2 sets out that the density of development proposals should consider, and be linked to, the provision of future planned levels of infrastructure and be proportionate to the site's connectivity and accessibility by walking, cycling and public transport to jobs and services (including both PTAL and access to local services).

#### *Discussion*

98 The proposal is for a total of 19 new dwellings, comprising 11 self-contained flats within the converted Cedars building, and 8 dwelling-houses to the rear. The site measures 0.59 hectares, located within a mostly residential area. Sydenham Hill has urban and suburban characteristics, attributed to the range of building types that includes large properties such as Cedars, smaller terraced houses, and blocks of flats of up to 4 storeys.

99 Assuming the site falls within a suburban setting, the resulting density of the development would be 91 habitable rooms per hectare, which sits significantly below the indicative density range of 150-200 hr/ha for a suburban area of PTAL 1.

100 It must be acknowledged that the London Plan (2021) no longer provides an upper limit for density levels, instead promoting design led density.

101 The provision of 19 dwellings in this case would make a valuable contribution to meeting housing targets. The proposal would use the land efficiently, and would contribute to the Borough's current annual housing target. This is a planning merit to which very significant weight is given by officers.

### **7.2.2 Affordable housing**

#### ***Percentage of affordable housing***

#### *Policy*

102 The NPPF expects LPAs to specify the type of affordable housing required (para 63).

103 LPP H5 states the maximum reasonable amount of affordable housing should be sought, having regard to several criteria in the policy, and sets a strategic target of 50% for affordable homes.

104 CSP1 and DMP7 reflect the above, with an expectation of 50% affordable housing, subject to viability.

### ***Review mechanisms***

#### *Policy*

105 The Affordable Housing Viability SPG (2017) sets out when affordable housing review mechanisms should be secured. This is enshrined in Policy H5 of the London Plan. Fast-track schemes will be subject to an 'Early Stage Viability Review' (ESVR) if an agreed level of progress on implementation is not made within two years of permission being granted, or as agreed with the LPA. Viability tested schemes will be subject to the ESVR and a 'Late Stage Viability Review' (LSVR); this is triggered at the point at which 75% of units are sold or let. Longer term phased schemes may also require a mid-term review.

#### *Discussion*

106 The provision of affordable housing was subject to a financial viability assessment in 2019 within the withdrawn planning application DC/17/103386 to ensure meeting policy would not make development unviable.

107 In that case, the applicant proposed no affordable housing or off-site financial contribution, with the provision of 19 market units only. This was supported in a viability assessment study completed by the applicant's consultants, Newsteer.

108 Subsequently in 2020, the financial information was assessed by an independent consultant – GL Hearn - on behalf of the Local Authority to provide assistance and advice to the Council. In their report, they reviewed the applicant's viability assumptions, including site value, profit return (17.5%) etc, and concluded that the scheme would be unable to provide any on-site affordable units or an in-lieu payment due to a deficit of £960k. The applicant's viability concludes a deficit of £1.9m, with the discrepancy between both consultants relating to residual and benchmark values. GL Hearn's assessment of the applicant's submission is **Appendix 2**.

109 Nevertheless, it was agreed that the scheme would result in a significant deficit in any event, and so would be unable to provide affordable housing.

110 The GL Hearn review was undertaken less than a year prior to the submission of this application; and the evident similarities between the two proposals (including an identical number and type of units) and the scale of the deficit, officers considered the previous submission sufficient for viability purposes in this instance.

111 London Plan Policy H5 seeks to maximise affordable housing delivery in the longer term and acknowledges the potential for significant changes in values in the housing market, therefore the use of review mechanisms are supported. This would include an early review which is triggered where an agreed level of progress on implementing the permission has not been reached after two years of the permission being granted. Following this, a late review would be applied once 75% of homes are sold. The SPG advises that the benefit of this approach is that the review can be based on values achieved and costs incurred. The review takes place prior to sale of the whole development to ensure that the review and any additional contribution arising from this are enforceable. The outcome of this review will typically be a financial contribution towards off-site affordable housing provision.

112 The proposed development would give rise to additional demands on existing social infrastructure such as schools and health services. Funding of the provision, improvement,

replacement, operation or maintenance of infrastructure to support the development of the Borough is now secured through Community Infrastructure Levy (CIL) payments.

### ***Affordable Housing Summary***

- 113 The scheme is unable to deliver any on-site affordable housing, which has been supported in a review by an independent consultant on behalf of the Council. The S106 will secure early and late stage reviews to establish whether the development could provide affordable units or an in lieu payment, in compliance with the London Plan.

### **7.2.3 Residential Quality**

#### *Policy*

- 114 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LPP D6), the Core Strategy (CSP15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2016, GLA; Alterations and Extensions SPD 2019, LBL).
- 115 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity; and (vii) children's play space.

#### ***Internal space standards***

##### *Discussion*

- 116 As shown in Table 1 below, the proposed internal floor areas of each Cedars unit would exceed the space standards set by Policy D6 of the London Plan, the National Technical Standard and DM Policy 32. In addition, all habitable rooms would accord with minimum guidance, as would floor to ceiling heights.
- 117 In regard to the Coach-house dwellings, seven would measure internal floor areas of 70sqm, which would accord with Policy for 2-storey, two bedroom 3 person units. Dwelling 8 would be 2b 4p, measuring 99sqm, exceeding the minimum 79sqm.

**Table [1]: Internal space standards – proposed v target**

<b>Unit</b>	<b>Unit Type</b>	<b>GIA</b>	<b>Policy Requirement</b>	<b>Pass/Fail</b>
Flat 1	2 bedroom/ 4 person	72sqm	70sqm	Pass
Flat 2	2 bedroom/ 4 person (duplex)	136sqm	79sqm	Pass
Flat 3	1 bedroom/ 2 person	52sqm	50sqm	Pass
Flat 4	2 bedroom/ 4 person	115sqm	70sqm	Pass
Flat 5	2 bedroom/ 4 person	95sqm	70sqm	Pass
Flat 6	2 bedroom/ 4 person	88sqm	70sqm	Pass
Flat 7	2 bedroom/ 3 person	64sqm	61sqm	Pass
Flat 8	2 bedroom/ 3 person	61sqm	61sqm	Pass

Flat 9	1 bedroom/ 2 person	52sqm	50sqm	Pass
Flat 10	1 bedroom/ 2 person	62sqm	50sqm	Pass
Flat 11	2 bedroom/ 3 person	76sqm	61sqm	Pass

### ***Outlook & Privacy***

#### *Policy*

- 118 London Plan Policy D6 seeks high quality internal and external design of housing development. Development is required to achieve 'appropriate outlook, privacy and amenity', and should seek to maximise the provision of dual-aspect dwellings (i.e. with two openable windows).
- 119 DM Policy 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents.

#### *Discussion*

- 120 In regard to the Cedars building, the units would have sufficient outlook, with most being dual aspect. Only one unit would be single aspect – Flat 8 at first floor, which would benefit from an existing south facing semi-circular rear bay containing a number of openings. Considering this is an existing building, the provision of only one single aspect unit would be acceptable.
- 121 The three lower ground floor units would all be dual aspect, with the front bedrooms looking toward a lightwell that would be enlarged in depth to allow for increased outlook. Due to the changing gradient of the site, the living rooms would be at ground level, with direct access to private terraces at the rear.
- 122 The proposed Coach-houses would all be dual aspect, with sufficient openings to ensure good outlook for all habitable rooms.
- 123 Officers are satisfied that all dwellings within the scheme would have sufficient privacy.
- 124 In light of the above, overall officers are satisfied that appropriate outlook, privacy and ventilation would be provided to future occupiers of the units.

### ***Daylight and Sunlight***

#### *Policy*

- 125 The London Housing SPD and the Lewisham Alterations and Extensions SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living spaces. LPP Table 3.2 states that site layout, orientation and design of dwellings should provide privacy and adequate daylight for residents.

#### *Discussion*

- 126 A daylight/ sunlight report has been submitted, which concludes that all future occupiers would be afforded sufficient natural light.

### ***Accessibility and inclusivity***

### *Policy*

- 127 LPP D7 requires 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% being M4(2) 'accessible and adaptable dwellings'.

### *Discussion*

- 128 The applicant has confirmed that the Coach-house development would be designed to comply with Part M of the Building Regulations in terms of access to and movement within the proposed buildings.
- 129 In accordance with Policy D7, 12.5% of the Coach-house development would be capable of being fitted-out as a 'wheelchair accessible dwelling – M4(3)' while all other dwellings would be 'accessible and adaptable dwellings – M4(2).'
- 130 All Coach-houses would be assured of step-free, level access with flush thresholds.
- 131 The provision of wheelchair units within the Cedars building is acknowledged to be difficult due to existing steps to and within the building, whilst it would be impractical to install a lift to provide access to the lower ground and upper floors. A ramped access is proposed to the front, thereby enabling the ground floor Flats 1, 2 and 3 to be M4(2) compliant. Details of the ramp will be subject to a planning condition.
- 132 The submission of wheelchair details will be requested by Condition prior to any works commencing in relation to the Coach-house site.

### **External space standards**

#### *Policy*

- 133 The Technical Housing Standards (2015), Mayors Housing Supplementary Planning Guidance (SPG), London Plan Policy D6 and DM Policy 32 set out or make reference to the minimum space standards required for amenity space to achieve housing development that provides the highest quality of space externally in relation to its context.

#### *Discussion*

- 134 The proposed dwelling-houses would be afforded private external gardens, each compliant with London Plan thresholds.
- 135 In regard to Cedars, all lower ground floor units, and 2 of the 3 ground floor units would be afforded private amenity space.
- 136 Apart from Flat 11 at second floor, no other upper floor units would have private amenity space. In this case, it would be considered inappropriate for new balconies and terraces to be provided to the elevations of the Cedars building as they may serve to detract from the character of the locally listed building.
- 137 The London Plan Housing SPG advises that all new housing developments should provide private amenity space, however where there are site constraints that prevents such provision, a proportion of units may be provided with additional internal floor space equivalent to the area of private amenity space.
- 138

- 139 Five Cedars units would not benefit from private amenity. Of the five units, one would achieve an internal floor area equivalent to the area of amenity space required.
- 140 Officers acknowledge the constraints of the existing building, attributed to its age and internal layout, and the subsequent challenge it presents to achieve a policy compliant provision of amenity space. All occupiers would have use of the extensive communal garden to the rear, where a degree of isolation and privacy may be experienced due to the spaciousness of the grounds.
- 141 To this end, officers are satisfied that the proposed development would comply with the requirements of DM Policy 32 and the London Plan (2021).

### ***Summary of Residential Quality***

- 142 Officers are satisfied that the design and layout of the proposed units would be acceptable, and the proposal would provide a high standard of residential accommodation.
- 143 The proposal would deliver high quality residential units, including family sized dwellings, for which there is an identified need in the area. The proposal is therefore considered acceptable in this regard, and in accordance with the aforementioned policies.

### **7.2.4 Housing conclusion**

- 144 Officers consider that the proposed development would provide a high standard of residential accommodation that would contribute to the Borough's housing targets, which is a material public benefit that is afforded significant weight.

## **7.3 URBAN DESIGN**

### *General Policy*

- 145 The NPPF at para. 126 states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 146 Historic England and CABI state in 'Building in Context' that where new development affects heritage assets, design should be of the highest standard and new buildings 'recognisably of our age, while understanding and reflecting history and context'. In order to achieve a complementary relationship between the historic and new built forms, reference should be made to locally distinctive models, materials and key elements of design, which lend themselves to modern interpretation and assimilation.
- 147 Core Strategy Policy 15 and Local Plan Policies DM 30, and DM 31 set out the detailed considerations and issues that need to be considered and addressed by development applications in order to achieve the high standards of development required.
- 148 Core Strategy Policy 16 and Local Plan Policy DM 37 relates to conserving the value and significance of the borough's heritage assets and their settings, which includes conservation areas and non-designated assets.
- 149 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.
- height, scale and mass should relate to the urban typology of the area.

150 DM Policy 36 states the Council will not grant permission for new development or alterations and extensions to existing buildings that are incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials.

151 DM Policy 37 (Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest) states that the Council will protect the local distinctiveness of the borough by sustaining and enhancing the significance of non-designated heritage assets. Development proposals affecting non-designated heritage assets should be accompanied by a heritage statement proportionate to the significance of the asset and which justifies the changes to the asset.

152 LPP D3 expects the highest quality materials and design appropriate to context.

### 7.3.1 Appearance and character

#### ***Cedars Building:***

##### *Discussion*

153 The proposed external works would include:

- Demolition of existing single-storey rear extension (ballroom);
- Construction of a part single/part two storey extension at the rear;
- Alterations to the front of the building, including an enlarged lightwell, and the construction of an element adjacent to the existing bay window at basement level and fenestration.

154 The existing Cedars building has been identified as a locally listed building and is located within the Sydenham Hill Conservation Area. The local listing does not include the Coach House.

155 The principle of demolishing the ballroom and reconstituting space through a new rear extension is considered acceptable, considering that the ballroom is a later, out of character extension with little architectural merit in relation to the original building. The proposed replacement with a part single/part two storey extension is considered to be appropriate, subject to an assessment of proposed facing materials.

156 The extension would be subservient to the main building, and would respect the setting of the locally listed building, serving to protect the local distinctiveness of the host building and surrounds by sustaining and enhancing the non-designated-heritage asset.

157 Regarding the enlarged lightwell to the front of the building, this has been subject to extensive discussions between officers and the applicant to ensure such works would not harm the architectural integrity of the non-designated heritage asset.

158 The lightwell would extend out from the front elevation by 3 metres to ensure sufficient outlook for the lower ground floor units, with a curved element to replicate the existing front bay window. A low level brick wall with railings were originally proposed to enclose the lightwell for safety reasons, however due to the topography of the landscaping to the front of the building, the wall and railings are no longer proposed.

159 The Council's Alterations and Extensions SPD (2019) generally resists the formation of lightwells to the front of buildings to avoid any harmful impact upon the public realm, however in this case, the proposal would be sited a significant distance back from the edge of the pavement, and screened by the proposed landscaping measures, therefore officers are satisfied there would be no harmful impact upon the public realm. The Conservation officer raises no objections to this approach.

160 Overall, officers are satisfied that the proposal would maintain and respect the character of the existing building and Sydenham Hill CA, whilst the increased depth of the lightwell would not harm the existing openness of the site. A planning condition will require the submission of a method statement to set out the nature of internal works, including the retention and restoration of original features.

## **2 Storey Dwellings**

### *Discussion*

161 As addressed in para.69, the Coach House site has backland and infill characteristics, and DM Policy 33 (a) and (b) will only support new development that is well designed; responds to the character and special distinctiveness of conservation areas, retains appropriate amenity space for adjacent dwellings; provides adequate privacy for future occupiers; provides a proper means of access, whilst considering the visual amenities of neighbouring occupiers.

162 The proposed scale, massing and layout of the 2-storey dwellings are appropriate considering the context that it sits within, which includes large blocks of flats to the adjacent site. The proposed design approach is well considered and would provide an attractive group that would be a suitable replacement for the existing redundant building.

163 From an urban design perspective, the proposed scheme has taken on board the architectural importance of Cedars, and its scale and siting would serve to complement the main building, and the wider setting of the application site, whilst appearing as a sympathetic form of development that would respect the Conservation Area and special character designation.

164 In terms of materiality, the palette would comprise:

- Soft multi-brick;
- Gold standing seam roof;
- Powder coated aluminium windows.

165 Officers raise no objections in principle to the facing materials, however a condition will require the submission of details, including the proposed brick, mortar and pointing. A condition requiring boundary treatment, including walls and fences will be included.

## **7.3.2 Impact on Heritage Assets**

### *Policy*

166 Heritage assets may be designated—including Conservation Areas, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, archaeological remains—or non-designated.

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



- 168 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that relate to heritage assets. This includes giving great weight to the asset's conservation, when considering the impact of a proposed development on the significance of a designated heritage asset (para 199). Further, that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal.
- 169 Para 189 of the NPPF (2021) states that heritage assets 'are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'
- 170 LPP D3 states that development should among other things conserve and incorporate heritage assets where appropriate. Where it would affect heritage assets, development should be sympathetic to their form, scale, materials and architectural details. LPP HC1 reflects adopted policy.
- 171 CSP 16 ensures the value and significance of the borough's heritage assets are among things enhanced and conserved in line with national and regional policy.
- 172 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.
- 173 DMP 37 sets out a framework for the protection of the borough's non-designated heritage assets.

#### *Discussion*

- 174 Para 199 of the NPPF (2021) requires great weight to be afforded to the significance of a designated heritage asset, in this case the Sydenham Hill Conservation Area.
- 175 Officers consider that the current proposal to demolish the existing Coach-House would lead to less than substantial harm to the Sydenham Hill Conservation Area, as addressed in paras 58-64 of this report. The building is only minimally visible from the Conservation Area, and therefore does not make a positive contribution to the same extent as the large houses that front Sydenham Hill.
- 176 As set out in para 202 of the NPPF, the less than substantial harm should be weighed against the public benefits. In this case, officers consider the low degree of harm is outweighed by the benefits of refurbishment of the locally listed Cedars building, and the site overall, having regard to the tilted balance imposed by para 199.
- 177 The identified harm lies with the loss of the Coach House with regard to the wider site. The building does not form part of the Cedars local listing, however it is considered to be a non-designated heritage asset due to its historic relationship with the main Cedars building.
- 178 The NPPF (para.203) states 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application', and 'a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'
- 179 As the Conservation Officer sets out, the loss of the Coach House and identified harm to the significance of the site containing the locally listed house could be mitigated to some

extent by a programme of building recording secured by condition, and the results made available via the Greater London Historic Environment Record. This would sustain the historic significance, by record, and thereby partly meet the aims of DM37.

- 180 The public (heritage) benefit of refurbishment and reuse of the main house is substantial. There is no case made here for enabling development, but if the NDHAs are seen as interrelated, the Conservation Officer considers that the benefit of refurbishment and reuse (in the optimum viable use, which is likely to be its original function - residential) outweighs the harm to the group caused by loss of the Coach House. The Conservation Officer also notes the new build elements of the scheme to have an acceptable impact upon the character and appearance of the Conservation Area.
- 181 The application provides substantive evidence of the public benefits of the proposal. It is clear that the building requires repair and renovation in order to maintain its longevity and the proposals would be sympathetic to the character of the building in terms of design and appearance. The building forms a prominent feature of the Sydenham Hill Conservation Area, therefore the proposal would contribute significantly to maintaining the character of the designated heritage asset.
- 182 The provision of new residential accommodation that would comply with design standards would make an effective use of the site. Ecological and biodiversity benefits are proposed including an uplift in trees and planting measures. Officers therefore conclude that the social, economic and environmental public benefits arising from the proposals outweigh the harm identified above.
- 183 The new Coach-houses would represent a sympathetic form of development due to the proposed siting, design quality and low level scale of the new dwellings. Officers therefore consider the impact upon the character and significance of the Sydenham Hill Conservation Area, and the wider Cedars site, would be acceptable, and is therefore supported
- 184 The refurbishment of the Cedars building lies at the core of the overall proposal, with the undertaking of the works requiring certainty to ensure the enhancements are delivered. It is therefore suggested that a planning condition should require the completion of the Cedars works prior to first occupancy.

#### *Summary*

- 185 Officers, having regard to the statutory duties in respect of listed buildings in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, acknowledge that the demolition of the Coach House will detract from the historic integrity of the overall site, however it is considered that a programme of building recording and the public benefits of refurbishing and reusing the main Cedars building would outweigh its loss. Officers are satisfied the proposed external works to the Cedars building would be sympathetic. The scale and design of the new Coach-houses would be appropriate, and would respect the overall site, and the character of the Sydenham Hill Conservation Area. The scheme therefore is acceptable in heritage planning terms.

### **7.3.3 Urban design and heritage impacts conclusion**

- 186 Officers have reached a view that the existing Coach House is a non-designated heritage asset due to its historic link with the locally listed Cedars building. Its architectural merits however are considered to be at the lower end of moderate, having been externally altered over time.

- 187 The demolition of the Coach-House would detract from the integrity of the overall site, but there are mitigating public benefits to outweigh this harm. The loss of the building would cause a very low degree of harm (less than substantial) upon the character or appearance of the Sydenham Hill Conservation Area.
- 188 The proposed extension and alterations to the Cedars building would be acceptable, and would result in no detrimental harm upon the significance of the locally listed building. The proposal would serve to restore Cedars to optimum use following a long period of inactivity, whilst replacing the unsightly rear extension with one that in comparison would complement and enhance the building.
- 189 The design approach of the new dwelling-houses is supported, with an appearance of high quality. Consequently, officers are satisfied that the relationship with the locally listed Cedars building would be appropriate, and the proposal would preserve the setting of the wider site, and the character of the Sydenham Hill Conservation Area.
- 190 The proposal is therefore considered to satisfy the requirements of Core Strategy Policy 16 and Local Development Plan Policies DM 30, DM 31, DM 33, DM 36, and DM 37.

## **7.4 TRANSPORT IMPACT**

### *General policy*

- 191 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 192 Policy T1 of the London Plan (2021) sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and development. This is to be achieved by encouraging patterns and nodes of development that reduce the need to travel, especially by car; seeking to improve the capacity and accessibility of public transport, walking and cycling; supporting measures that encourage shifts to more sustainable modes and appropriate demand management; and promoting walking by ensuring an improved urban realm.
- 193 Core Strategy Policy 14 'Sustainable movement and transport' promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans.

### **7.4.1 Car Parking**

#### *Policy*

- 194 London Plan and Core Strategy Policies encourage sustainable transport modes whilst recognising the need for operational parking for commercial uses and disabled parking facilities. Car parking standards within the London Plan should be used as a basis for assessment. Priority should be given to enhancing pedestrian and cycle routes and promoting use of sustainable transport through a Travel Plan.

195 London Plan Policy T6.1 Residential parking sets out in Table 10.3. that new residential development should not exceed the maximum parking standard to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use. Through the use of travel plans, it aims to reduce reliance on private means of transport.

*Discussion*

196 The application site is not well connected to the wider public transport network, reflected in the PTAL rating of 1b. The site has existing entry and exit points, with a hardstand area to the front of Cedars for car parking. To the western side is a vehicular route that extends toward the existing Coach House building at the rear. The application would retain the existing access points and vehicular route, whilst providing a dedicated pedestrian pathway adjacent to the access to ensure safety.

197 16no. off-street parking spaces would be provided, a reduction of 4 bays since the last application. This would comprise 11 spaces for the occupiers of the main Cedars building.

198 The Coach-houses would have five spaces, including two active electric charging point bays, and a disabled bay.

199 The provision of 16 spaces would equate to a ratio of 0.8 bays per dwelling. The London Plan requires up to 0.75 spaces per dwelling within Inner London areas of PTAL 1, which would equate to 14 bays in this case.

200 Whilst the parking provision would exceed the London Plan requirement, Highways officers raise no objections due to the low PTAL and lack of amenities within a short walking distance. The scheme would not significantly increase on-street parking stress levels within the vicinity of the site - it is noted there are unrestricted parking opportunities along Sydenham Hill.

201 In terms of highways safety, vehicles would continue to exit the site in forward gear from the southern gate. It is acknowledged there would be additional movement to and from the site compared to at present, however officers are satisfied there is sufficient line of sight along this section of Sydenham Hill to ensure safe manoeuvring onto the highway that would not compromise passing vehicles or pedestrians. It is also noted that the speed limit along Sydenham Hill is restricted to 20mph.

202 A Parking Management Plan will be secured by Condition to advise how the parking spaces would be allocated to residents.

203 In addition, a Construction Management Plan will also be requested by Condition prior to commencement of works to ensure that the demolition and construction process is carried out in a manner which will minimise noise, disturbance and pollution to neighbouring properties.

204 Electric vehicle charging provision should be provided in accordance with Policy T6.1 of the London Plan, providing at least 20 per cent of spaces with active charging facilities, and passive provision for all remaining spaces.

205 In this case, 25% of spaces would be active. The Transport Statement incorrectly advises in para.5.5.3 that 20% would be passive, however the applicant has since confirmed that this would apply to all remaining bays, thereby in compliance with LPP T6.1. This will be secured by condition.

### **205.1.1 Cycle Parking**

#### *Policy*

206 Cycle storage space should be provided in accordance with LPP T5, table 10.2 and London Cycle Design Standards. Developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards.

#### *Discussion*

207 37no. dry and secure cycle parking spaces would be provided across the site; a dry and secure store would be located adjacent to the western boundary that would accommodate a minimum of 22 cycles.

208 Remaining spaces would be provided within the gardens of the Coach-houses, and two short stay visitor spaces would be located adjacent to the existing vehicular route.

209 The provision would be in accordance with Policy T5 of the London Plan. Details of the cycle parking facilities would be secured by condition to ensure the stores would be accessible, acceptable in appearance, and provided in full prior to first occupation.

### **7.4.2 Servicing and refuse**

#### *Policy*

210 CSP 13, Part 4, requires that recycling facilities are well designed and incorporated in the new development.

211 DMLP 29 requires new development to have no negative impact upon the safety and suitability of access and servicing.

#### *Discussion*

212 A bin store area would be located to the western boundary, close to the exit point onto Sydenham Hill, and would be partially screened by existing trees.

213 The store would accommodate 4 no. 1100l bins, in accordance with BS 5906:2005. As the store would be located within 10 metres of the kerb, refuse workers would collect the bins directly from the store, with no need for the refuse truck to enter the site, or for any bins to be left on the pavement on collection day.

214 Highways are satisfied with the refuse details.

### **7.4.3 Transport impact conclusion**

215 In light of the above, the impact of the proposal on highways is acceptable, and no objections are raised. The proposed parking management plan; refuse and recycling storage; cycle facilities and a Construction Management Plan will be secured by condition.

## **7.5 LIVING CONDITIONS OF NEIGHBOURS**

#### *General Policy*

- 216 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan, the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2016, GLA; Alterations and Extensions SPD 2019, LBL).
- 217 DMP32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 218 The main impacts on amenity arise from: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas; and (iv) noise and disturbance.

### **7.5.1 Enclosure, Outlook & Privacy**

#### *Policy*

- 219 Policy DM32 expects new residential development to result in no harmful increased sense of enclosure and significant loss of outlook to neighbouring dwellings.

#### *Discussion*

- 220 The proposed Coach-houses would each incorporate only one first floor opening to the rear elevations, all serving secondary bedrooms.
- 221 Due to the distances away from the existing dwellings within the adjacent estate, and some boundary tree coverage, whilst there would be a degree of inter-visibility between properties, in this case, officers are satisfied that the proposal would result in no unacceptable overlooking/ loss of privacy or overbearing harm to neighbouring occupiers.
- 222 As such, the proposals are considered to satisfactorily respond to the constraints of the site and the possible implications upon amenity by way of overlooking and sense of enclosure have been addressed in the design of the proposals.
- 223 The proposed dwelling-houses would be 2-storeys, with the first floors set within the roofspace. Given the geographical orientation of the neighbouring properties and the positioning of existing windows serving habitable rooms, officers do not consider there would be any significant harm to existing occupiers.

### **7.5.2 Daylight and Sunlight**

#### *Policy*

- 224 Paragraph 130 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 225 DMP 32 states that new development must be neighbourly, provide a satisfactory level of outlook and natural light for both its future residents and its neighbours. DMP 32(2) also states that new-build housing development, including the housing element of new build housing will need to respond positively to the site specific constraints and opportunities as well as to the existing and emerging context for the site and surrounding area.

- 226 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards however this is not formal planning guidance and should be applied flexibly according to context.
- 227 The NPPF does not express particular standards for daylight and sunlight. Para 125 (c) states that, where there is an existing or anticipated shortage of land for meeting identified housing need, LPAs should take a flexible approach to policies or guidance relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site.
- 228 Standard 32 of the Housing SPG details that “All homes should provide for direct sunlight to enter at least one habitable room for part of the day.” The Housing SPG further states that where direct sunlight cannot be achieved in line with Standard 32, developers should demonstrate how the daylight standards proposed within a scheme and individual units will achieve good amenity for residents.
- 229 The GLA states that ‘An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.’ (GLA, 2016, Housing SPG, para 1.3.45).

#### *Discussion*

- 230 The applicant has not provided a Sunlight/ Daylight report that considers neighbouring properties. Considering the siting, scale and height of the proposed dwelling-houses, officers are satisfied that the development would be unlikely to result in any significant overshadowing or reductions to sunlight and daylight. The proposal is for 2-storey houses, comparable in height to the existing Coach House, and considerably lower in scale and height in comparison with the nearest buildings that are flats ranging between 3 and 6 storeys. Considering the orientation of the existing and proposed buildings, and positioning of existing openings, the scheme would comply with DM Policy 32 and paragraph 130 of the NPPF.

### **7.5.3 Noise and disturbance**

#### *Policy*

- 231 The NPPF at para 174 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions. Para 185 states decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 232 The NPPG states LPAs should consider noise when new developments may create additional noise.
- 233 The objectives of the NPPF and NPPG are reflected in LPP D1 and D13, CS Objective 5 and DMP 26.

#### *Discussion*

- 234 A Construction Management Plan will be required by Condition to ensure demolition and construction works are undertaken appropriately.
- 235 Depending upon the level of car ownership, there would be an increase in vehicular movement within the site. The proposal would retain the existing vehicular route into the site, whilst parking bays serving the residents of the new houses would lie a sufficient distance away from the site boundary.

#### **7.5.4 Impact on neighbours conclusion**

- 236 Officers consider that the proposed scale and siting of the residential development would be acceptable, and would have no significant harm upon the amenities of surrounding properties.
- 237 As addressed earlier, no undue loss of daylight, sunlight, outlook or privacy are considered to be generated upon any neighbour as a result of the proposals. The amenity impacts to existing occupiers is therefore considered to be acceptable.

### **7.6 SUSTAINABLE DEVELOPMENT**

#### *General Policy*

- 238 NPPF para 152 sets an expectation that planning will support transition to a low carbon future.
- 239 This is reflected in relevant policies of the London Plan and the Local Plan.

#### **7.6.1 Energy and carbon emissions reduction**

##### *Policy*

- 240 LPP SI 2 seeks an overall reduction in carbon dioxide (CO<sub>2</sub>) emissions, and states that major development proposals should make the fullest contribution to minimising CO<sub>2</sub> in accordance with the following hierarchy: (1) be lean: use less energy; (2) be clean: supply energy efficiently; and (3) be green: use renewable energy.
- 241 In addition, LPP SI 2 sets targets for CO<sub>2</sub> reduction in buildings, expressed as minimum improvements over the Target Emission Rate (TER) outlined in national building regulations. The target for residential buildings is zero carbon from 2016 and non-domestic buildings from 2019, prior to which the target is as per building regulations (35%). LPP advocates the need for sustainable development.
- 242 Further guidance is given in The Mayor's Sustainable Design and Construction SPG (April 2014), which sets out targets and provides guidance as to how to achieve those targets as efficiently as possible.

##### *Discussion*

- 243 The applicant has advised that the dwelling-houses will be designed to be energy efficient, with use of sufficient insulation measures, windows and use of PV panels.
- 244 A planning Condition will ensure that the water efficiency standards of all dwellings (both conversion and new) would achieve 105 litres per person per day.
- 245 In regard to the Carbon offset fund, major schemes are expected to provide a financial contribution should zero carbon not be achieved. In this case, the Energy Statement



confirms a 37% reduction for the Coach-house development, with a subsequent in-lieu payment of £18,096, which will be secured in the S106.

246 It should be acknowledged that whilst the existing Cedars building is being retained and converted to flats, there are clear difficulties in addressing the same energy requirements due to the age and constraints of the existing building. The installation of PV panels for example would not be supported as they would harm the character of the locally listed building. For this reason, the agreed payment arising from the Coach-house element is considered sufficient.

247 A condition has been included that requires the submission of an air quality assessment to the LPA prior to commencement of works.

## **7.6.2 Overheating**

### *Policy*

248 LPP SI4 states that proposals should reduce potential overheating beyond Part L 2013 of the Building Regulations, reduce reliance on air conditioning systems and demonstrate this in accordance with the Mayor's cooling hierarchy. Policy D6(c) states new development should avoid overheating.

249 DAMP 22 reflects regional policy.

250 Further guidance is given in the Sustainable Design and Construction SPG (GLA) and Chapter 5 of the London Climate Change Adaptation Strategy.

### *Discussion*

251 All proposed dwelling-houses and flats (other than the south facing Unit 7) would be dual aspect, which have greater capacity to address overheating.

252 The application proposes energy efficient design measures, including configuration of internal pipework to minimise heat loss; solar shading; and an efficient, low transmittant glazing.

## **7.6.3 Urban Greening**

### *Policy*

253 LPP G5 requires development to contribute to urban greening, including tree planting, green roofs and walls and soft landscaping, recognising the benefits it can bring to mitigating the effects of climate change.

254 CSP 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which in effect, comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.

### *Discussion*

255 The submission has been reviewed by Ecology officers, who are satisfied that the development would maintain a high proportion of soft landscaping, with an uplift in the number of trees upon the site.

256 This accords with Policy G5 of the London Plan, which states that major development proposals should contribute to the greening of London by incorporating high quality landscaping.

257 A living roof will be constructed upon the cycle shed. Due to the pitched roofs to the Coach-houses and its location in a historically significant area, there is no opportunity to construct living roofs there.

#### **7.6.4 Flood Risk**

##### *Policy*

258 LPP SI 12 requires development proposals to ensure that flood risk is minimised and mitigated.

##### *Discussion*

259 The site lies outside of Flood Zones 2 and 3 and is therefore at low risk of flooding.

#### **7.6.5 Sustainable Urban Drainage**

##### *Policy*

260 LPP SI 13 requires the mitigation of flooding, or in the case of managed flooding, the stability of buildings, the protection of essential utilities and the quick recovery from flooding. The LP expects development to contribute to safety, security and resilience to emergency, including flooding.

261 CSP 10 requires developments to result in a positive reduction in flooding to the Borough.

262 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance.

263 Policy G4 requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy's drainage hierarchy. The supporting text to the policy recognises the contribution 'green' roofs can make to SUDS. The hierarchy within the policy establishes that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, CSP 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which in effect, comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.

264 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems.

##### *Discussion*

265 The submission advises that the site lies within an area of 'very low risk' of surface water flooding, in accordance with the Environment Agency surface water flood maps.

- 266 A surface water network is proposed by the applicant, in addition to a SuDS strategy for the wider site. This may include a system of geocellular underground tanks that would temporarily store surface water prior to infiltration. Considering the number of trees upon the site, excavation works would need to be undertaken by hand to avoid damaging roots. The submission advises this should be discussed with an Arboriculturist prior to commencement of works.
- 267 Permeable paving would be laid to allow for surface water run-off – details will be subject to a planning condition.
- 268 The Council's SuDS manager has reviewed the submission details, and raises no objections to the proposals, subject to the submission of further details by condition.

## **7.7 NATURAL ENVIRONMENT**

### *General Policy*

- 269 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 270 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 271 The NPPF at para 185 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.
- 272 LPP G1 sets out the Mayor of London's vision for Green Infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

### **7.7.1 Ecology and biodiversity**

#### *Policy*

- 273 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.
- 274 The NPPF at para 174 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. At para 180, it sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 275 LPP G5 seeks wherever possible to ensure that development makes a positive contribution to the protection, enhancement, creation and management of biodiversity.

#### *Discussion*

- 276 The previous planning application was accompanied by a Preliminary Ecological Appraisal Survey (prepared by Arbtech). The Report advised it did not provide a complete characterisation of the site, and that as the site is closely located to dense deciduous woodland, this increases the likelihood of some protected species being found on the site.

- 277 P18 of the Report advised that with regard to the an existing single-storey garden shed that would be demolished, gaps under the hanging tiles 'could' provide roosting bats.
- 278 The Cedars building is generally in good structural condition with no notable gaps, therefore the presence of bat roosts were considered 'moderate' at the time.
- 279 The Coach-House building has some lead flashing around the dormers that have lifted and so could be 'exploited' by roosting bats, therefore the likelihood is 'high'.
- 280 Arbtch confirmed that bat surveys should be undertaken by qualified surveyors during the active season between May and September prior to the commencement of any development works.
- 281 Subsequently, a bat survey was undertaken in September 2020 by Middlemarch Environmental, following a Preliminary Bat Roost Assessment on 29 July 2020 that concluded both buildings had 'high' potential to support roosting bats, although no bats were observed within the buildings.
- 282 Following this, a dawn re-entry bat survey was conducted on 2 September 2020, and whilst 3 species of bat were observed within the Cedars' garden area, no bats were found to be roosting within the two buildings.
- 283 The Recommendation advises that the survey data is valid for 12 months, ie 2 September 2021, therefore should works commence beyond that date, a further bat survey would be necessary.
- 284 The Council's Ecology manager is satisfied with the submission details and recommendations.
- 285 The site could be further enhanced by providing roosting and nesting opportunities for bats and birds by installing a series of bat and bird boxes in suitable locations on retained trees, and bat bricks within the fabric of the new coach-houses. These will be secured by a planning condition.
- 286 Neighbours consider that the site forms part of a wildlife corridor, and so are concerned that the Coach-house development would bring significant harm.
- 287 The footprint of the development would exceed the existing building and would be built upon an unkempt soft landscaped area, although an element would be retained to the south-eastern corner. The rear gardens of the Coach-houses would comprise lawned/seeded areas, therefore an opportunity for wildlife to thrive would remain. A condition will seek details of appropriate wildlife friendly measures to implement.
- 288 In regard to site enhancements including planting measures shown on plan 350/01A, the Ecology team is satisfied with the proposals, which includes the planting of 12no trees and various plant species. Other potential planting measures suggested by officers to consider are listed in planning Informative (G).
- 289 Due to the pitched nature of the proposed dwellinghouse roofs, there are no provisions for the inclusion of a biodiverse living roof, however the applicant has proposed a living roof to the cycle store, and possible climbing planters to the flank walls of the Coach-houses. It is recommended that the following conditions are included:
- Details of bird and bat boxes;
  - Wildlife measures;
  - Details of external lighting;

- Soft landscaping details;
- Planting to external wall details.

## 7.7.2 Green spaces and trees

### *Policy*

- 290 S.197 of the Town and Country Planning Act gives LPAs specific duties in respect of trees.
- 291 LPP G7 protects trees of value and replacements. New development should include additional trees wherever appropriate, particularly large-canopied species.
- 292 Paragraph 174 of the NPPF (2021) requires that decisions should contribute to and enhance the natural and local environment. DM Policy 25 seeks to ensure that applicants consider landscaping and trees as an integral part of the application and development process.

### *Discussion*

- 293 The application is accompanied by an Arboricultural Implications Report, (prepared by Merewood, July 2021), which concludes that of the existing 54 trees, none are considered to be Category A, 28 are Category B, 24 Category C, and 2 Category U.
- 294 The application proposes the removal of 6no. trees that lie close to the siting of the coach-house development. (Note the previous scheme proposed the felling of 9no. trees.) The affected trees are:
- T38: Deodar (Category C)
  - T39: Holly (C)
  - T46 & T47: Sycamores (B)
  - T48: Yew (C)
  - T50: Sycamore (C)
- 295 None of the trees are subject to a Tree Preservation Order.
- 296 12no. replacement trees are proposed, with the subsequent uplift complying with LPP G7, which requires any lost biodiversity to be compensated by an overall greater biodiversity value.
- 297 The applicant held previous discussions with the Council's Tree officer in regard to tree felling and planting. The officer has raised no objections to the removal of the existing trees, and generally accepts the proposed planting measures, which includes Acer Campestris and Carpinus.
- 298 Officers however consider there is an opportunity for an enhanced tree species proposal to ensure the site would continue to contribute to the existing well treed and green landscape character subsequent to the proposed development. A planning condition will therefore require the submission of further details.
- 299 In addition, a tree protection condition will be included to ensure appropriate measures are undertaken during construction works to safeguard existing trees. Details of building foundations will also be required.

300 Should any proposed trees die within 5 years, a condition will ensure they are suitably replaced.

### **7.7.3 Light pollution**

#### *Policy*

301 The NPPF at para 185 states that development should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

#### *Discussion*

302 A planning condition will require the submission of any external lighting measures to ensure there would be no harmful impact upon wildlife.

## **8 LOCAL FINANCE CONSIDERATIONS**

303 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

- a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

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

305 The CIL is therefore a material consideration.

306 £25,314 Lewisham CIL and £38,314 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

## **9 EQUALITIES CONSIDERATIONS**

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

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

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

- 309 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 310 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
- 311 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
  - Meeting the equality duty in policy and decision-making
  - Engagement and the equality duty
  - Equality objectives and the equality duty
  - Equality information and the equality duty
- 312 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>
- 313 The planning issues set out above advises that due to the age and condition of the Cedars building, the upper floors would be unlikely to conform to Part M4(2) regulations with regard to the provision of wheelchair units and accessible and adaptable units, and therefore it is concluded that the proposal would impact on equality in this respect.

## 10 HUMAN RIGHTS IMPLICATIONS

- 314 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. “Convention” here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including
- Article 8: Respect for your private and family life, home and correspondence
  - Protocol 1, Article 1: Right to peaceful enjoyment of your property

- 315 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.
- 316 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.
- 317 This application has the legitimate aim of providing 19no. new residential dwellings. The rights potentially engaged by this application, including respect for your private and family life, home and correspondence and the freedom to enjoy one's home are not considered to be unlawfully interfered with by this proposal.

## 11 LEGAL AGREEMENT

- 318 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
- 319 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.
- Review mechanism: Early stage review (if the development has not been substantially implemented within two years from the date of the planning permission, if granted) and a late stage review at 75% disposal of the residential units.
  - Carbon offset payment of £18,096
  - Monitoring and Costs: Meeting the Council's reasonable costs in preparing and monitoring the legal obligations. The monitoring costs in this instance would be payable on or prior to completion of the s106 agreement as per the Planning Obligations SPD.
- 320 Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).



## CONCLUSION

- 321 This Report has considered the proposals in light of adopted development plan policies and other material considerations or representations relevant to the environmental effects of the proposals.
- 322 The site is characterised by a locally listed building and substantial treed grounds within the Sydenham Hill Conservation Area and Area of Special Character, which a future development must seek to respect.
- 323 Officers consider that the external alterations to the Cedars building, including the construction of a replacement rear extension and lower ground/ front lightwell works would be appropriate and respectful of the non-designated heritage asset. Planning conditions will require the submission of further details, including facing materials and new fenestration.
- 324 The principle of change of use from F1(a) Non-residential Institution (formerly D1 use) to residential is supported. The proposal to convert the existing Cedars to provide self-contained flats would be appropriate in this case, providing 11 self-contained residential units that would provide a high standard of residential accommodation, whilst reoccupying the long standing vacant building.
- 325 In regard to the loss of the existing detached building to the rear of the site, its historic past and link to the main Cedars building contributes to it being considered as a non-designated heritage asset, therefore its loss would result in significant harm upon the wider site.
- 326 Nevertheless, the building on its own merits is considered to be on the lower end of moderate significance, and its loss would have less than substantial harm upon the character of the Sydenham Hill Conservation Area. The public benefits of the proposal would outweigh the retention of the building with regard to the renovation of the Cedars building, and the provision of additional residential accommodation, therefore officers raise no objections to its demolition, subject to a well designed replacement.
- 327 The construction of 8 Coach-houses would be appropriate for this large site, and the quality of design, scale and height would respect the wider site and character of the Conservation Area, in accordance with the NPPF and planning policies. Officers are satisfied the impacts to designated and non-designated heritage assets are on balance acceptable with regard to the relevant tests enshrined in the NPPF.
- 328 The proposals have attracted a number of objections on a wide range of issues. Those material concerns expressed by local residents and local groups have been considered and where appropriate, addressed in earlier sections of this report.
- 329 Given the acceptability of the proposed residential use and policy compliance, the proposal is considered to be in accordance with the development plan as a whole.
- 330 The NPPF is underpinned by a presumption in favour of sustainable development. Officers consider that with the recommended mitigation, and planning conditions in place, the scheme is consistent with national policy. For the reasons addressed in this report, there are no other material considerations which officers consider outweigh the grant of planning permission. In light of the above, on balance, the application is therefore recommended for approval.
- 331 For these reasons, it is therefore recommended that permission is granted, subject to appropriate conditions.

## 12 RECOMMENDATION

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

### 12.1 CONDITIONS

#### 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.

#### Approved Plans

2. The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:16/12/01; 16/12/45F; 16/12/55; 16/12/56; 16/12/57; 16/12/58; 16/12/59; 16/12/61; Proposed Coach-houses – 3D views (Received 12 November 2020);359/01A (Received 13 January 2021);

16/12/60A (Received 19 July 2021)

**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.

#### Construction Management Plan

3. No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
  - (a) Dust mitigation measures
  - (b) The location and operation of plant and wheel washing facilities
  - (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
  - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
    - (i) Rationalise travel and traffic routes to and from the site.
    - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity.
    - (iii) Measures to deal with safe pedestrian movement.
  - (e) Security Management (to minimise risks to unauthorised personnel).

- (f) Details of the training of site operatives to follow the Construction Management Plan requirements.

The scheme shall thereafter be commenced in full accordance with the approved details.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy S11 Improving air quality and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).

### **Refuse and recycling facilities**

- 4. (a) No development above ground level shall commence until details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved, have been submitted to and approved in writing by the local planning authority.
- (a) 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.
- (b) All refuse bins shall be collected from within the curtilage of the Cedars site only.

**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).

### **Tree protection**

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

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

### **Hard landscaping**

6. (a) No development above first floor of the Coach-houses shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of 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), including pedestrian footpaths, 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 SI 12 Flood risk management in the London Plan (March 2021), 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.

### **Soft landscaping**

7. (a) A scheme of soft landscaping measures, in addition to the additional roosting habitat measures set out in Informative (G) 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 development above first floor of the Coach-houses.
- (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).

### **Tree replacement**

8. A detailed tree replacement plan to plant a minimum of **12no.** new trees within the site to mitigate the proposed felling of the existing trees shall be submitted to and approved in writing by the LPA prior to the commencement of the dwelling-houses hereby granted. Thereafter, planting of the approved trees shall be carried out in the first planting and seeding seasons following the completion of the development.

**Reason:** In order that the local planning authority may be satisfied as to the re-provision of trees within the site 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).

### **Boundary treatment**

9. (a) Details of the proposed boundary treatments including any gates, walls and 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 first 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).

### **Satellite dishes**

10. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on any elevations or the roof of the Cedars building.

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

### **Plumbing and pipes**

11. 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 front elevation of the Cedars building.

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

### **Amenity spaces**

12. The whole of the amenity spaces as shown on the drawings hereby approved shall be provided prior to first occupation, and retained permanently for the benefit of the occupiers of the residential units hereby permitted.

**Reason:** In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards DM Policy 3 Conversion of a single family house to two or more dwellings of the Development Management Local Plan (November 2014).

### **Car-parking**

13. The whole of the car parking accommodation shown on drawing **no.16/12/55** hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter

**Reason:** To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the buildings does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Policy T6.1 Car parking and Table 10.3 of the London Plan (March 2021)

### **Cycle parking facilities**

14. (a) A minimum of 37 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) Prior to first occupation, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the residential units hereby granted 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).

### **Deliveries**

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.

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 122 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).

### **Parking Management Plan**

16. (a) No development beyond piling shall commence on site until a Parking Management Plan indicating how the proposed car parking spaces will be allocated to the future residents, and measures to restrict and enforce non resident parking, has been submitted to and approved in writing by the local planning authority.
- (b) The Parking Management Plan shall be implemented prior to occupation of the building and retained in perpetuity.

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

## **Materials**

17. No development beyond piling shall commence on site until a detailed schedule and an on-site sample board of all external materials and finishes/ windows and external doors/ roof coverings, wheelchair ramp, pointing and mortar to be used on the buildings have been reviewed 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, DM Policy 31 Alterations and extensions to existing buildings including residential extensions and DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest.

## **Bat and bird boxes/ wildlife**

18. Details of the number and location of the bird and bat boxes to be provided as part of the development hereby approved, in addition to other wildlife friendly measures shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed in accordance with the approved details before occupation of the buildings and maintained in perpetuity.

**Reason:** To comply with 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).

## **Removal of PD Rights**

19. No extensions or alterations to the Coach-houses 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).

## **Electric vehicle charging**

20. (a) Details of the electric vehicle charging points to be provided (including 25% active and 75% passive bays), 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 accordance with Policy T6 Car parking in the London Plan (March 2021), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

### **External lighting**

21. (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).

### **Planting measures to flank walls**

22. (a) Details of either green walls or a system to enable climbing plants on the flank walls to the Coach-houses hereby granted shall be submitted to and approved in writing prior to commencement of piling works.
- (b) The details approved in (a) shall be implemented in full prior to first occupation of the Coach-houses.

### **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).

### **Water Efficiency - New Dwellings**

23. The sanitary fittings within all residential dwellings shall include low water use WCs, shower taps, baths and (where installed by the developer) white goods designed to comply with an average household water consumption of less than 105 litres/person/day.

**Reason:** To comply with Policies GG6 Increasing efficiency and resilience, SI 5 Water infrastructure, SI 13 Sustainable drainage in the London Plan (2021) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

### **Wheelchair Units**



24. (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 below:
- (i) Coach-house 8 shall meet standard M4(3) (Wheelchair user dwellings);
  - (ii) All other Coach-houses, and Cedars Flats 1, 2 and 3 shall meet standard M4(2) (Accessible and adaptable dwellings)
- (b) No development shall commence other than in relation to the Cedars building 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 Paragraph (a) of this condition in respect of such building.
- (c) The development shall be carried out in accordance with the requirements of paragraphs (a) and (b) of this condition.

**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).

#### **Lightwell: Cedars**

25. The increased depth of the existing front hereby granted shall be completed in full accordance prior to first occupancy of the Cedars building.

**Reason:** In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards DM Policy 3 Conversion of a single family house to two or more dwellings of the Development Management Local Plan (November 2014).

#### **Living Roof: Cycle Store**

26. (a) Within 6 months of commencement of development above slab level, details of the biodiversity living roof, which shall allow for a substrate depth of 150 mm and shall be designed to support a water load of 12litres/m<sup>2</sup> (=12kg/m<sup>2</sup>) and a soil load of 150mm depth minimum (circa 225kg/m<sup>2</sup>) shall be submitted to and approved in writing by the local planning authority.
- (b) The biodiversity living roof shall be provided in accordance with the details approved under condition (a) before any dwelling is first occupied and such biodiversity living roofs shall thereafter be permanently retained and maintained in accordance with the approved details.

**Reason:** To comply with Policy G5 Urban greening in the London Plan (2021), Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

#### **Travel Plan**

27. (a) No residential unit hereby approved shall be occupied until such time as a user's Travel Plan for the residential use, in accordance with Transport for London's document

'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

- (b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.
- (c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

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

### **Secured by design**

- 28. No part of the development hereby approved shall be first occupied until certification that the development has achieved Secured by Design in accordance with Part Q of the relevant building regulations has been submitted to and approved in writing by the local planning authority.

**Reason:** To ensure that the local planning authority may be satisfied that the proposal reduces opportunities for criminal behaviour and makes a positive contribution to a sense of security and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

### **Conservation: Recording**

- 29. The Applicant is required to undertake an internal and external Level 3 recording of the existing Coach-house building, which shall be submitted to the Historic Environment Record and Local Archive Libraries prior to the completion of the works hereby granted. The Applicant is advised to confirm in writing to the planning officer when the recordings have been submitted.

**Reason:** To ensure the history of the site may be studied in the future, in accordance with DM Policies 37 and 38 of the Development Management Local Plan (2014).

### **Non-Road Mobile Machinery (NRMM)**

- 30. An inventory of all Non-Road Mobile Machinery (NRMM) shall be kept on-site during construction works, and registered on <http://nrmm.London/> showing the emission limits for all equipment and shall be made available to Local Planning Authority offices if requested. All NRMM of net power between 37kW and 560kW will be required to meet Stage IIIA of EU Directive 97/68/EC.'

**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 SI 1 Improving air quality of the London Plan (2021).

### **PV Panels**

31. (a) Details of the proposed PV panels shall be submitted to and approved in writing by the LPA prior to first installation.
- (b) The PV panels approved in accordance with (a) shall be installed in full prior to first occupation of the residential units hereby approved, and retained in perpetuity.

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

### **Air Quality Assessment**

32. (a) Prior to the commencement of development, an Air Quality Assessment (AQA), prepared in accordance with best practice guidance shall be submitted to and approved in writing by the LPA.
- (b) The measures approved in part (a) shall be undertaken in full accordance.

**Reason:** In order that the local planning authority may be satisfied that the development will not result in significant health impacts to existing and future residents from a deterioration in local air quality and to comply with Development Management Local Plan (November 2014) DM Policy 23 Air quality.

### **Gas Boilers**

33. (a) Prior to first occupation, details of the Ultra-Low NOx Gas fired boilers proposed to be installed shall be submitted to and agreed in writing by the LPA.
- (b) The boilers submitted to address part (a) shall have dry NOx emissions not exceeding 30mg/kWh (at 0% O<sub>2</sub>). Where any installations do not meet this emissions standard, they should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions.
- (c) Following installation in accordance with parts (a) and (b), emissions certificates will need to be provided to the LPA to verify boiler emissions. The approved details shall be fully implemented prior to the occupation of the development and thereafter permanently retained and maintained.

**Reason:** To manage and prevent further deterioration of existing low quality air across London, in accordance with Development Management Local Plan (November 2014) Policy 23 'Air quality.'

### **Surface Water Drainage**

34. No development (other than demolition of above ground structures) shall commence on site until a scheme for surface water management, including specifications of the surface

treatments, management plan and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority. Thereafter, the approved scheme shall be implemented in full accordance prior to first occupancy.

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

### **Schedule of Refurbishment works**

35. (a) Prior to commencement of works to the Cedars building, a Schedule shall be submitted to and approved in writing by the LPA that details the extent of internal refurbishment works, including the retention and restoration of original fixtures and decorative features.

(b) All refurbishment works relating to the Cedars building approved in (a) shall be completed in full compliance prior to first occupation of any residential unit.

**Reason:** To ensure the character of the locally listed building is preserved, in accordance with DM Policies 37 and 38 of the Development Management Local Plan (2014).

### **Wheelchair ramp**

36. Section plans of the ramped access to the Cedars building hereby permitted shall be submitted to and approved in writing by the LPA. The ramp shall be installed in full accordance prior to first occupation, and thereafter retained permanently.

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

### **Details**

37. (a) Notwithstanding the details hereby approved, no development beyond piling shall commence until detailed plans at a scale of 1:50 showing; windows/ doors/ entrances/ junction between Cedars and rear extension; have been submitted to and approved in writing by the local planning authority.

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

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

## **12.2 INFORMATIVES**

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

- B. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: -  
<http://www.lewisham.gov.uk/myserVICES/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- C. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- D. In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.
- 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 following pre-commencement condition attached to this decision notice is considered necessary in order to protect the amenities of future occupiers and users of the proposed development and encompasses ecological benefits, and to ensure that the proposed development results in a sustainable and well-designed scheme.
- Construction Management Plan
  - Air Quality Assessment (AQA)
  - Tree Protection Plan
- G. In regard to the Soft Landscaping Condition, the applicant is advised to include details that seek to provide additional roosting habitat for species such as pipistrelle and the planting of species which attract night flying insects is encouraged as this will be of value to foraging bats, for example: evening primrose *Oenothera biennis*, goldenrod *Solidago virgaurea*, honeysuckle *Lonicera periclymenum* and fleabane *Pulicaria dysenterica*.
- H. Bat informative for applicants, agents and contractors:

There is a possibility, due to the age, construction and/or location of the property, that bats could be using the existing roof void or parts of the roof structure. If you know your property is used by bats you should seek further advice before commencing work.

The bat survey conclusions submitted as part of this application will expire in September 2021.

The applicant and contractors should be aware that all bats and any structures used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England.

Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0845 1300228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained.

Particular care and vigilance should be taken when roof tiles or slates are removed (remove by hand and check underside for bats before stacking, particularly the ones over the gable

ends and ridge tiles.) Fascias, barge boards and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March to May, or September to November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.

- The Applicant is advised that the installation of any flue, vents or ducts to the Cedars building would require the benefit of planning permission. An AQA shall identify site location and provide a brief description of the proposed development as it relates to air quality, including a description of all receptors. This should include any particularly sensitive receptors and may include ecological receptors. The AQA shall also assess the current air quality/dust/odour in the vicinity of the proposed development;
- Provide full details of mitigation measures that will be implemented to maintain and to improve air quality in the vicinity of the development, and mitigation measures to protect the internal air quality of buildings;
- Identify how the building works and related activities and the future operation and use of the development may impact upon local air quality (prediction of the impact of the proposed development);
- Identify measures that will be implemented or continue to be implemented after the completion of the development with clear timescales of when information will be provided;
- Include an Air Quality (Dust) Risk-Assessment giving detailed risk assessment for each construction sub-phase as outlined in the Control of Dust and Emissions during Construction SPG 2014, Mayor of London;
- Include current baseline and future year projections of NO<sub>2</sub> and PM<sub>10</sub> based on monitoring data and the London Annual Emissions Inventory (LAEI) (20 m<sup>2</sup> grid reference);
- Include at least three to six month NO<sub>2</sub> data measurement, unless specified by the local planning authority that this will not be requested. For major developments, or sensitive areas, measured data will be requested. The techniques to be used will depend on the development (real-time monitoring might be required). Locations and methodology of monitoring shall be agreed by the local planning authority;
- Model the impact of the development (parking emissions, and building emissions) on local air quality through by the use of suitable modelling software. Data measurement shall be the latest available, and nearest full meteorological datasets (as outlined in the GLA SPG 2014 (or subsequent). The report of the model shall clearly state: datasets used, methodologies (monitoring, modelling, and scenarios), meteorological data, background concentrations, traffic data (flow, speeds, etc.), dispersion model type.

Air quality modelling shall be carried out in accordance with the procedures outlined in EPUK's 'Development Control: Planning for Air Quality' and the GLA Technical Guidance for LLAQM TG (19) and with due regard to the Mayor's Air Quality Strategy for London. The Institute of Air Quality Management has produced "Guidance on the assessment of odour for planning" to assist developers produce a suitable odour impact assessment.



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**Virtual Local Meeting (webinar format):** 20 May 2021

**34 Sydenham Hill:** DC/20/118980

**Proposal:**

The alteration, conversion and change of use of Cedars at 34 Sydenham Hill SE26 and the construction of a part single/part two storey extension at the rear, terraces at lower ground level and the provision of associated car parking spaces and bicycle storage to provide 11 self-contained flats, together with the demolition of the existing Coach House and the construction of 8 two bedroom cottages and associated landscaping and parking area.

**Panel:**

**Chair:** Cllr Gibbons

**Agents:** Eleanor Smith (ES), David Brown (DB)

**LB Planning:** Geoff Whittington (GW)

11 Attendees

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Chair opened meeting at 7:30pm and introduced the panel. Explained the reason for the meeting, and the main themes to discuss, including loss of existing building; heritage matters; design and scale; neighbour impact; no affordable housing; trees/ ecology; Highways matters; and refuse.

Cllr advised meeting is scheduled to end at 8:30pm.

Developer's agents were invited to give a short presentation on the scheme – 5 min.

Chair advised that no pre-submitted questions had been submitted prior to the meeting. Residents were reminded the meeting was a webinar format, and therefore were invited to submit text based questions during the meeting.

A number of messages were received in quick succession that largely related to the 'themes'.

The first point related to the impact of the development upon the existing infrastructure of the immediate area.

Some residents confirmed support to the conversion and refurbishment of the Cedars building, but had concerns relating to the lightwell/ basement works, and the impact it would have upon the character of the building.

The agents advised that the lightwell would be largely hidden from public view by soft landscaping measures, and therefore would not harm the appearance of the building. In addition, railings would not be installed to the lightwell, in response to Conservation officer comments.

One comment referred to the Heritage statement being misleading, which ES responded to.

Residents did not support the demolition of the Coach-House, or the enlarged footprint of the replacement dwellings. One resident asked why only four dwellings could not be proposed.

GW advised that the application had been subject to discussions with officers. Works to Cedars including the rear extension and lightwell were considered acceptable in principle, subject to details. Officers acknowledged the Coach-House as a non-designated heritage asset, but would support its demolition if it enabled the refurbishment of Cedars. The design and scale of the new Coach-houses was not considered to have any adverse harm upon the character of the Sydenham Hill CA.

Residents requested that Conservation comments should be made available to view online.

ES and DB discuss the design approach and merits of the proposal.

GW advises that facing material details will be subject to a planning condition.

Loss of existing trees and resulting harm upon wildlife and the designated 'areas of special character' were raised as a concerns. ES responded that there would be an uplift in the number trees and landscaping measures as part of the development, which would be subject to planning conditions.

Insufficient on-site parking was raised as a concern, in addition to additional vehicular movement and accidents that have occurred along Sydenham Hill.

A further question was asked regarding construction vehicles. ES advised that a construction management plan will outline the details for this.

Neighbour impact arising from the coach-house development were raised. GW advised officers were satisfied there would be no significant harm in terms of overlooking, and the proposed scale would avoid overbearing harm.

The installation of heat pumps was suggested by a resident.

Chair starts to bring the meeting to a close. He invited further comments or questions to be sent to himself or officers following the meeting.

GW advised of next steps following the local meeting, and that residents will be invited to virtually attend a future planning committee.

CIlr closes the meeting at 8:30pm.



**GL Hearn**

Part of Capita Real Estate

**Cedars & Coach House,  
34 Sydenham Hill,  
London SE26 6LS**

**Independent Viability Review**

for  
London Borough of Lewisham

December 2019

**Prepared by**

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APPENDIX A:	SUBJECT SITE MARKETING PARTICULARS
APPENDIX B:	ARGUS DEVELOPER APPRAISAL SUMMARY
APPENDIX C:	JOHNSON ASSOCIATES CONSTRUCTION COST ASSESSMENT
APPENDIX D:	81 SYDENHAM HILL PARTICULARS

## Quality Standards Control

The signatories below verify that this document has been prepared in accordance with our quality control requirements. These procedures do not affect the content and views expressed by the originator.

This document must only be treated as a draft unless it has been signed by the Originators and approved by a Business or Associate Director.

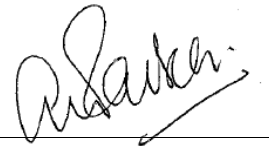
DATE  
December 2019

ORIGINATORS  
James Hall  
Development Director

APPROVED  
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### Limitations

This document has been prepared for the stated objective and should not be used for any other purpose without the prior written authority of GL Hearn; we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

## 1 INTRODUCTION

- 1.1 GL Hearn has been instructed by the London Borough of Lewisham to undertake an Independent Viability Review in respect of a proposed development at Cedars and Coach House, 34 Sydenham Hill, Lewisham for which a planning application has been submitted by Sterlingbridge Property Development Group (the Applicant).
- 1.2 The subject site measures approximately 1.55 Acres (67,518 sq. ft.) and is comprised of a period building known as The Cedars built in 1899, which since 1944 has been owned by the Salvation Army and used recently as a residential in-service training centre. We understand The Cedars to measure approximately 11,483 sq. ft. Within the same site, there is also a four-bedroom Coach House which extends to approximately 1,904 sq ft.
- 1.3 We understand from the applicant's Financial Viability Assessment (FVA), undertaken by Newsteer that the property is in average condition. We have not inspected the property internally but note externally the property appears tired and dated in appearance.
- 1.4 We have not inspected, nor measured the property internally, but we have cross checked their measurements using scaled plans attached to the planning application.
- 1.5 The site is situated on the East side of Sydenham Hill approximately 0.2 miles north of Sydenham Wells Park. Sydenham Hill Road runs along the ridge of the hill which divides Dulwich and Sydenham and connects Crystal Palace and Forest Hill. Sydenham Hill Wood, a 10 hectare Local nature Reserve is located opposite the site. The site is bound by residential properties to North, East and South. The site is situated approximately 1.5 miles East of Sydenham Hill Overground station and 1.3 miles south east of Forest Hill Station, from which London Bridge can be reached in 15 minutes.
- 1.6 Newsteer Real Estate Advisers (Newsteer) is the lead author of the Financial Viability Assessment (FVA) but they have taken on sources of third-party advice. Specifically, the following information has been incorporated in their assessment: -
- Johnson Associate Limited – Budget Cost Plan
  - Danks Badnell Architects Limited – Scheme Plans



## The Application Scheme

1.7 Planning permission (DC/17/103386) is sought by the Applicant for the following;

*“The alteration, conversion and change of use of Cedars 34 Sydenham Hill SE26, and the construction of a part single/part two storey extension at the rear, terraces at lower ground level and the provision of associated car parking spaces and bicycle storage to provide 5 one bedroom and 7 two bedroom self-contained flats, together with the demolition of the existing Coach House and the construction of 8 two bedroom cottages and associated landscaping and parking area, and the felling of seven mature trees.”*

1.8 Newsteer has indicated that the assumed scheme results in an effective deficit of **£1,960,116** when the Residual Land Value is compared to Newsteer’s opinion of Benchmark Land Value, with the projected deficit indicated Newsteer has stated that the residual land value generated by the proposed development does not exceed the Viability Benchmark based upon what would be considered as an acceptable return for a development of this nature.

## 2 GENERAL METHODOLOGY

- GL Hearn's review of the FVA has had regard to the following documents as appropriate:
- RICS Guidance Note "Financial Viability in Planning" (adopted August 2012);
- RICS Professional Statement "Financial Viability in planning: conduct and reporting" (adopted May 2019);
- GLA London Plan (adopted March 2016);
- GLA London Plan Annual Monitoring Report 14 (adopted September 2018);
- GLA Draft London Plan (currently under Examination in Public);
- GLA Affordable Housing and Viability SPG (adopted August 2017);
- National Planning Policy Framework ("NPPF") (adopted July 2018, updated Feb 2019);
- Planning Practice Guidance on Viability (adopted July 2018);
- LB Lewisham Core Strategy (adopted June 2011).

2.1 We do not take issue with the overarching methodology used by Newsteer within their assessment. They have:

- Assessed the realisable value of the proposed scheme;
- Assessed the costs associated with delivering the scheme;
- Assessed a Benchmark Land Value (based on a reported EUV)
- Undertaken a residual appraisal to calculate the Residual Land Value which is compared against the Benchmark Land Value to establish whether the scheme is viable or not assuming the current level of planning obligations.

2.2 Newsteer has used the Argus Developer appraisal programme to assess the viability of the development. This is a commercially available, widely used software package for the purposes of financial viability assessments. The methodology underpinning viability appraisals is the Residual Method of Valuation, commonly used for valuing development opportunities:

<b>Gross Development Value of the proposed scheme</b>
<b>LESS</b>
<b>Build costs, Section 106 costs and CIL, cost of sale, finance costs</b>
<b>LESS</b>
<b>Developers profit / Risk return</b>
<b>=</b>
<b>Residual Land Value</b>

- 2.3 The approach adopted by Newsteer has been to adopt several assumptions in relation to the proposed scheme which produces the Residual Land Value. With this approach, if the Residual Land Value is lower than the Benchmark Land Value, then the scheme is deemed to be unviable and is therefore unlikely to come forward for development unless the level of policy compliant affordable housing and/or planning obligations can be reduced.
- 2.4 Newsteer has adopted a BLV of £3,950,000 based on the sales of properties with D1 consent and also office uses as well as residential sales comparable to the Coach House. This comprised their opinion of the Existing Use Value of the property at £3,291,895, then applying a 20% landowners' premium.
- 2.5 Newsteer has modelled the proposed development which results in a Residual Land Value of £1,989,884 and thus a deficit of -£1,960,116 when compared to the assumed BLV of £3,950,000. Despite the projected deficit, Newsteer indicate that the applicant is willing to bring the scheme forward.
- 2.6 Given that the calculations are being made well in advance of commencement of the development, the figures used in the applicant's appraisal can only be recognised as a projection. As such, it is essential that all assumptions are carefully scrutinised by the Council to ensure that they reflect current market conditions and have not been unreasonably depressed in respect of the value or overestimated in respect of the development costs.

- 2.7 GL Hearn's approach has been to critically examine all the assumptions on which the Newsteer appraisal is based.
- 2.8 It is also important to carefully scrutinise the applicant's methodology. In particular the measure of Benchmark Land Value has a fundamental effect on the viability equation.

### 3 CRITIQUE OF BENCHMARK LAND VALUE

3.1 Determining an appropriate Benchmark Land Value is often the most important factor in determining viability. Put simply, if the value generated by the development does not produce a positive figure, there is no financial incentive to bring forward the development with all its associated risk.

3.2 Arriving at an appropriate BLV is not a straightforward exercise and this is acknowledged at 3.4.6 of the RICS Guidance Note which states that:

*“The assessment of Site Value in these circumstances is not straightforward, but it will be, by definition, at a level at which a landowner would be willing to sell which is recognised by the NPPF.”*

3.3 In arriving at an appropriate BLV regard should be had to existing use value, alternative use value, market/transactional evidence (including the property itself if that has recently been subject to a disposal/acquisition), and all material considerations including planning policy. Existing Use Value is widely used in establishing Benchmark Land Value and is supported in the latest mayoral SPD and by the London Assembly Planning Committee.

#### Summary of Applicants Position

3.4 The subject site measures approximately 1.55 Acres (67,518 sq. ft.) and is comprised of a period building known as The Cedars built in 1899, which since the 1944 had been owned by the Salvation Army and used recently as a residential in-service training centre. In 2014, it was sold to the applicant. We believe the property to currently be vacant. We understand The Cedars to measure approximately 11,483 sq. ft. There are two staff apartments within the building which we believe measure 1086 sq ft in total. Within the same site, there is also a four bedroom Coach House which we understand to measure approximately 1,904 sq ft

3.5 Newsteer has adopted a BLV of £3,950,000 based on the sales of properties with D1 consent and C3 use status like the main house known as The Cedars. They valued the Coach house based on their residential specialist's opinion, providing no transactional evidence. This comprised their opinion of the Existing Use Value of the property at £3,291,895, before applying a 20% landowners' premium.

3.6 To inform their opinion of EUV, Newsteer has relied on sales of buildings with D1 consent in taking an average price per sq. ft. The sales range widely in terms of both location and value, but the dates of transaction are all within the last two years.

3.7 With respect to the additional evidence provided in Newsteers submission and we have undertaken our own research;

- **Date Valley School, Mitchem Court, Cricket Green, Surrey, CR4 4LB** We can confirm from the Land Registry that the property was sold in August 2018 for £2,270,000 which equates to a capital value of £256 psf. Newsteer considered this the best evidence as it's of a similar size and age to the subject property. In terms of location we would consider it to be inferior to the subject property as it's over 10 miles from central London. Saying this, it looks to be in better condition than the subject property
- **Busy Bees, 176 Charlton Road, Greenwich, SE7 7DW** We understand from the Land Registry that the property was sold in November 2018 at a price of £3,705,000. We understand that the tenant is paying a rent stipulated by Newsteer of £38.88 psf with a net initial yield of 4.75%. The capital value reflected was £768psf. However, the building is a modern build in a superior location so as a comparable it has limited use.

3.8 As well as reviewing Newsteer's comparable evidence, we have also undertaken our own research of comparable transactions:

- **71 Lordship Lane, Tottenham, London, N17 6RS** The former Magistrates Court is located on the junction of Lordship Lane with is approximately 1 mile from the centre of Tottenham. The site is approximately 0.3 miles southeast of the Bruce Grove Station. The building comprises a 19,202 sq ft two storey Grade II listed building which was built in the 1930's. It is of traditional brick construction, with two extensions having been added in recent years. The building consists of an old civic court with ancillary office accommodation (use class D1). The property was sold in March 2017 for £4,570,000 which equated to a capital value rate of £238 per sq ft. We would consider this a good comparable which is similar to the subject property
- **The Hippodrome and Land, rear of 5 North End Road, Golders Green, London, NW11 7RP** The property is situated in a prominent position on the junction of North End Road and Finchley Road. The building is a detached Grade II Listed Building of 39,942 sq ft previously used as a religious centre (D1 use). Built in 1913 as a 3,000 seater music hall the property was previously home to the BBC Concert Orchestra, but has had many uses over the years which include a music and concert venue, light entertainment venue and boxing arena. The interior is designed to mimic Roman splendour and includes an entrance foyer, auditorium with proscenium extended stage and two circles. The property consists of four floors, with

internal lower and upper circle floors. There are various office rooms and WCs over the interior levels. Similar to the subject property, the property is in need of refurbishment. The property was sold via auction with vacant possession on August 2017 for £5,250,000 which equated to a capital value rate of £131.45 per sq ft. We are of the opinion this is an inferior comparable to the subject though the subject is in a less prominent location.

3.9 Considering the above comparable evidence, we have adopted a capital value rate of £225 for the commercial element

3.10 Regarding the staff apartments, we have consulted internal residential valuers and discussed their value with local agents and arrived at the conclusion that the figure adopted by the applicant seems reasonable when considering that they are ancillary to the main D1 use rather than being self-contained.

3.11 In reaching the value for the Coach House we considered to following comparable evidence:

- **59 Longton Avenue, SE26** (1.1km south of the subject property): We understand from the Land Registry that the property was sold in July 2018 at a price of £1,000,000 reflecting a capital value rate of £472 psf. The property is a 4 bedroom terraced house which benefits from both a large front and rear garden. We understand that the property extends to a total size of 2,117 sq. ft. The property is in good condition both internally and externally, and contrary to JLL's report the kitchen is fitted to a good specification.
- **81 Sydenham Hill, SE26** (160m south west of the subject property): We understand from the Land Registry that the property was sold in May 2018 at a price of £905,000 reflecting a capital value rate of £413 psf. The property is a 4 bedroom detached house which benefits from a garage, large front and rear garden. We understand that the property extends to a total size of 2,193 sq. ft. The property is in good condition both internally and externally and benefits from a good modern specification internally, having recently been refurbished. Being so close to the subject property (0.1miles) means this is a very good comparable, it is slightly inferior in its location being on the busy Sydenham Hill Road but overall we would expect the capital value rate to be very similar for the subject property.
- **28 Kingswood Drive, SE19** (2km south west of the subject property): We understand from the Land Registry that the property was sold in December 2018 at a price of £825,000 reflecting a capital value rate of £461 psf. The property is a 4 bedroom detached house which benefits from a double garage and rear garden. We understand that the property extends to

a total size of 1,788 sq. ft. The property is in good condition both internally and externally and benefits from a good modern specification internally.

- **44 Great Brownings, SE21** (1km west of the subject property): We understand from the Land Registry that the property was sold in March 2019 at a price of £805,000 reflecting a capital value rate of £380 psf. The property is a 4 bedroom detached house which benefits from garage en-bloc and patio rear garden. We understand that the property extends to a total size of 2,114 sq. ft. The property is in good condition both internally and externally and benefits from a modest specification internally.

3.12 Considering the above recent transactional evidence, attaching the most weight to the sale of 81 Sydenham we have adopted a sales rate of £425psf.

3.13 The total existing use value is set out below:

Existing Use Value				
<b>Main Building</b>				
<b>Flats</b>				
	Sq m	Sq ft	Value	£/psf
	52.5	565	£223,175	395
	100.9	1086	£428,970	395
<b>Commercial Space</b>				
	Sq m	Sq ft	Value	£/psf
	913.6	9834	£2,212,650	£225
	Refurb Costs		£769,000	
	Net Value		£2,095,795	
<b>Coach House</b>				
	Sq m	Sq ft	Value	£/psf
	178	1916	£814,300	425
	Refurb Costs		£149,000	
	Net Value		£665,300	
<b>Total Value</b>			<b>£2,761,095</b>	



- 3.14 The refurbishment costs provided by the applicant were analysed by in-house specialists who advised that they were towards the top end of the spectrum. Having reviewed the BCIS price index, it's clear the cost for conversion is within the upper quartile range in Lewisham and therefore we have adopted the applicant's conversion cost.

### **Existing Use Value**

- 3.15 We note that the applicant purchased the site in April 2014 at a purchase price of £3,375,000. A copy of the marketing details is attached as Appendix B. However, because of the length of time since this sale, we have not placed much weight on it.

### **Premium**

- 3.16 Newsteer adopted a premium of 20% by way of a landowner's incentive to bring forward development. The latest Mayoral SPD states that premiums require justification and could be between 10 per cent and 30 per cent but must reflect site specific circumstances.
- 3.17 A 20% incentive is appropriate for standard existing built investment assets with a relatively high EUV relative to Market Value. We have also adopted a 20% premium.

### **Benchmark Land Value**

- 3.18 In arriving at £2,761,095, to which we have deducted purchasers' costs of 6.8%, and applied a landowner's premium of 20%, we have reached a benchmark land value of **£3,100,000**.

## 4 THE PROPOSED DEVELOPMENT

- 4.1 The site is located on the eastern side of Sydenham Hill Road, adjacent to Sydenham Hill Wood. The northern extremity of the road joins the A205 and to the South the A212. The area contains a mixture of Victorian and Edwardian properties such as the subject property and a large amount of ex local authority flats. When 34 Sydenham Hill was built in the late 1800's, there were many similar properties in the area with large gardens and individual driveways. Today, the site is bordered by Sydenham Hill estate to the South, which is typical for of the local authority flats in the area.
- 4.2 Sydenham Hill Road is connected to South Circular (A205) at the Northern End of the road. Dulwich is 0.7 miles North of the subject site and provides a number of local amenities.
- 4.3 In terms of connectivity, the site is located approximately 1.5 miles to the north east of Sydenham Hill Station and 1.3 miles to the South East of Forest Hill London Overground Station. The stations provide access to National Rail Services which provides direct access into central London. Bus services are also available on the subject road providing access to Lewisham to the north east and Croydon to the south west. The subject property has a PTAL rating of 2.
- 4.4 The scheme comprises a refurbishment and conversion of the main house to form 11 flats, the demolition of the coach house and its replacement with 8no. 2 bed Alms houses. It will provide the following accommodation:

	<b>The Cedars</b>	
	Sq ft	Sq m
Ground Floor		
Flat 1	775	72
Flat 2	560	52
Flat 3	1464	136
Lower Ground floor		
Flat 5	1259	117
Flat 6	1044	97
Flat 7	947	88
First Floor		
Flat 4	689	64
Flat 8	657	61
Flat 9	560	52
Second Floor		
Flat 10	667	62
Flat 11	818	76
<b>Total</b>	<b>9940</b>	

<b>The Alms Houses</b>		
Unit no.	Sq ft	Sq m
No.1	753	70
No.2	753	70
No.3	753	70
No.4	753	70
No.5	753	70
No.6	753	70
No.7	753	70
No.8	753	70
<b>Total</b>	<b>6028</b>	

4.5 The site will contain cycle storage and will have provision for car parking.

## 5 VIABILITY APPRAISAL INPUTS & ASSUMPTIONS

5.1 We consider below the various inputs and assumptions contained within the financial viability assessment provided by Newsteer.

### **Development Phasing & Timescales**

5.2 Newsteer has adopted the following development timings:

- Pre-construction: 6 months;
- Construction: 18 months
- Sales: 6 months
- Total: 24

5.3 We do not take issue with the timings above. We would expect a proportion of sales to be made prior to completion and a sales rate of 2-3 units per month post completion. Based upon the above timings we have assumed a total period of 24 months.

## **Market Residential Values**

- 5.4 Newsteer includes a schedule of sales prices of the comparable new build developments to arrive at a private sales rate of £626psf for the converted element and £557psf for the new build element. We have undertaken our own comparable research.

## ***General Market Commentary***

- 5.5 House prices have continued to grow with the Land Registry House Price Index (HPI) reporting an annual rate of growth across England at 1% despite a monthly change of -0.1% (September 2019). The average house price in England currently stands at £250,677. London experienced a decrease in the year to September 2019 at -0.4% but the average house prices in London remain significantly higher than the UK average at £474,601.
- 5.6 The recent General Election result, and the subsequent forming of a conservative government with a strong majority follows a hung parliament and a minority Government. Britain having voted to leave the EU and triggering Article 50, has seen a period of uncertainty as both the UK and indeed the world economy adjust to the implications. The short-term implications of the 2019 election will be one of further adjustment and will be dependent upon financial stability, while markets, both in the UK and internationally, find a level. Compounding this will be whether a deal can be agreed with the European Union in 2020, however the prospect of another General Election or Referendum now seems remote which could lead to a period of great stability compared to under the previous minority government but with the election being so recent, this remains to be seen.
- 5.7 The impact on the UK property market will similarly lead to a period of 'wait and see' with an on-going reduction in the number of comparable property transactions in what could be a fluid and potentially volatile macro-economic climate. Transactional volumes are already down annually and the result of a no deal with the European Union is only likely to compound this. A period of inertia might be expected and remains to be seen, although whether there is a more dramatic change, manifesting itself in a fall in values and disinclination to trade, is uncertain until it is clear how the market will be affected in the longer term.
- 5.8 Despite the uncertainty the new Government are seeking to promote business as usual by reassuring the markets that investment in major infrastructure projects will continue as planned, and that increasing the supply of housing remains a national priority.

5.9 Lewisham generally continues to be a popular destination for home buyers benefiting from strong transport connectivity and its proximity to Central London. Developer interest and demand for sites is strong across the borough.

5.10 In terms of residential values, the London Borough of Lewisham has an average residential property value of £425,474 as at September 2019. According to the same data, from the Land Registry, residential property values in Lewisham demonstrated annual increase of 3.8%.

5.11 Below are details of some recent sales of similar properties located in close proximity to the subject site, which share similar characteristics to the proposed scheme.

Address	Description	Sale Price	Agent
<b>1 Bed Flats</b>			
51 William Booth Road, London, SE20 8BX	5 <sup>th</sup> floor 1 bedroom flat in a modern new development with a balcony. 0.2miles from Anerley Overground Station. 664 sq ft.	£399,950 (£602psf)  Exchanged  August 2019	Rightmove House Prices
Catalpa Court, Hither Green Lane, London, SE13	1 bed flat in modern development with balcony. Second Floor. 504 sq ft.	£290,000 (£575psf)  Exchanged  February 2019	1 <sup>st</sup> Avenue
Purbeck Gardens, Dylon Works, Sydenham, SE26 5FG	1 bed flat in modern development with large balcony. High spec with video entry system. Second Floor. 535 sq ft.	£375,000* (£700psf)  Asking  (*Agent doesn't feel it will fetch this much) September 2019	Kinleigh Folkard & Hayward
Flat 32, Centralis OMS, Lewisham, SE13 7TG	1 bed 3rd floor flat in development completed mid 2018. Access to winter garden. 580 sq ft.	£375,000 (£646psf)  Sold October 2018	Peabody / Acorn
Flat 37, Centralis OMS, Lewisham, SE13 7TG	1 bed 4th floor flat in development completed Mid- 2018. Access to winter garden. 578 sq ft.	£377,000 (£652psf)  Sold	Peabody / Acorn

Address	Description	Sale Price	Agent
Flat 5, Zanara Court, 24 Sydenham Rd, Forest Hill SE25 5QW	First floor 1 bed new build flat with Balcony. Construction completed end of 2018. 592sq ft.	March 2019 £385,000 (£650psf) Sold June 2019	Acorn / Land registry
Flat 6, Zanara Court, 24 Sydenham Rd, Forest Hill SE25 5QW	First floor 1 bed new build flat with Balcony facing South. Construction completed end of 2018. 592sq ft.	£360,000 (£597psf) Sold November 2018	Acorn / Land registry

Address	Description	Sale Price	Agent
<b>2 Bed Flats</b>			
Apartment 5, 351 Sydenham Road, Sydenham, SE26 5SL	2 bed high spec flat in modern development. 1st floor. Close to both Lower Sydenham and Sydenham station. Open plan with 1 bathroom. 706sq ft.	£375,000 (£531 psf)  Sold  March 2019	Acorn, New Homes London
Apartment 9, 351 Sydenham Road, Sydenham, SE26 5SL	2 bed high spec flat in modern development. 3 <sup>rd</sup> Floor. Close to both Lower Sydenham and Sydenham station. Open plan with small Juliette Balcony and 1 bathroom. 576 sq ft.	£365,000 (£633psf)  Sold  June 2019	Acorn
Flat 2, Zanara Court, 24 Sydenham Rd, Forest Hill SE25 5QW	First floor 2 bed new build flat with 1 bathroom and storage space. Construction completed end of 2018. 689sq ft.	£390,000 (£566psf)  Sold  January 2019	Acorn
Flat 8, Zanara Court, 24 Sydenham Rd, Forest Hill SE25 5QW	Large open plan 2 bed new build flat. Duplex Split over the 2 <sup>nd</sup> and 3 <sup>rd</sup> floor. 1012sq ft.	£550,000 (£543psf)  Sold  May 2019	Acorn / Rightmove prices
Flat 12, Dane House, Exeter Place, Wells Park Place Lewisham, SE26 6AE	2 Bed new build flat in gated community. Access to communal gardens. 1 <sup>st</sup> floor. Views of London. Juliet Balcony. and 7 mins walk to Sydenham Hill Station. 797 sq ft.	£512,000 (£642psf)  Sold  October 2018	Crest Nicholson
Purbeck Gardens, Dylon Works, Sydenham, SE26 5FG	2 bed new build flat within development completed in February 2019. 3 <sup>rd</sup> floor with a balcony. 850 sq ft.	£495,000 within 5% of above (£582psf)  Exchanged  August 2019	Barnard Marcus

- 5.12 351-355 Sydenham Road is a relatively small development of 9 flats finished to a high specification in the centre of Lower Sydenham. It is located on the busy Sydenham Road close to the junction with Stanton Way, Bell Green and Southend Lane. It is located 1.7 miles to the East of the subject site. The agent Acorn New Homes London who also developed the site, advised that whilst the site was popular its proximity to a busy junction and an A road has impacted the sale prices the flats have achieved. We would therefore expect the scheme to achieve a slightly lower level of value compared the Cedars Development. This is illustrated by the sale of Apartment 9 in March 2019 for £375,000 (£531psf).
- 5.13 Zanara Court at 24 Sydenham Road is a new build development of 19 flats made up of three floors completed in 2018. It includes 1, 2 and 3 bed flats including several flats which are split over 2 floors. It is 1 mile east of the subject site and is in the centre of Sydenham, which according to local agents is a more desirable area than Lower Sydenham. 90% of the scheme has been sold. The scheme is in close proximity to both Sydenham Overground and Sydenham National Rail Station, from which London Bridge can be reached in 20 minutes. The scheme has a relatively high specification and many of the flats have balconies. The sales agent advised that Flat 16 had sold in March 2019 for £540,000 (£570psf).
- 5.14 Acorn advised that the local market has slowed down over the last 6 months and asking prices had not been achieved, but they noted that the 1 beds were the most popular and have consistently attracted the highest prices per square foot for developments in Sydenham.
- 5.15 Wells Park Place is a Chrest Nicholson Development which comprises of 26, 2 and 3 bedroom flats and 20, 4 bedroom terraces and townhouses. It's within a landscaped surrounding at the top of Sydenham Hill which offers far reaching views of London. The site is 0.4 miles to the south west of the subject site and is in close proximity to Sydenham Hill Rail Station, from which Victoria can be reached in 15 minutes and City Thameslink in 27 minutes. The sales agent advised that the apartments all sold 7 months post completion with only townhouses now remaining available. The agent also indicated that demand had been consistent. Typically, 2 beds have been selling for £500,000-£700,000. We would consider the Wells Park Place Development to have higher values than the subject scheme because of the nature of high specification development including the communal gardens / courtyards and the presence of 20 townhouses within the scheme which are fetching over £1,000,000 in the current market.



- 5.16 Centralis is a Peabody development of 49 homes completed at the end of 2018 comprised of 1, 2 and 3 beds spread over 6 floors. It is located in the centre of Lewisham, 2 miles to the North of the subject site. The agent Acorn informed that 80% of the development has now been sold but the remaining units were taking significantly longer to attract offers. Flat 32, a 1 bed 4th floor flat sold in March 2019 for £377,000 which equates to £652psf. The flat has access to a shared winter garden. We would consider the development to have many similarities with the subject scheme in terms of scale and specification but its superior location, being 200 metres from Lewisham Station and closer to central London, have resulted in higher values of £650psf.
- 5.17 Whilst we appreciate that the statistical average for house prices indicates a rise of 3.8% for Lewisham from October 2018 to October 2019, we are mindful that our sales evidence suggests that new build flats within close proximity of the subject site are not achieving asking prices and are taking longer to transact than anticipated. Accordingly, we have adopted the applicant's private market rate with an average of £626 per sq ft for the converted element and an average of £557per sq ft for the new development which we believe to be reasonable given recent market evidence of comparable schemes.
- 5.18 Having given consideration the above sales we have adopted the applicants proposed scheme values listed below

The Cedars				
Ground Floor	Sq ft	Sq m	Value	£/psf
Flat 1	775	72	£495,000	£639
Flat 2	560	52	£360,000	£643
Flat 3	1464	136	£895,000	£611
Lower Ground floor				
Flat 5	1259	117	£775,000	£616
Flat 6	1044	97	£650,000	£623
Flat 7	947	88	£610,000	£644
First Floor				
Flat 4	689	64	£450,000	£653
Flat 8	657	61	£395,000	£601
Flat 9	560	52	£365,000	£652
Second Floor				
Flat 10	667	62	£390,000	£585
Flat 11	818	76	£525,000	£642
<b>Total</b>	<b>9940</b>		<b>£5,910,000</b>	<b>£626</b>

The Alms Houses				
Ground Floor	Sq ft	Sq m	Value	£/psf
No.1	753	70	£445,000	£591
No.2	753	70	£415,000	£551
No.3	753	70	£415,000	£551
No.4	753	70	£415,000	£551
No.5	753	70	£415,000	£551
No.6	753	70	£415,000	£551
No.7	753	70	£415,000	£551
No.8	753	70	£425,000	£564
<b>Total</b>	<b>6028</b>		<b>£3,360,000</b>	<b>£557</b>
<b>Total</b>	<b>15468</b>		<b>£9,270,000</b>	<b>£599</b>

Existing Staff Apartments			
Flats			
Sq m	Sq ft	Value	£/psf
52.5	565	£295,000	£522
100.9	1086	£570,000	£525

Coach House			
House			
Sq m	Sq ft	Value	£/psf
178	1916	£815,000	£425

### **Affordable Housing**

- 5.19 The applicant is proposing a 100% private tenure residential scheme without any on-site affordable housing.

### **Development Costs**

- 5.20 For construction costs the applicant has used Johnson Associates to provide a cost plan. The applicant has adopted a total construction cost of £3,986,468.
- 5.21 We have consulted in-house specialists and reviewed internally whilst keeping BCIS rates for new builds in Lewisham in mind. Whilst the costs provided (minus preliminaries, contingency and external works) is towards the upper quartile we are happy to accept the Johnsons build costs as they fall within an acceptable range.
- 5.22 We have made an allowance of 10% for professional fees which is a standard assumption for this type of exercise. We note that the Applicant's FVA suggests that an equivalent allowance is adopted within its report of 12%.
- 5.23 The applicant has made an allowance of 5% for contingency within their appraisal which is reasonable. We have adopted the same figure in our appraisal.

### **Planning Obligations**

- 5.24 The Applicant has adopted figures of £24,000 for Mayoral CIL liability and £34,268 Borough CIL liability within their appraisal. They have provided a CIL schedule within the appendix.
- 5.25 We have calculated the total CIL liability to be £60,280. We have not been party to the discussions between the Council but have used the Lewisham CIL calculator with reference to the latest BCIS index available. We have adopted the mayoral CIL2 of £60psm and a local rate of £70psm. We would however recommend that the CIL calculations are provided to the Council's CIL Officer to carry out a full review.

### **Marketing, Letting & Sales Fees**

- 5.26 We note the applicant has adopted the following assumptions within their appraisal:
- Sales agent's fees of 1.5%
  - Sales legal fees of 0.5%
  - Marketing fees of 2.0%.
- 5.27 Whilst we agree with the sales agent's fee and sales legal fee, we have adopted a marketing fee of 1.0% which we have included within the appraisal.

### **Finance**

- 5.28 We note that the applicant has adopted a 6% finance rate in their appraisal. We would consider that the Applicant would be able to borrow at a rate of 6% and have therefore adopted this figure within our appraisal.

### **Developer's Profit**

- 5.29 For a commercially acceptable development to proceed, an acceptable level of developer's return is required from the project (as is detailed within the NPPF). Profit requirements extended significantly following the 2008 global downturn. Since the revival in the development market these margins narrowed but have more recently begun to extend again as risk appetite worsens given the uncertainty following the EU Referendum vote, uncertain national and local elections, growing interest rates and a slowing residential market across greater London.
- 5.30 Any expected return should reflect the risks to the developer and its funder's capital and together their potential liabilities. Accordingly, it should reflect the proposed uses, scale of development, site

issues and market (both macro and micro). A lower profit will be typically acceptable on a conventional residential development situated in an established market location for apartments with good transport connectivity. The proposed scheme falls within this category and will attract interest from both owner occupiers and buy-to-let investors alike thus reducing development risk.

5.31 Newsteer have adopted a 17.5% profit on GDV of the private development. Given the uncertain economic climate, we consider this figure to be reasonable and have therefore adopted it in our appraisal.

### Sensitivity Analysis

5.32 We have carried out the below sensitivity analysis to allow the Council to consider how changes in inputs to a financial appraisal affect viability and provide a greater understanding to arrive at an appropriate conclusion on the viability of the proposed scheme. The below table demonstrates the affect of the change in construction cost and sales on the residual land value:

		Construction Cost				
		-10%	-5%	0%	+5%	+10%
Sales Rate	-10%	£1,921,130	£1,717,508	£1,513,883	£1,310,264	£1,106,642
	-5%	-2,234,022	£2,030,400	£1,826,778	£1,623,156	£1,419,534
	0%	£2,546,914	£2,343,292	<b>£2,139,670</b>	£1,936,047	£1,732,425
	+5%	£2,859,805	£2,656,183	£2,452,561	£2,248,939	£2,045,317
	+10%	£3,172,697	£2,969,075	£2,765,453	£2,561,831	£2,358,209

## 6 VIABILITY APPRAISALS & CONCLUSIONS

6.1 Attached as Appendix A is an Argus Developer development appraisal summary considering the proposed redevelopment in accordance with the submitted application and out adopted assumptions.

6.2 Where our own market research has indicated that the inputs used have not been fully justified we have sought to illustrate the potential impact on Residual Land Value. In this respect we have undertaken our own residual appraisal using Argus Developer, which is a leading industry-standard development appraisal package commonly used by developers and agents to assess development viability.

6.3 Although this analysis does not constitute formal valuations under the provisions of the RICS Valuation Standards ('Red Book') it does provide robust evidence to inform the Council's decision-making process in respect of the applicants planning application.

6.4 In this instance we have been provided with a working appraisal by Newsteer for the development scenario. This has enabled us to ensure the model has been constructed properly and the inputs are timed correctly within the cashflow.

6.5 As has been highlighted in the previous section there are assumptions adopted within the proposed assessment which we are not in agreement with. Therefore, we have undertaken our own modelling applying our own assumptions which we believe to be more reflective of the market.

6.6 Given the above we have undertaken adjustments to;

- CIL Contribution
- Marketing and Professional Fees
- Benchmark Land value

6.7 Attached as Appendix A is an Argus Developer development appraisal summary reflecting our assumptions. The resultant Residual Land Value and Benchmark Land Value is summarised as follows:

Residual Land Value	Benchmark Land Value	Surplus / Deficit
£2,139,670	£3,100,000	-£960,330

6.8 It is evident from the above that the Benchmark Land Value generated by the proposed development, based on our assumptions, is greater than the Residual Value. Our appraisals from indicate that the proposed scheme cannot viably deliver affordable housing.

# Appendix A

Argus Appraisal  
(See Attachment)



# Appendix B

**Subject Site Marketing Particulars**  
**(See Attachment)**

# Appendix C

Johnson Associates cost assessment  
(See Attachment)

<h1>Appendix D</h1>
<h2>81 Sydenham Hill Brochure</h2>

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# Cedars, 34 Sydenham Hill, SE26

## Application No. DC/20/118980

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The alteration, conversion and change of use of Cedars 34 Sydenham Hill SE26, and the construction of a part single/part two storey replacement extension at the rear, terraces at lower ground level and the provision of associated car parking spaces and bicycle storage to provide 11 self-contained flats, together with the demolition of the existing Coach House and the construction of 8 two bedroom dwelling-houses and associated landscaping and parking areas, and the felling of 6no. mature trees.

This presentation forms no part of a planning application  
and is for information only.



## APPLICATION SITE

Sydenham Hill Conservation Area;

Areas of special character;

Locally Listed (main Cedars building only);

Ancillary Coach-House to the south;

0.59 Hectares;

Approx 80 metres deep, and up to 80 metres wide;

Former Salvation Army Residential In-Service Training Centre, and two residential units (C3);

Currently unoccupied (2013).

# CEDARS BUILDING



# OVERHEAD VIEW OF CEDARS, REAR GARDEN AND COACH HOUSE



COACH-HOUSE

CEDARS BUILDING



# VIEW OF CEDARS FRONTAGE FROM SYDENHAM HILL





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# PROPOSED DEVELOPMENT



## CEDARS:

- Demolish rear extension;
- Construction of part single/ part 2-storey replacement extension;
- Extended front lightwell and basement;
- Front landscaping works, including 11no. Parking bays;
- 11no. Self-contained flats

## COACH-HOUSE:

- Demolish existing Coach-House;
- Construct 8no 2-storey dwelling-houses with private rear gardens;
- Landscaping works, including felling of 5no. Category B and C trees, and provision of 5no. Parking spaces.
- Planting of 9no replacement trees within existing grounds.

Total 19no. new dwellings – no affordable on-site provision.

# PROPOSED CEDARS DEVELOPMENT



Existing Front View

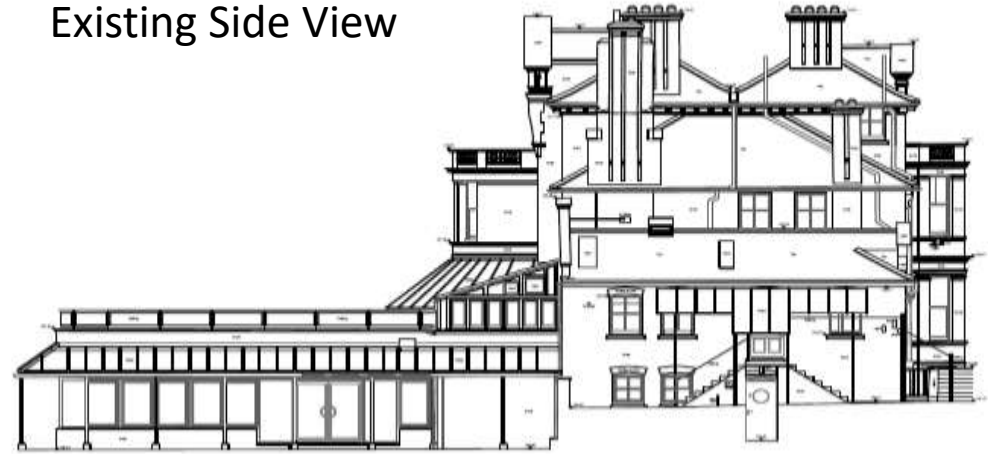
Proposed Front View



# PROPOSED CEDARS DEVELOPMENT



Existing Side View

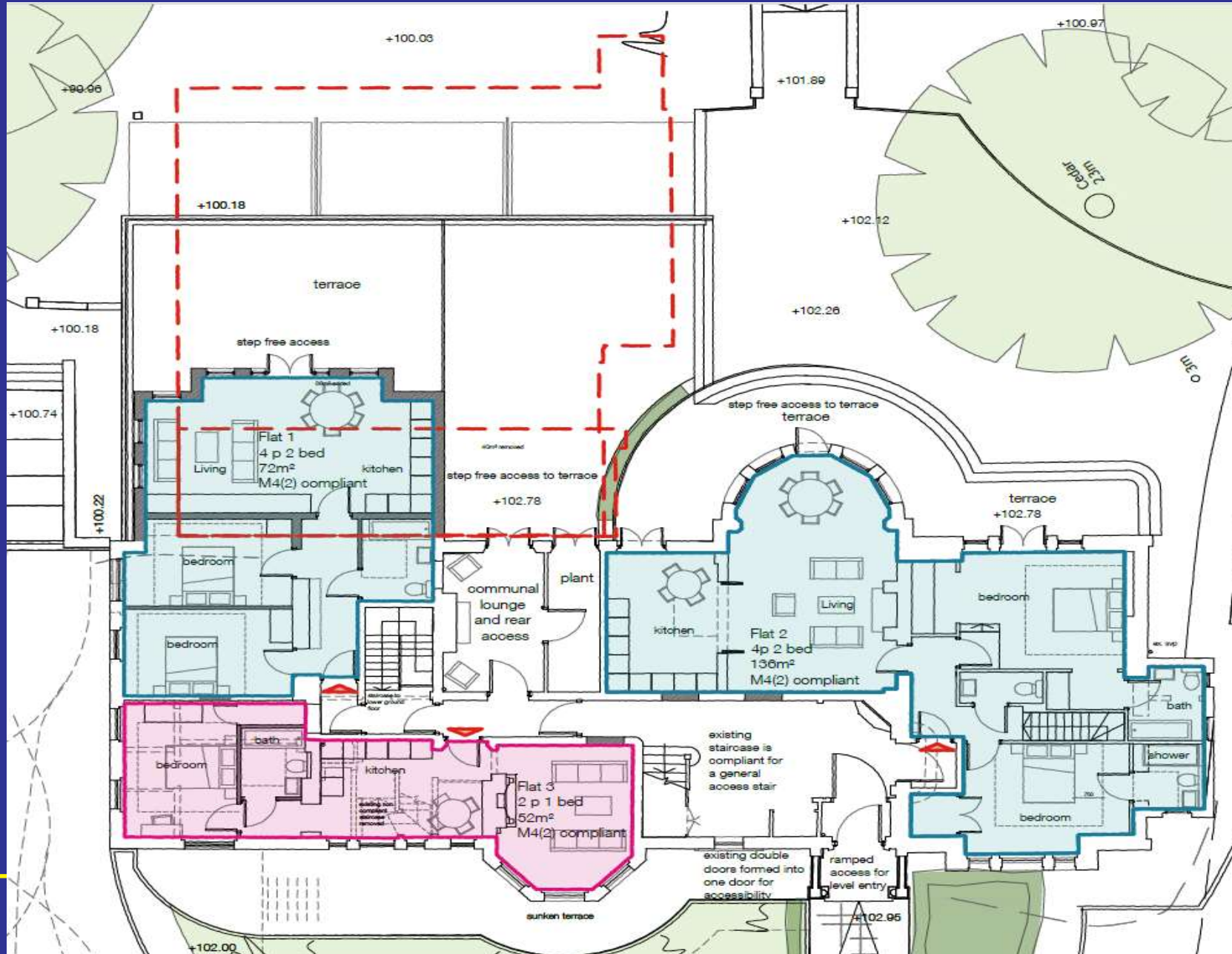


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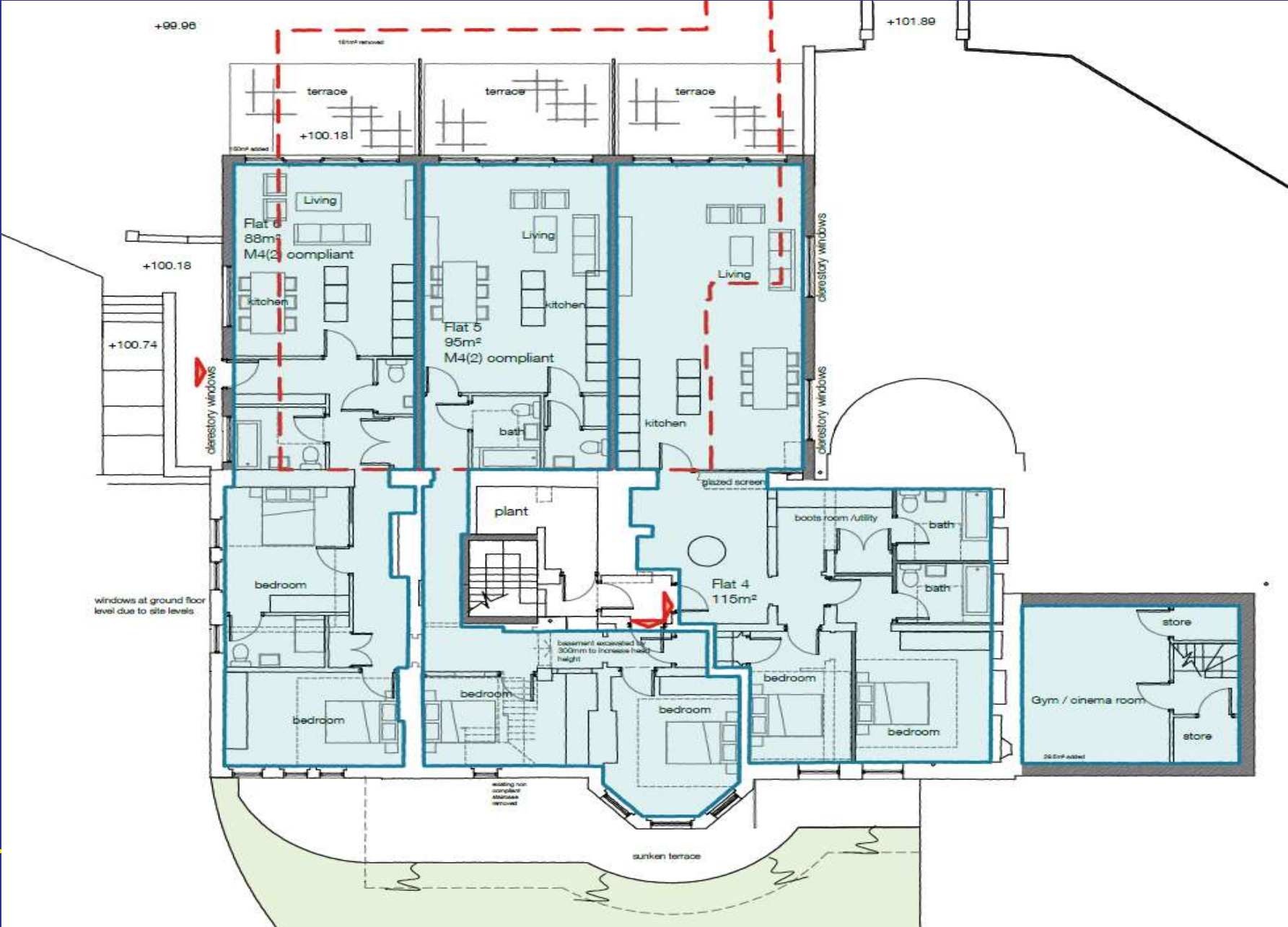
Proposed Side View



# CEDARS: PROPOSED GROUND FLOOR LAYOUT



# CEDARS: PROPOSED LOWER GROUND FLOOR LAYOUT



# PROPOSED COACH HOUSE DEVELOPMENT





# PROPOSED COACH HOUSE DEVELOPMENT

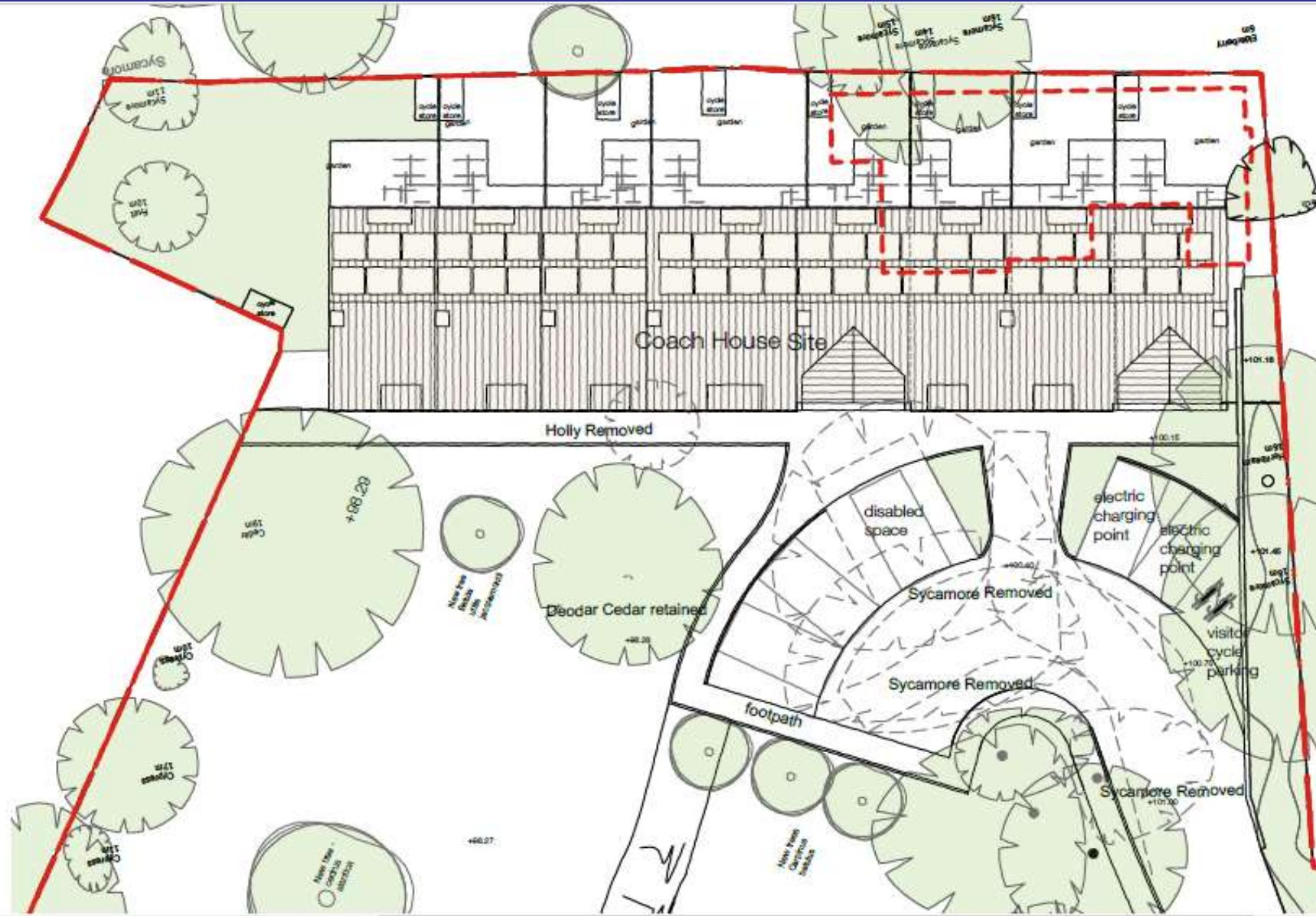


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# CYCLE & CAR PARKING:



## Coach-houses:

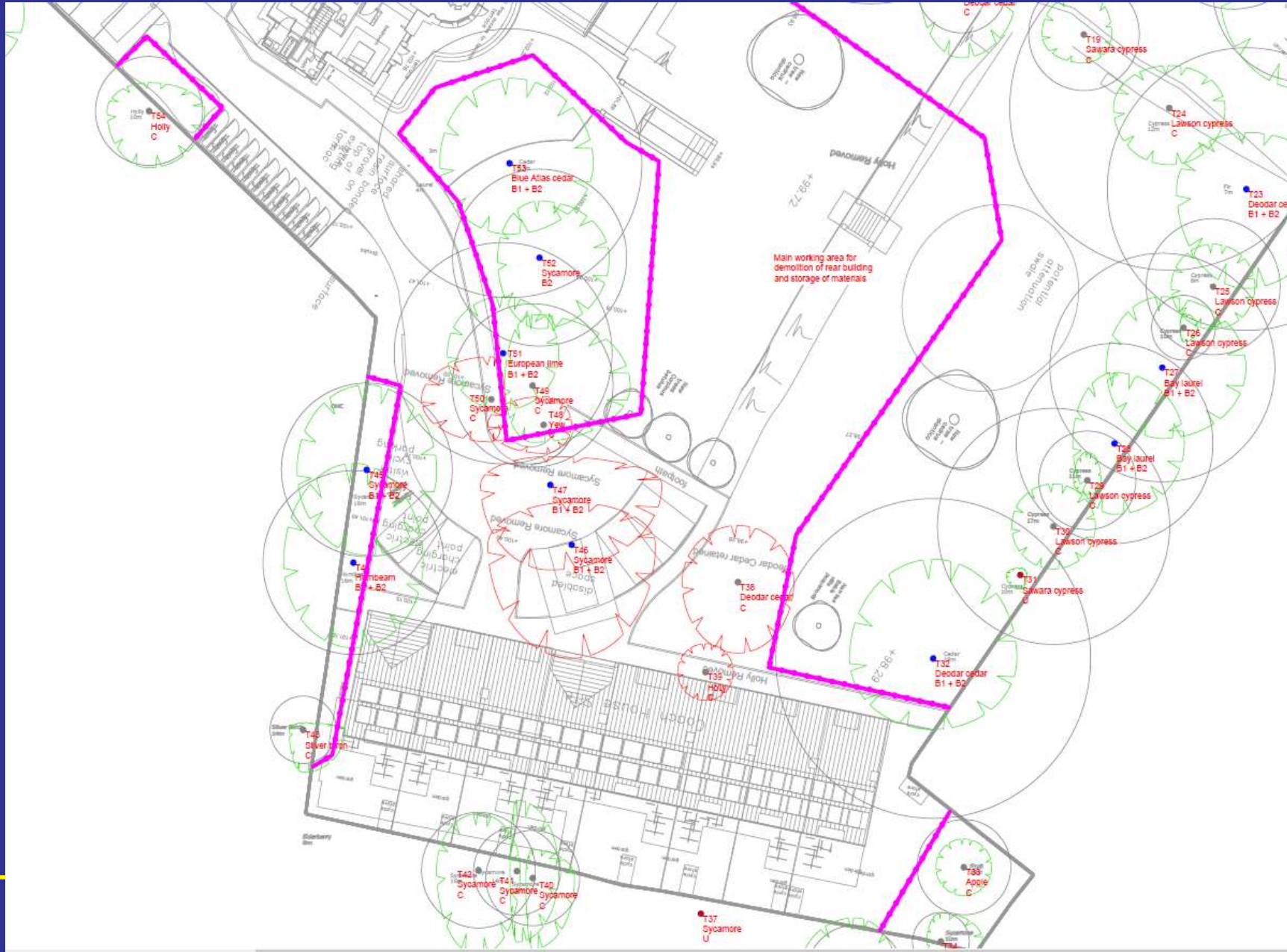
5no. spaces, inc.  
disabled bay and 2x  
electric charging  
points

# Key Planning Considerations

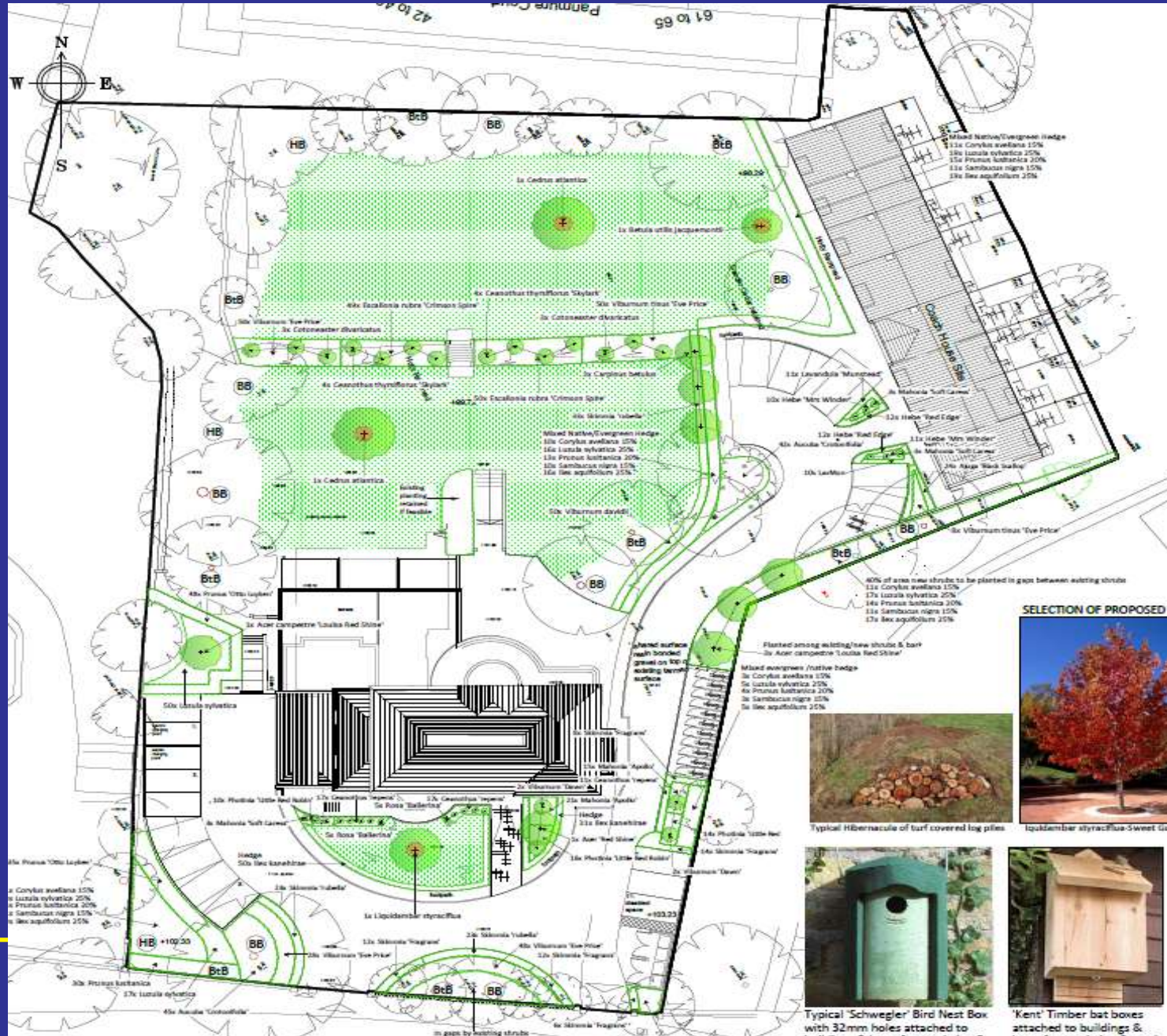
- Principle of development;
- Design and impact upon the character of the Designated Heritage Asset - Sydenham Hill CA, and the Non Designated Heritage Asset – Cedars building;
- Housing provision;
- Residential Amenity;
- Highways matters;
- Areas of special character and Ecology

**RECOMMENDATION: GRANT**

# TREE REMOVAL



# NEW TREE PLANTING



## SELECTION OF PROPOSED TR



Typical 'Schwegler' Bird Nest Box with 32mm holes attached to bui/rlines & hung from existing R  
 Typical 'Kent' Timber bat boxes attached to buildings & hung from existing R

Committee	PLANNING COMMITTEE A	
Report Title	4 Lind Street	
Ward	Brockley	
Contributors	Alfie Williams	
Class	PART 1	12 AUGUST 2021

Reg. Nos. DC/20/119652

Application dated 16.12.2020

Applicant James Stewart

Proposal The construction of a mansard extension to the roof of 4 Lind Street, SE8, together with the construction of single storey extension to the rear elevation, the installation of replacement timber windows in the front elevation and the insertion of new windows in the flank elevation.

Background Papers

- (1) Submission drawings
- (2) Submission technical reports and documents
- (3) Internal consultee responses

Designation

- Air Quality Management Area
- Area of Archaeological Priority
- Brookmill Road Conservation Area
- Brookmill Road Conservation Area Article 4 Direction
- Deptford Neighbourhood Forum
- PTAL 4

## 1 SUMMARY

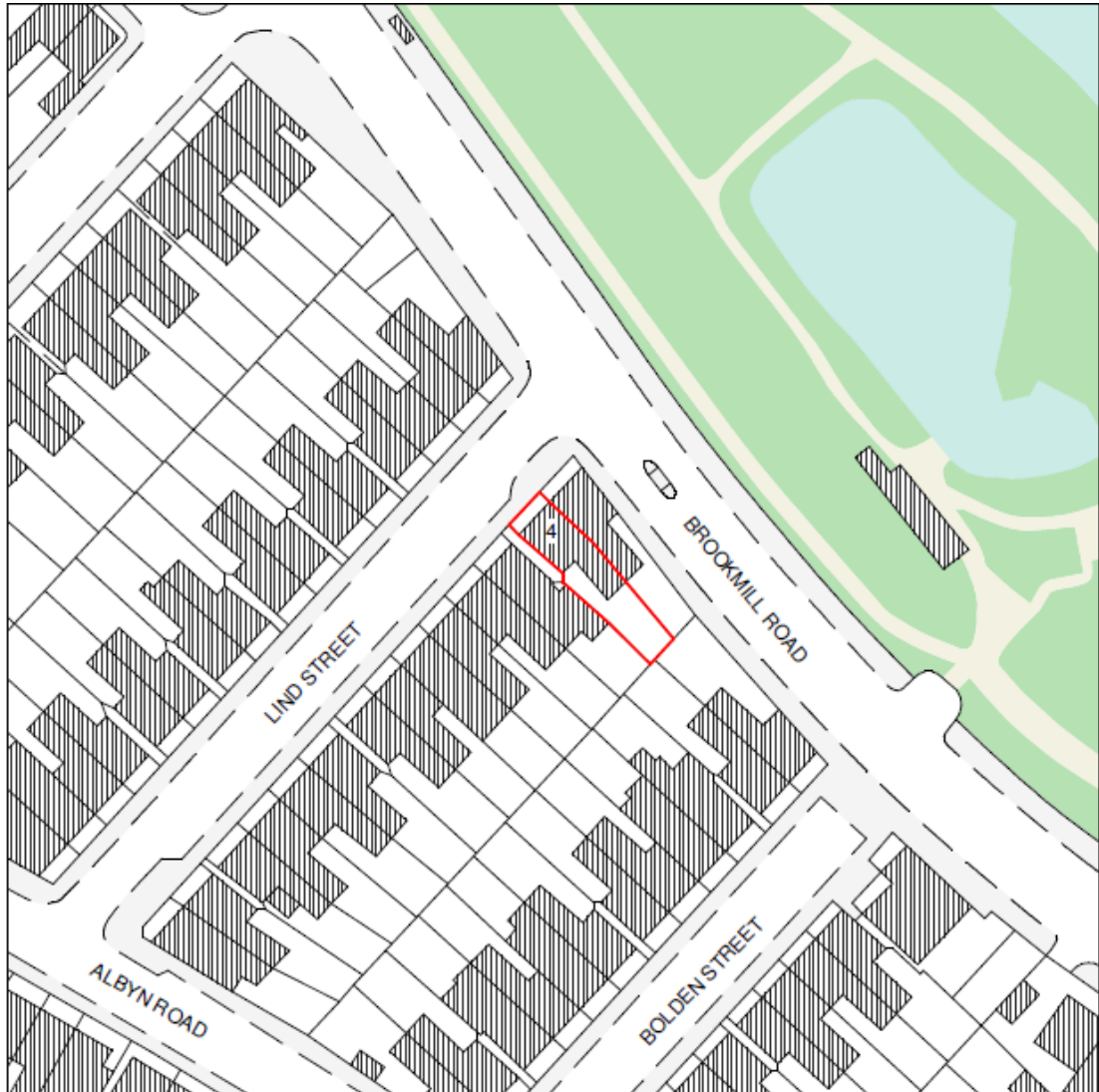
- 1 This report sets out the Officer's recommendation of approval for the above proposal. The report has been brought before Committee for a decision due to the submission of an objection by the Brookmill Road Conservation Area Society.

## 2 SITE AND CONTEXT

### *Site description and current use*

- 2 The application site is a two storey end-of-terrace property located on the south-eastern side of Lind Street. The property is constructed from yellow stock brick under its original slate London 'butterfly' roof and chimney stacks. The roof is concealed behind the front façade by a continuous parapet, obscuring the pitches and gutter. The front elevation is partially screened by a mature street tree located immediately to the front of the property. At the rear, the property features a two storey outrigger.

**Figure 1. Site Location Plan**



***Character of area***

- 3 The surrounding area is predominantly residential and is comprised of similar Victorian terraces. The properties on Lind Street are characterised by London ‘Butterfly’ roofs, which were used extensively in the 19th century and can be found throughout the Brookmill Road Conservation Area. The roofscape of Lind Street has been altered by three mansard extensions at nos 16, 28 and 29. Albyn Road at the south-western end of the road features a high proportion of Mansard extensions. The mansard extensions at Nos 140-146 and 158 Albyn Road are visible from Lind Street.

***Heritage/archaeology***

- 4 The property is within the Brookmill Road Conservation Area and subject to an Article 4 Direction, which restricts permitted development rights on elevations that front a public space. The character and appearance of the Brookmill Conservation Area is made up of modest, two storey houses, originally for working and lower middle classes, built mainly between 1850 and 1890. Houses are usually grouped in short terraces of two, four, six or eight in which the single house forms a unit within the larger entity of the street. Despite some differences in elevation treatment of the terraces, the character of the area is one of great architectural unity with the occasional accent at a street corner.
- 5 The building is not listed nor is it in the vicinity of a listed building. However, Lind Steet does form part of the setting of the Grade II Listed St John’s Church, situated approximately 250m to the south-west of the site.



## ***Transport***

- 6 The application site has a Public Transport Accessibility Level (PTAL) rating of 4, where on a scale of 1-6b, 1 is lowest and 6b is highest.

## **3 RELEVANT PLANNING HISTORY**

### *Application site*

- 7 None relevant to this application.

### *Neighbouring sites*

- 8 DC/13/82295: The construction of a mansard roof extension, incorporating two dormer windows to the front and rear roof slopes of 29 Lind Street SE8 – granted 5 March 2013 and implemented.
- 9 DC/13/83738: The construction of a mansard roof extension incorporating two dormer windows to the front and rear roof slopes of 16 Lind Street SE8 4JE together with a single storey extension to the rear - granted 13 September 2013 and implemented.
- 10 DC/13/84135: The construction of a mansard roof extension, incorporating two dormer windows to the front and rear roof slopes of 28 Lind Street SE8 – granted 16 October 2013 and implemented.

## **4 CURRENT PLANNING APPLICATION**

### **4.1 THE PROPOSALS**

- 11 The proposed development would see the construction of a mansard extension to the butterfly roof. The mansard would measure 7.2m deep x 5.7m wide with a height of 1.4m above the parapet. The front roof slope of the mansard would be set back 0.25m from the bottom of the parapet.
- 12 The mansard would be clad in natural slate with a stock brick parapet wall on either side. The front and rear roof slopes would be punctuated with lead clad dormers housing timber sash windows. The dormers would be centred to the front and aligned with the existing windows to the rear. The butterfly roof form would be retained to the rear, preserved by a lead apron. Additionally, cornicing would be added to the front parapet.
- 13 The proposed development also include the construction of a single storey infill extension to the rear measuring 7m deep and between 2.5-3.2m wide and a height of between 2.7-3.1m (due to variable ground levels). The extension would feature matching brickwork, a patio door in the rear and rooflights in the flat roof.
- 14 Finally, alterations to the windows are proposed. This would include restoring timber sash windows to the front elevation and the installation of two new windows in the flank elevation of the rear outrigger at first floor level.

## 5 CONSULTATION

### 5.1 APPLICATION PUBLICITY

- 15 Site notices were displayed and a press notice was published on 13 January 2021.
- 16 Letters were sent to residents in the surrounding area as well as to the relevant Ward Councillors and the Brookmill Society on 23 December 2020.
- 17 Nine responses were received from local residents and the St John's Society, comprising nine letters of support

#### 5.1.1 Comments in objection

- 18 The amenity society for this area, Brookmill Road Conservation Area Society, raised objections to the harmful visual impact to the Conservation Area resulting from the visual intrusion of the mansard above the characteristic unified parapet line in a prominent location close to the junction with Brookmill Road. The society also raised concerns with the mansard as initially proposed as it did not include the retention of the butterfly roof form at the rear. Officers note that the scheme was revised to address this concern. See paras 46-55 for further discussion

#### 5.1.2 Comments in support

Comment	Para where addressed
Provides family housing	32-34
The mansard would be historically sympathetic in terms of design, form and materials	52-55
The mansard would be in keeping with the established character of the surrounding roofscape	52-55
Enhancement resulting from restoring timber windows and the cornicing to the front parapet	54 & 58
Improved energy efficiency	55

- 19 The St John's Society (covering the St John's Conservation Area) commented in support of the application on the grounds that mansards are an appropriate addition to this building typology and noted that there are precedents in the vicinity and throughout the conservation area. The society also noted that are environmental benefits in terms of conserving energy and extending an existing building rather than building on new land. See para for 46-55 further discussion.

### 5.2 INTERNAL CONSULTATION

- 20 The following internal consultees were notified on 23 December 2020.
- 21 Conservation: raised objections. See paras 46-55 for further details.

### **5.3 EXTERNAL CONSULTATION**

22 The following External Consultees were notified on 23 December 2020

23 Deptford Action: Did not submit comments.

## **6 POLICY CONTEXT**

### **6.1 LEGISLATION**

24 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

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

### **6.2 MATERIAL CONSIDERATIONS**

26 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

27 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

28 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to aforementioned directions and the test of reasonableness.

### **6.3 NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2021 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

### **6.4 DEVELOPMENT PLAN**

29 The Development Plan comprises:

- London Plan (March 2021) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013) (SALP)
- Lewisham Town Centre Local Plan (February 2014) (LTCP)

## **6.5 SUPPLEMENTARY PLANNING GUIDANCE**

30 Lewisham SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)

## **7 PLANNING CONSIDERATIONS**

31 The main issues are:

- Principle of Development
- Urban Design & Heritage Impact
- Impact on Adjoining Properties
- 

### **7.1 PRINCIPLE OF DEVELOPMENT**

General Policy

32 The National Planning Policy Framework (NPPF) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

*Discussion*

33 The development plan is generally supportive of people extending or altering their homes. As such, the principle of development is supported subject to an assessment of the details.

#### **7.1.1 Principle of development conclusions**

34 The principle of providing additional habitable space within the property is supported subject to an assessment of the other relevant material planning considerations.

### **7.2 URBAN DESIGN & HERITAGE IMPACT**

*General Policy*

35 The NPPF at para 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

*Policy*

36 Heritage assets may be designated—including Conservation Areas, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, archaeological remains—or non-designated.

37 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives LPAs the duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 38 Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives LPAs the duty to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 39 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that relate to heritage assets. This includes giving great weight to the asset's conservation, when considering the impact of a proposed development on the significance of a designated heritage asset. Further, that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal.
- 40 LPP HC1 states that where development would affect heritage assets, it should be sympathetic to their form, scale, materials and architectural details.
- 41 CSP 16 ensures the value and significance of the borough's heritage assets are among things enhanced and conserved in line with national and regional policy.
- 42 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.
- 43 DMP 31 states that extensions will not be permitted where they would adversely affect the architectural integrity of a group of buildings as a whole or cause an incongruous element in terms of the important features of a character area.
- 44 The Alterations and Extensions SPD provides detailed guidance for the design of mansard roofs but is clear that mansards may not always be an appropriate form of development within conservation areas.

#### *Discussion*

- 45 The proposed development would include: (i) a mansard extension to the roof; (ii) a single storey infill extension to the rear and (iii) the installation of new windows.

#### **7.2.1 Mansard extension**

- 46 The Conservation Officer has raised an objection to the proposed addition of a mansard roof extension to the characteristic London roof of this building typology. The character of the Brookmill Conservation Area is defined, in part, by the continuous parapet line of the terraces, embellished by cornice, and the regular rhythm of doors and window openings on the elevation below. Mansard extensions project above the parapet line, interrupting the roofline, and detract significantly from the uniform character of the terraces along the street due to the additional bulk and height. As such, the Conservation Officer concludes that the proposal will cause a high degree of harm (less than substantial in NPPF terms) to the Brookmill Road Conservation Area. This assessment of the harm is supported by recent guidance published by Historic England *Conserving Georgian and Victorian Terraced Houses* (July 2020).
- 47 The Council's Conservation Officer assesses that the prevailing and dominant roofscape within Lind Street, and the Conservation Area as a whole, remains the original form. As such, the Conservation Officer concludes that the presence of other mansards within the vicinity of the application site, visible from the street, does not provide justification for additional harm.
- 48 The Conservation Officer has also identified the impact to views of the St John's Church (listed at grade II and dating to 1854), which is visible in a number of views within the Brookmill Conservation Area. The Church is particularly notable at this southern end of

the Conservation Area where it can be seen over the rooftops in oblique views. From Lind Street it has a prime position terminating the view looking up the street. This view is shown in Photograph 1, below.

**Photograph 1 (below). View of St John Church from Lind Street**



- 49 This view, from the streets which are part of its Parish, is significant and contributes to the listed building's setting. The Conservation Officer assesses that the addition of a mansard at No.4 would result in a moderate degree of harm (less than substantial in NPPF terms) to the setting of the church by introducing an anomalous roof structure which would erode the prevailing architectural uniformity in significant views of the listed building.
- 50 The Conservation Officer therefore identifies harm (in the range of less than substantial in NPPF terms) to both the Brookmill Road Conservation Area and the setting of the Grade II Listed St John's Church.
- 51 The further loss of the traditional roof form identified by the Conservation Officer is acknowledged. However, the unified composition of the roofscape within the Lind Street has already been eroded by the mansard extensions at Nos 16, 28 and 29. All three mansards form prominent additions to the streetscene as illustrated within Photographs 2 - 4 below.

**Photographs 2-4 (below).**

<b>No.16 Lind Street</b>	<b>No.28 Lind Street</b>	<b>No.29 Lind Street</b>
--------------------------	--------------------------	--------------------------



- 52 The mansards at Nos 16, 28 and 29 form part of the roofscape on Lind Street and as a matter of planning judgement are attributed more weight as a material consideration than given by the Conservation Officer. This interpretation is supported by Para 5.12.4 of the Alterations and Extensions SPD, which states that where a sympathetic, traditional style mansard has been established as an accepted and prevailing characteristic within the street then future traditional style mansard proposals will be considered.
- 53 Mansard extensions are not yet a prevailing characteristic of Lind Street. However, mansards are more prevalent on Albyn Road, which is visible from Lind Street. The properties on Albyn Road visible on Photograph 1, terminating the view up Lind Street, have mansard additions in the middle ground of the long view to St John's Church. The combination of the existing mansards on Albyn Road and Lind Street mean that the roofscape on Lind Street already forms part of the evolving character for mansards in the southern half of the Brookmill Road Conservation Area. Therefore, a new mansard at No 4 would not result in any additional harm to the character and appearance of the Conservation Area or to the setting of the Grade II Listed St John's Church.
- 54 The Alterations and Extensions SPD provides detailed guidance for the design of mansard extensions. The proposed mansard meets that guidance, including the front roof slope of the mansard being set back from the bottom of the parapet by 0.25m, the retention of the butterfly form at the rear, the position of the windows and the use of historically appropriate materials. A condition is recommended securing the specification of the materials as well detailed drawings of the dormers and rainwater goods. This would include detailed drawings of the proposed cornicing to the front parapet to ensure that it would be a close match to the detailing on the neighbouring terrace.
- 55 It is therefore concluded that the proposed mansard would lead to no harm to the Brookmill Road Conservation Area. As such, it is not necessary to consider the public benefits of the scheme, including the potential environmental benefits in terms of energy efficiency raised in the letters in support, which have not been substantiated.

### 7.2.2 Rear Extension

- 56 The proposed rear extension would infill the side return adjacent to the outrigger. The form of the original outrigger would be preserved at first floor level and therefore the extension is assessed to be subservient to the host property. The proposed yellow stock brickwork would match the existing and as such is considered appropriate. Officers also consider the contemporary flat roof form and patio doors to be suitable for an addition to the rear of the property as the extension would not be prominent from public viewpoints.
- 57 Overall, Officers are satisfied that the extension would form a sensitive addition to the property owing to the combination of historically appropriate materials and the

subservient scale. Details of the patio doors will be secured by condition to ensure that they would be high quality.

### **7.2.3 Windows**

58 The proposal would see the removal of the poor quality uPVC front windows and replacement with timber sash windows. The detailed drawings submitted with the application confirm that the new windows would replicate the design of the original windows in terms of the proportions of the joinery and the inclusion of the decorative horns. Therefore, the restoration of timber sash windows to the front elevation of the property would enhance the character and appearance of the Conservation Area.

### **7.2.4 Urban design and heritage impacts conclusion**

59 Officers, having regard to the statutory duties in respect of listed buildings in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, are satisfied the proposal would preserve the character and appearance of the Brookmill Road Conservation Area. The replacement of the existing unsympathetic windows and restoration of the cornice are merits which would enhance the Conservation Area.

## **7.3 LIVING CONDITIONS OF NEIGHBOURS**

60 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At para 185 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.

61 This is reflected in relevant policies of the London Plan (D3), the Core Strategy (CP15), the Local Plan (DMP 31) and associated guidance (Alterations and Extensions SPD 2019).

### *Discussion*

62 The main impacts on amenity relevant to this application potentially arise from: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas.

63 The proposed single storey rear infill extension would be confined to the side return adjacent to the outrigger and therefore potential impacts in terms of outlook and light would be limited to No 6. No 6 has an existing lean-to structure with a plastic roof within the side return, which effectively encloses the area adjacent to boundary. The structure does not benefit from planning permission but has been in place for longer than four years and therefore is immune from enforcement action and thus can be attributed weight as a material consideration. As such, the proposed extension is not considered to introduce any additional adverse impacts in terms of outlook and light to No.6. The mansard extension would be constructed within the footprint of the existing roof resulting in a modest increase to the height of the building. The increase in height is not assessed to introduce any adverse impact to the neighbouring properties in terms of enclosure or a harmful reduction to daylight and sunlight.

64 The replacement of existing windows would not introduce any additional overlooking. The introduction of windows at roof level would provide views similar to those already established on the elevations below thereby preventing any material change to the privacy currently enjoyed by neighbours. This is also true of the new windows in the side elevation of the outrigger given that there is an existing side window at first floor level.



### 7.3.1 Impact on neighbours conclusion

65 Officers have not identified any materially harmful impacts to the living conditions of the neighbouring properties and therefore the proposed development would be compliant with CSP 15 and DMP 31.

## 8 LOCAL FINANCE CONSIDERATIONS

66 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

- a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

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

68 This proposal would not be liable to pay CIL

## 9 EQUALITIES CONSIDERATIONS

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

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

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

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

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

- 73 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
  - Meeting the equality duty in policy and decision-making
  - Engagement and the equality duty
  - Equality objectives and the equality duty
  - Equality information and the equality duty
- 74 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>
- 75 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

## 10 HUMAN RIGHTS IMPLICATIONS

- 76 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including
- Article 8: Respect for your private and family life, home and correspondence
  - Protocol 1, Article 1: Right to peaceful enjoyment of your property
- 77 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.
- 78 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.
- 79 This application has the legitimate aim of providing alterations and extensions to a residential building. The rights potentially engaged by this application, including Article 8 and Protocol 1, Article 1 are not considered to be unlawfully interfered with by this proposal.

## 11 CONCLUSION

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

81 Overall, the proposed development is considered to preserve the character and appearance of the Brookmill Road Conservation Area or to the living conditions of the neighbouring properties. Therefore, the application is recommended for approval subject to the conditions set out below.

## 12 RECOMMENDATION

82 That the Committee resolve to **GRANT** planning permission subject to the following conditions and informatives:

### 12.1 CONDITIONS

#### 1) FULL PLANNING PERMISSION TIME LIMIT

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

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990.

#### 2) APPROVED PLANS

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

PL-P-01; PL-P-02; PL-P-03; PL-P-04; PL-P-05; PL-P-07; PL-S-09; PL-S-10; PL-P-13 Rev 1; PL-P-14 Rev 1; PL-P-15 Re1; PL-P-16 Rev 1; PL-E-17; PL-S-18; PL-E-19; PL-D-20 received 17 December 2021;

PL-P-06 Rev 3; PL-S11 Rev 3; PL-S22 Rev 1 received 13 July 2021;

PL-E-08 received 20 Jul 2021;

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

#### 3) MATERIALS

(a) A detailed schedule and specification including manufacturer's literature or detailed drawings, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

- i) natural slate roof covering;
- ii) dormers (including sections at scale 1:10);
- iii) external brickwork;
- iv) rainwater goods and guttering;

- v) external doors
- vi) front parapet (drawings at scale 1:10)

has been submitted to and approved in writing by the Council.

(b) The works shall then be carried in full accordance with the approved details prior to the first occupation of the development, and retained thereafter.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policies 15 High quality design and 16 Conservation areas, heritage assets and the historic environment for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014)

#### 4) **EXTERNAL PIPEWORK**

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, or rainwater pipes, shall be fixed on the front elevation of the building.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policies 15 High quality design and 16 Conservation areas, heritage assets and the historic environment for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014) .

#### 5) **FURTHER DETAILS**

Prior to the commencement of above ground works and notwithstanding the plans hereby approved, further details of the cornice and the replacement windows shall be submitted to and approved in writing by the local planning authority, such details shall include drawings and cross-sections at an appropriate scale (e.g. 1:5, 1:10 or 1:20) which show:

- (i) The details of the corncing to match the likely original cornice design; and
- (ii) A meeting rail of not more than 35mm width for the sliding sash windows.

The works shall be carried out in accordance with the approved details and shall be retained for the lifetime of the development.

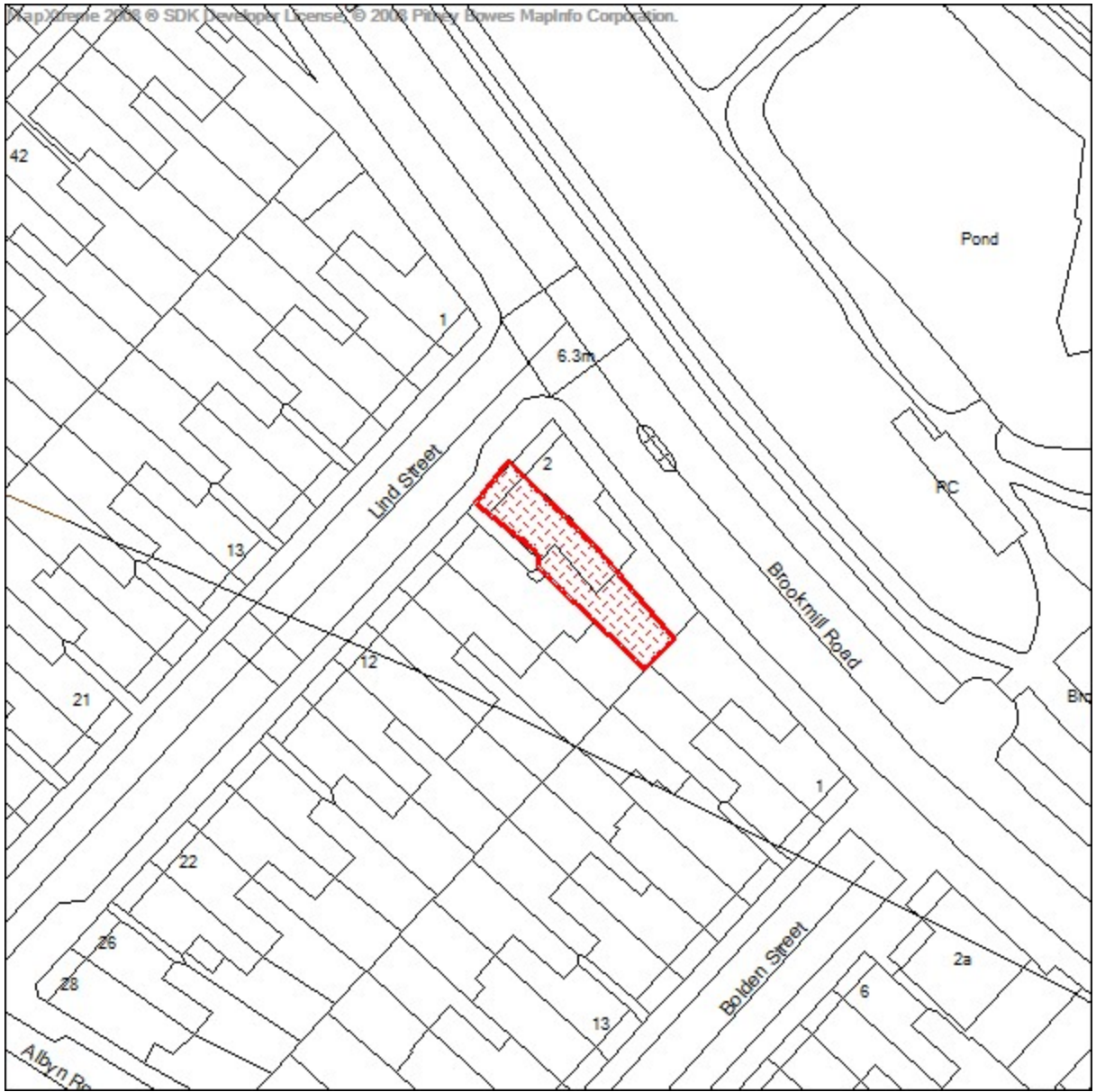
**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policies 15 High quality

design and 16 Conservation areas, heritage assets and the historic environment for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014) .

## 12.2 INFORMATIVES

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

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**4 Lind Street**

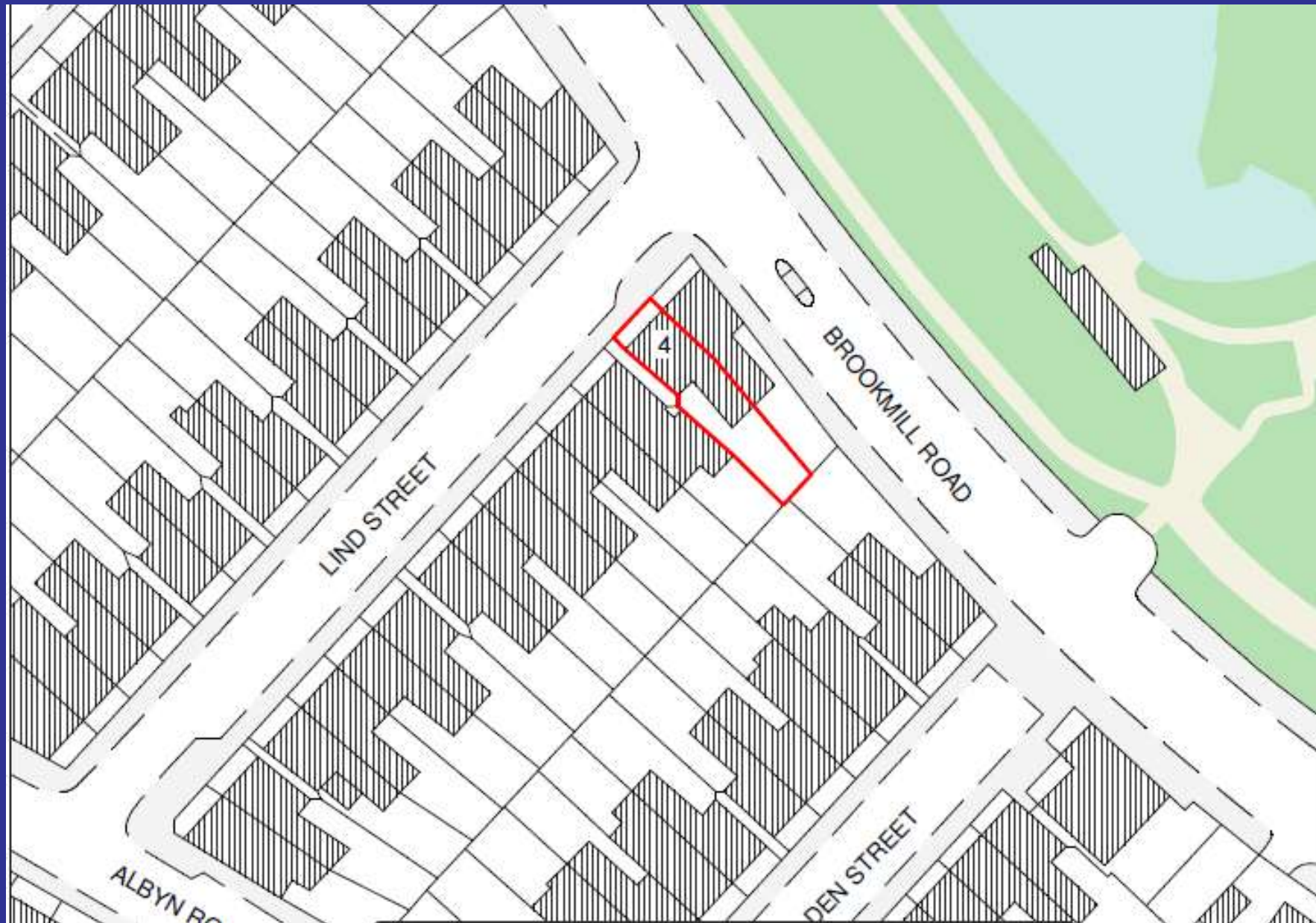
**London,**

**SE8 4JE**

**Application No. DC/20/119652**

This presentation forms no part of a planning application  
and is for information only.

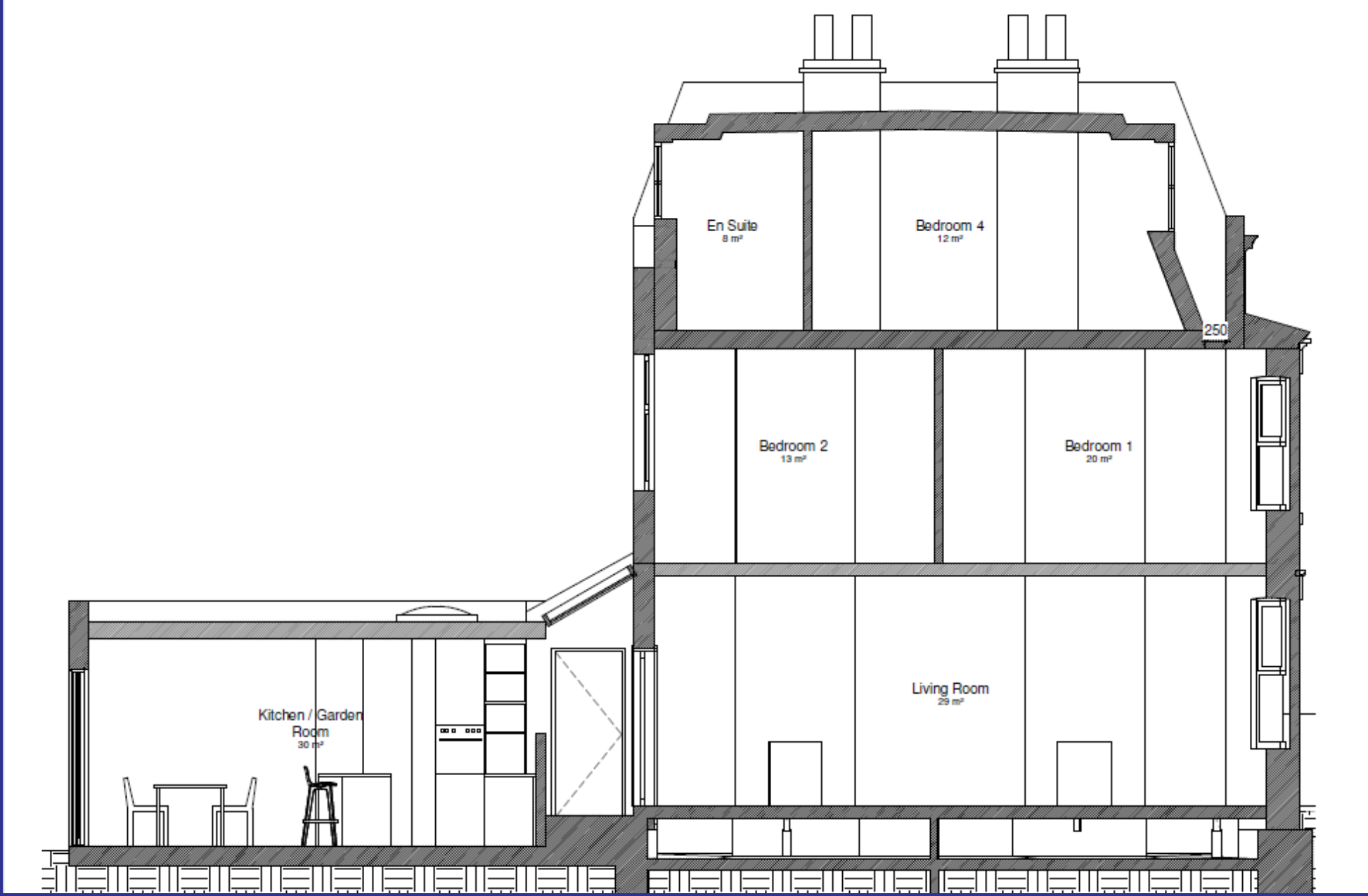
The construction of a mansard extension to the roof of 4 Lind Street, SE8, together with the construction of single storey extension to the rear elevation, the installation of replacement timber windows in the front elevation and the insertion of new windows in the flank elevation.







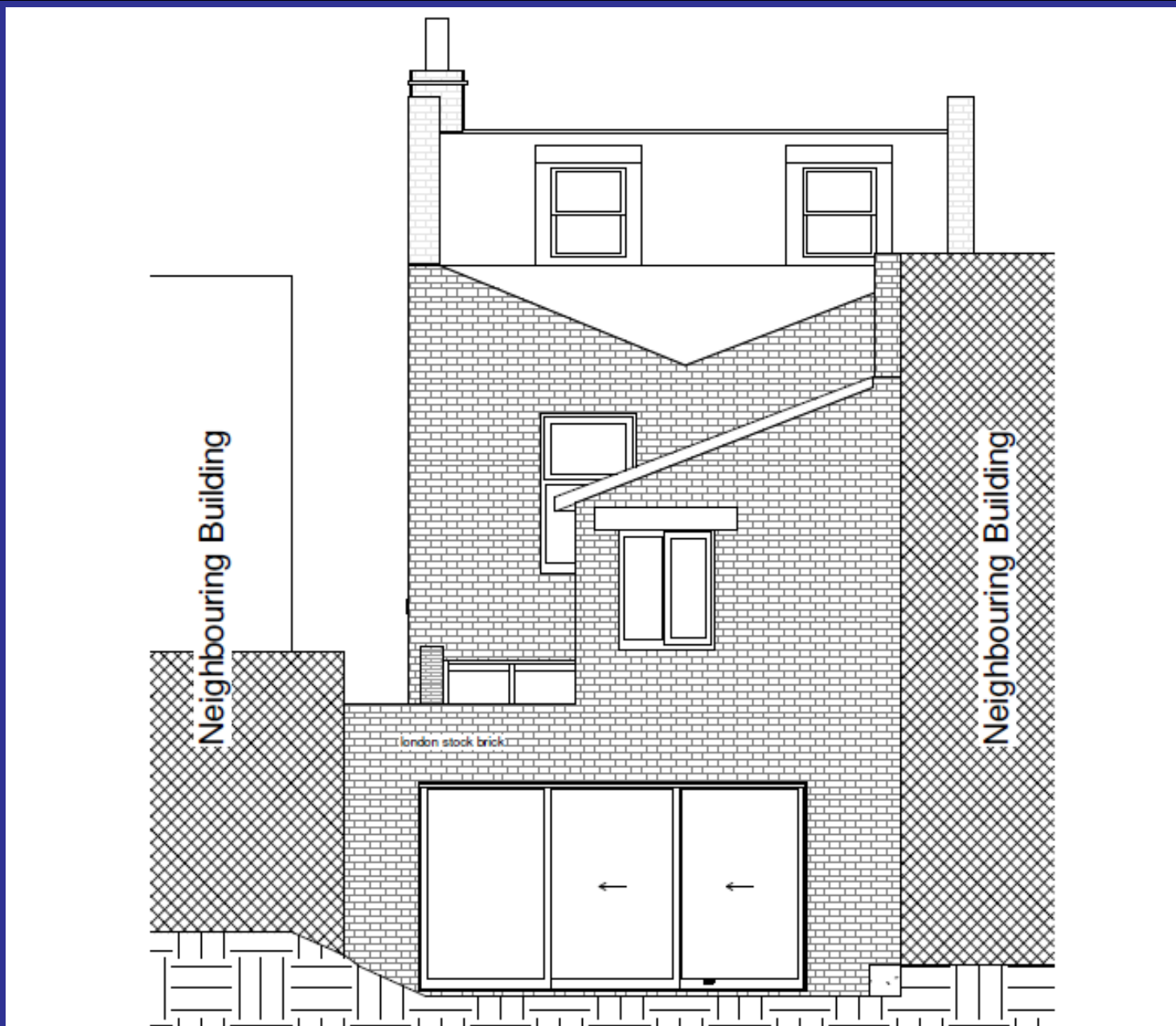
## Front Elevation Photographs



# Proposed Section



Proposed Front Elevation



Proposed Rear Elevation





# MAIN PLANNING CONSIDERATIONS

- Principle of Development
- Urban Design
- Living Conditions of Neighbouring Properties



16 Lind Street



29 Lind Street



28 Lind Street





# MAIN PLANNING CONSIDERATIONS

- Principle of Development
- Urban Design
- Living Conditions of Neighbouring Properties

End of Presentation

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Committee	PLANNING COMMITTEE A	
Report Title	Addendum Report – 4 Lind Street	
Ward	Brockley	
Contributors	Alfie Williams	
Class	PART 1	12 AUGUST 2021

Reg. Nos. DC/20/119652

Application dated 16.12.2020

Applicant James Stewart

Proposal The construction of a mansard extension to the roof of 4 Lind Street, SE8, together with the construction of single storey extension to the rear elevation, the installation of replacement timber windows in the front elevation and the insertion of new windows in the flank elevation.

Background Papers

- (1) Submission drawings
- (2) Submission technical reports and documents
- (3) Internal consultee responses

Designation

- Air Quality Management Area
- Area of Archaeological Priority
- Brookmill Road Conservation Area
- Brookmill Road Conservation Area Article 4 Direction
- Deptford Neighbourhood Forum
- PTAL 4

## 1 SUMMARY

- 1 This addendum report sets out Officers response to an additional letter of objection from the Brookmill Road Conservation Area Society received on 8 August 2021, after the publication of the committee agenda on 2 August 2021.

## 2 FURTHER REPRESENTATIONS

- 2 An additional letter of objection from the Brookmill Road Conservation Area Society was received on 8 August 2020. The letter reiterates the Society's opposition to the proposed mansard roof extension on the grounds that the extension would be detrimental to the character and appearance of the Brookmill Road Conservation Area and risks further incremental harm in the future.
- 3 The objection largely repeats points raised in the initial objection, which are addressed in the main committee report. However, the letter references appeal decisions for mansard extensions dismissed by the Planning Inspectorate at 38 St John's (ref. DC/16/95825)

and 40 St John's Vale (ref. DC/16/95824), which were not addressed in the main committee report. Officers do not consider applications at St John's Vale to be directly relevant to this application and context given that unlike Lind Street, St John's Vale retains an unaltered roofscape without mansard extensions.

### **3 CONCLUSION**

- 4 The objection from the Brookmill Road Conservation Area Society does not introduce any issues that impact upon Officers assessment of the proposed development. As such, Officers maintain the recommendation to approve planning permission subject to the conditions set out in the main Committee Report.

Committee	PLANNING COMMITTEE A	
Report Title	13 Bolden Street	
Ward	Brockley	
Contributors	Alfie Williams	
Class	PART 1	22 July 2021

Reg. Nos. DC/20/120731

Application dated 08.03.21

Applicant Mary-Clare Awford

Proposal The construction of a mansard roof extension with two dormer windows to the front roofslope and two windows to the rear at 13 Bolden Street, SE8.

Background Papers

- (1) Submission drawings
- (2) Submission technical reports and documents
- (3) Internal consultee responses

Designation

- Air Quality Management Area
- Area of Archaeological Priority
- Brookmill Road Conservation Area
- Brookmill Road Conservation Area Article 4 Direction
- Deptford Neighbourhood Forum
- PTAL 4

## 1 SUMMARY

- 1 This report sets out the Officer's recommendation of approval for the above proposal. The report has been brought before Committee for a decision due to the submission of an objection by the Brookmill Road Conservation Area Society.

## 2 SITE AND CONTEXT

### *Site description and current use*

- 2 The application site is a two storey end-of-terrace property located on the north-western side of Bolden Steet. The property is constructed from yellow stock brick under its original slate London 'butterfly' roof and chimney stacks. The roof is concealed behind the front façade by a continuous parapet with stucco cornice, obscuring the pitches and gutter, with only chimney stacks and pots visible above the corniced parapets. At the rear, the property features a two storey outrigger.

### **Figure 1. Site Location Plan**



### ***Character of area***

- 3 The surrounding area is prominently residential and is comprised of similar Victorian terraces. The properties on Bolden Street are characterised by London ‘Butterfly’ roofs, which were used extensively in the 19th century and can be found throughout the Brookmill Road Conservation Area. The roofscape of Bolden Street is largely unaltered other than a mansard extension at No 18 on the opposite side of the road. The mansard at No18 is nearing completion following an application granted in January 2019. Albyn Road, at the south-eastern end of road features a high proportion of mansard extensions. The mansard extensions at Nos 158, 162 and 164 Albyn Road are visible from Bolden Street.

### ***Heritage/archaeology***

- 4 The property is within the Brookmill Road Conservation Area and subject to an Article 4 Direction, which restricts permitted development rights on elevations that front a public space. The character and appearance of the Brookmill Conservation Area is made up of modest, two storey houses, originally for working and lower middle classes, built mainly between 1850 and 1890. Houses are usually grouped in short terraces of two, four, six or eight in which the single house forms a unit within the larger entity of the street. Despite some differences in elevation treatment of the terraces, the character of the area is one of great architectural unity with the occasional accent at a street corner.
- 5 The building is not listed nor is it in the vicinity of a listed building.

### ***Transport***

- 6 The application site has a Public Transport Accessibility Level (PTAL) rating of four, where on a scale of 1-6b, 1 is lowest and 6b is highest.

### 3 RELEVANT PLANNING HISTORY

#### *Application site*

7 DC/16/97644: The construction of a mansard roof extension with two dormer windows to the front roofslope and two dormers to the rear at 13 Bolden Street, SE8 – refused 16 September 2016 for the following reasons:

1. *The proposed mansard roof extension, by reason of its height, detailed design and materials would be an incongruous, unsympathetic and visually intrusive addition harmful to the historic design conventions of the host property and the character and appearance of the Brookmill Road Conservation Area. As such, the proposal would be contrary to Policies 7.4 Local character, 7.6 Architecture and 7.8 Heritage assets and archaeology of the London Plan (March 2016), Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the adopted Core Strategy (June 2011), DM Policies 30 Urban design and local character, 31 Alterations/extensions to existing buildings and 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014) and paragraph 6.7 of the Residential Standards SPD (updated May 2012).*
2. *The proposed mansard roof extension would result in the loss of the historic roof form to the detriment of the character of the host property, the historic and cohesive nature of the immediate terrace of which it forms part, Bolden Street and the Brookmill Road Conservation Area. As such it would be contrary to Policies 7.4 Local character, 7.6 Architecture and 7.8 Heritage assets and archaeology of the London Plan (March 2016), Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the adopted Core Strategy (June 2011), DM Policies 30 Urban design and local character, 31 Alterations/extensions to existing buildings and 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014) and paragraph 6.7 of the Residential Standards SPD (updated May 2012).*

8 An appeal against the refusal was dismissed on 1 February 2017 with the Inspector making the following assessment:

*“Although the front of the proposed mansard roof would be recessed behind the parapet, I do not share the appellant’s view that it would have no tangible impact on the street scene. It would create a further storey that would appear bulky relative to the original house, and disruptive to the cohesion of the terrace and wider streetscene”*

#### *Neighbouring sites*

9 DC/18/109040: The construction of a mansard roof extension at 18 Bolden Street, SE8 – granted on 29 January 2019 following the Planning Committee C meeting held on 24 January 2019 in which members resolved to overturn Officers recommendation of refusal.



## 5 CONSULTATION

### 5.1 APPLICATION PUBLICITY

13 Site notices were displayed and a press notice was published on 24 March 2021.

14 Letters were also sent to residents in the surrounding area as well as to the relevant Ward Councillors on 24 March 2021. The Brookmill Society was consulted on 6 April 2021.

15 21 responses were received in response all in support of the application.

#### 5.1.1 Comments in objection

16 The amenity society for this area, Brookmill Road Conservation Area Society, raised objections to the harmful visual impact to the Brookmill Road Conservation Area resulting from the visual intrusion resulting from the additional bulk and massing of the mansard above the characteristic unified parapet line of the group of houses within an otherwise unaltered roofscape. This assessment of the harm to the Conservation Area was supported by the Brockley Society, the amenity society for the Brockley Conservation Area. See paras 43-53 for further discussion.

#### 5.1.2 Comments in support

Comment	Para where addressed
Provides family housing	31-33
Historically sympathetic in terms of design, form and materials	47-52
In keeping with the established character of the surrounding roofscape	47-52

17 A comment in support of the application also raised the cost of maintaining London roofs, which is not assessed to be material to this planning application.

18 The St John's Society (covering the St John's Conservation Area) commented in support of the application on the grounds that mansards are an appropriate addition to this building typology and noted that there are precedents in the vicinity and throughout the conservation area. The society also noted that there are environmental benefits in terms of conserving energy and extending an existing building rather than building on new land. See paras 43-53 for further discussion.

### 5.2 INTERNAL CONSULTATION

19 The following internal consultees were notified on 17 March 2021.

20 Conservation: raised objections. See paras 34-53 for further details.

### 5.3 EXTERNAL CONSULTATION

21 The following External Consultees were notified on 6 April 2021:

22 Deptford Action: Did not submit comments.

## **6 POLICY CONTEXT**

### **6.1 LEGISLATION**

23 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

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

### **6.2 MATERIAL CONSIDERATIONS**

25 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

26 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

27 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to aforementioned directions and the test of reasonableness.

### **6.3 NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2021 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

### **6.4 DEVELOPMENT PLAN**

28 The Development Plan comprises:

- London Plan (March 2021) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013) (SALP)
- Lewisham Town Centre Local Plan (February 2014) (LTCP)

### **6.5 SUPPLEMENTARY PLANNING GUIDANCE**

29 Lewisham SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)



## **7 PLANNING CONSIDERATIONS**

30 The main issues are:

- Principle of Development
- Urban Design & Heritage Impact
- Impact on Adjoining Properties

### **7.1 PRINCIPLE OF DEVELOPMENT**

#### *General policy*

31 The National Planning Policy Framework (NPPF) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

#### *Discussion*

32 The development plan is generally supportive of people extending or altering their homes. As such, the principle of development is supported subject to an assessment of the details.

#### **7.1.1 Principle of development conclusions**

33 The principle of providing additional habitable space within the property is supported subject to an assessment of the other relevant material planning considerations.

### **7.2 URBAN DESIGN & HERITAGE IMPACTS**

#### *General Policy*

34 The NPPF at para 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

#### *Policy*

35 Heritage assets may be designated—including Conservation Areas, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, archaeological remains—or non-designated.

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

37 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that relate to heritage assets. This includes giving great weight to the asset's conservation, when considering the impact of a proposed development on the significance of a designated heritage asset. Further, that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal.

38 LPP HC1 states that where development would affect heritage assets, it should be sympathetic to their form, scale, materials and architectural details.

- 39 CSP 16 ensures the value and significance of the borough's heritage assets are among things enhanced and conserved in line with national and regional policy.
- 40 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.
- 41 DMP 31 states that extensions will not be permitted where they would adversely affect the architectural integrity of a group of buildings as a whole or cause an incongruous element in terms of the important features of a character area.
- 42 The Alterations and Extensions SPD provides detailed guidance for the design of mansard roofs but is clear that mansards may not always be an appropriate form of development within conservation areas.

*Discussion*

- 43 The Conservation Officer has raised an objection to the proposed addition of a mansard roof extension to the characteristic London roof of this building typology. The character of the Brookmill Conservation Area is defined, in part, by the continuous parapet line of the terraces, embellished by cornice, and the regular rhythm of doors and window openings on the elevation below. Mansard extensions project above the parapet line, interrupting the roofline of the terrace, and can detract significantly from the uniform character of the terraces along the street due to the additional bulk and height. This assessment of the harm is supported by recent guidance published by Historic England *Conserving Georgian and Victorian Terraced Houses* (July 2020).
- 44 The Council's Conservation Officer assesses that the prevailing and dominant roofscape within Bolden Street, and the Conservation Area as a whole, remains the original form. As such, the Conservation Officer concludes that the presence of other mansards within the vicinity of the application site, visible from the street and from the rear of the property, does not provide justification for additional harm. The Conservation Officer therefore identifies a high degree of harm (in the range of less than substantial in NPPF terms) to the as yet unaltered roofscape on the north-western side of Bolden Street, which forms an essential characteristic of the Conservation Area.
- 45 This conclusion is supported by the assessment of the refused 2016 application, which was appealed and the appeal dismissed. In dismissing the appeal the Inspector was clear that a mansard would be harmful to the character and appearance of the Brookmill Road Conservation Area. The Inspector was also clear that the mansard extensions on the neighbouring streets should not be considered as precedent for roof alterations on Bolden Street. This is discussed at para 7 of the appeal decision, which reads:
- "The appellant has drawn attention to a number of mansard roof extensions in the vicinity of the site, and I am mindful that there are examples in Albyn Road and Lind Street within the same vista as the appeal property. To an extent, they are a feature of the conservation area, but the original roofline and form prevails. Indeed, in some cases these roof extensions have undermined the character and appearance of the original roofscape, and serve to demonstrate the harm which would result from the appeal proposal. In this case, the set-back, traditional design and matching materials of the extension would not mitigate the adverse visual impact on the dwelling, the street scene and the wider conservation area."*
- 46 At para 12 of the appeal decision the Inspector considers the roofscape on Bolden Street and gives weight to the absence of mansard extensions. Para 12 reads:

*“I can appreciate the appellant’s frustration given the number of mansard roofs in the conservation area, including examples seen from the appeal site itself. However, I am persuaded by the Council’s view that the appropriateness of this form of development in the Conservation Area will need to be assessed on a case by case basis. Whilst I note the appellant’s view that there is no policy basis to ‘single out’ Bolden Street as a sub-area of the conservation area, its largely unaltered roofscape is nevertheless an important example of the appearance, character and continuity of the historic street.”*

47 The photograph below confirms that the mansard at No.18 Bolden Street, granted planning permission at Planning Committee in January 2019, is substantially built.

**Photograph 1. Street elevation of 18 Bolden Street**



48 The construction of the mansard at No.18 Bolden Street, opposite the application site, represents a material change compared to the time of the appeal decision and as such carries weight in the assessment of the new application. Bolden Street can therefore no longer be considered to retain an unaltered roofscape. Para 5.12.4 of the Alterations and Extensions SPD is relevant and states that where a sympathetic, traditional style mansard has been established as an accepted and prevailing characteristic within the street then future traditional style mansard proposals will be considered.

49 Mansard extensions are not yet a prevailing characteristic of Bolden Street. However, as Photograph 2 below demonstrates, mansards are prevalent on the Albyn Road and are visible from Bolden Street.

**Photograph 2. View south-east from Bolden Street to Albyn Road**



50 The mansard at No.18 means that it is no longer possible to view the roofscape on Bolden Street as distinct from Albyn Road, particularly given that Bolden Street adjoins Albyn Road and mansards are visible on both streets. As such, the evolving character for mansards in the southern half of the Conservation Area is now considered to extend into Bolden Street and therefore the principle of a mansard at the application property is accepted.

51 The Alterations and Extensions SPD provides detailed guidance for the design of mansard extensions. The proposed mansard meets that guidance, including the front roof slope of the mansard being set back from the bottom of the parapet by 0.25m, the retention of the butterfly form at the rear, the alignment of the windows and the use of historically appropriate materials. A condition is recommended securing the specification of the materials as well as detailed drawings of the dormers, windows and rainwater goods.

52 It is therefore concluded that the current proposal would lead to no harm to the Brookmill Road Conservation Area. As such, it is not necessary to consider any public benefits of the scheme, including the potential environmental benefits in terms of energy efficiency raised in the letters in support, which have not been substantiated.

### *Summary*

53 Officers, having regard to the statutory duties in respect of listed buildings in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, are satisfied the proposal would preserve the character and appearance of the Brookmill Road Conservation Area.

## **7.3 LIVING CONDITIONS OF NEIGHBOURS**

### *Policy*

54 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At para 185 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.

55 This is reflected in relevant policies of the London Plan (D3), the Core Strategy (CP15), the Local Plan (DMP 31) and associated guidance (Alterations and Extensions SPD 2019).

#### *Discussion*

56 The main impacts on amenity relevant to this application potentially arise from: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas.

57 The mansard extension would be constructed within the footprint of the existing roof resulting in a modest increase to the height of the building. As such, the proposed development is not considered to introduce any adverse impact to neighbours in terms of an increased sense of enclosure or a harmful reduction to daylight and sunlight to neighbouring rooms or gardens. The introduction of windows at roof level would provide views similar to those already established on the elevations below thereby preventing any material change to the privacy currently enjoyed by neighbours. Noise and disturbance are not considered to be impacts given the modest scale of development proposed.

### **7.3.1 Impact on neighbours conclusion**

58 The mansard extension would not result in any material harm to the living conditions of the neighbouring properties and therefore the proposed development would be compliant with CSP 15 and DMP 31.

## **8 LOCAL FINANCE CONSIDERATIONS**

59 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

- a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

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

61 This proposal would not be liable to pay CIL.

## **9 EQUALITIES CONSIDERATIONS**

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

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

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

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

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

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

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

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

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

## 10 HUMAN RIGHTS IMPLICATIONS

69 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. “Convention” here

means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:

- Article 8: Respect for your private and family life, home and correspondence
- Protocol 1, Article 1: Right to peaceful enjoyment of your property

70 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.

71 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

72 This application has the legitimate aim of providing alterations and extensions to a residential building. The rights potentially engaged by this application, including Article 8 and Protocol 1, Article 1 are not considered to be unlawfully interfered with by this proposal.

## 11 CONCLUSION

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

74 Overall, the proposed development is considered to preserve the character and appearance of the Brookmill Road Conservation Area and no adverse impacts have been identified to the living conditions of the neighbouring properties. Therefore, the application is recommended for approval subject to the conditions set out below.

## 12 RECOMMENDATION

75 That the Committee resolve to **GRANT** planning permission subject to the following conditions and informatives:

### 12.1 CONDITIONS

#### 1) FULL PLANNING PERMISSION TIME LIMIT

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

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990.

#### 2) APPROVED PLANS

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

Site Location Plan received 8 March 2021;

2020/074/01A; 2020/074/02a; 2020/074/03A; 2020/074/04A; 2020/074/05A;  
2020/074/06A; 2020/074/07A; 2020/074/08A; 2020/074/09A; 2020/074/10A;  
2020/074/11A received 7 July 2021;

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

### 3) **MATERIALS**

(a) A detailed schedule and specification including manufacturer's literature or detailed drawings, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

- i) natural slate roof covering;
- ii) dormers and windows (including sections at scale 1:10);
- iii) external brickwork;
- iv) rainwater goods and guttering

has been submitted to and approved in writing by the Council.

(b) The works shall then be carried in full accordance with the approved details prior to the first occupation of the development, and retained thereafter.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policies 15 High quality design and 16 Conservation areas, heritage assets and the historic environment for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014)

### 4) **EXTERNAL PIPEWORK**

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, or rainwater pipes, shall be fixed on the front elevation of the building.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policies 15 High quality design and 16 Conservation areas, heritage assets and the historic environment for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens of the Development Management Local Plan (November 2014) .



## 12.2 INFORMATIVES

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

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**13 Bolden Street  
London,  
SE8 4JF**

**Application No. DC/21/120731**

This presentation forms no part of a planning application  
and is for information only.

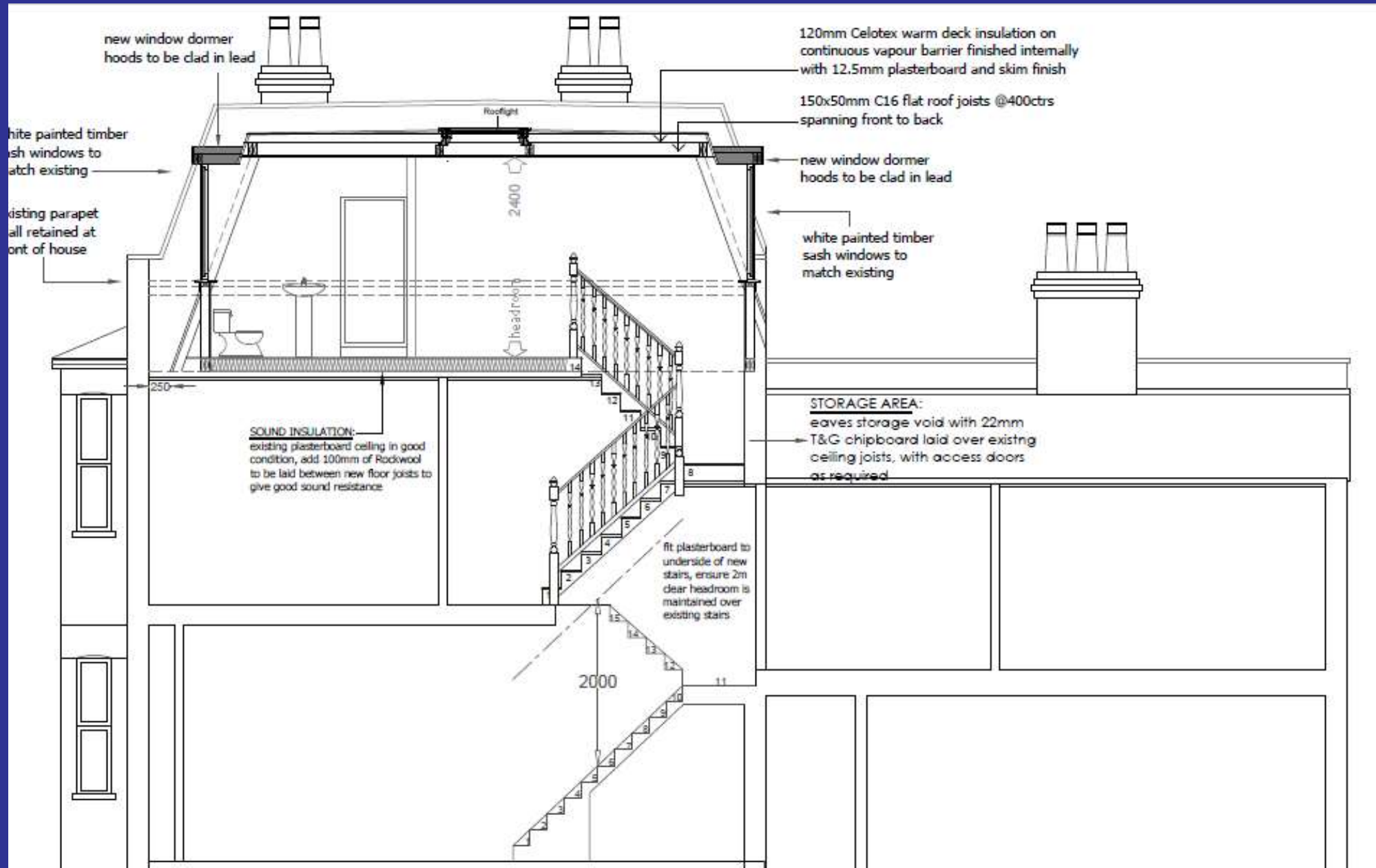
The construction of a mansard roof extension with two dormer windows to the front roof slope and two windows to the rear at 13 Bolden Street, SE8.







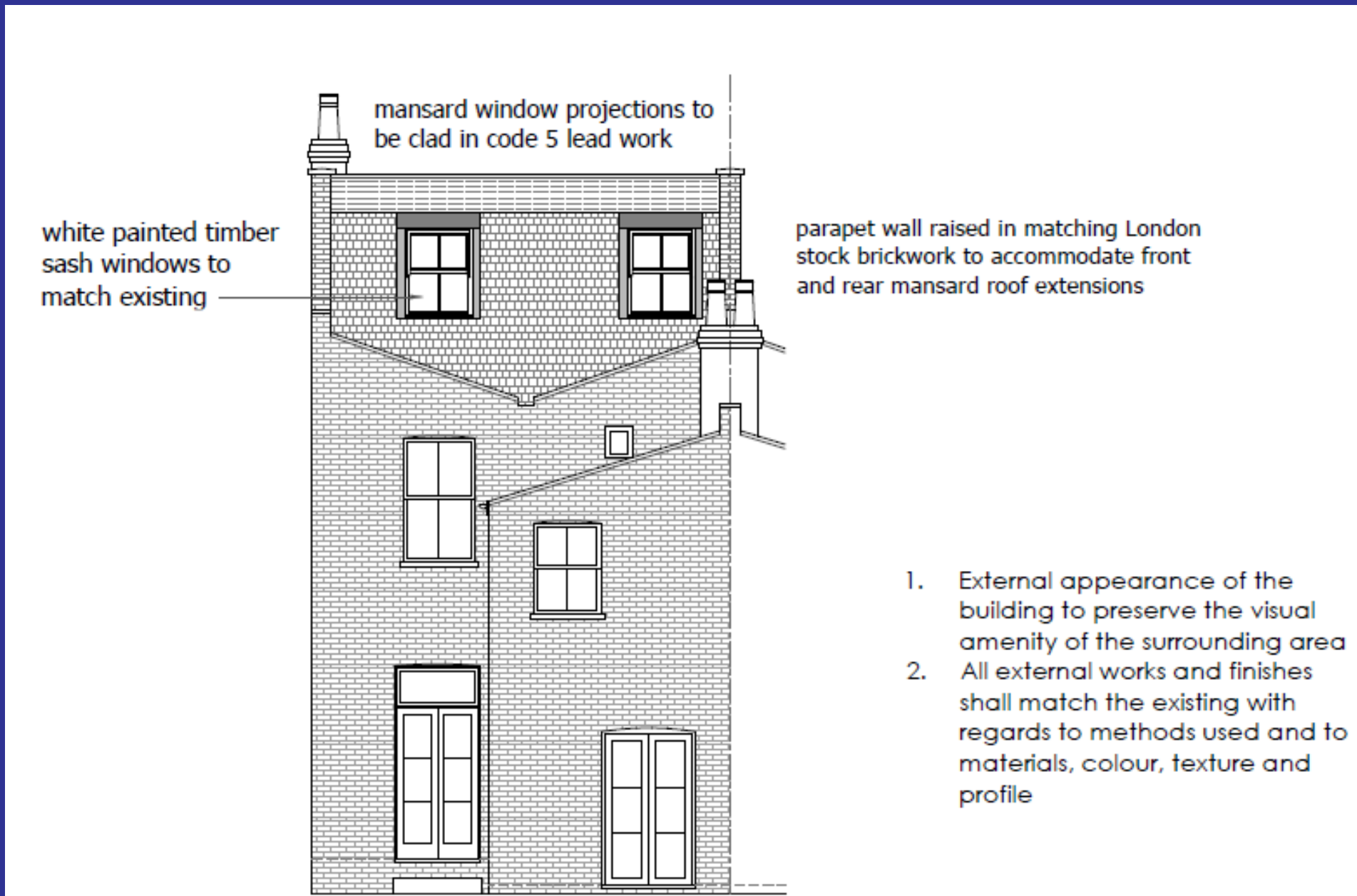


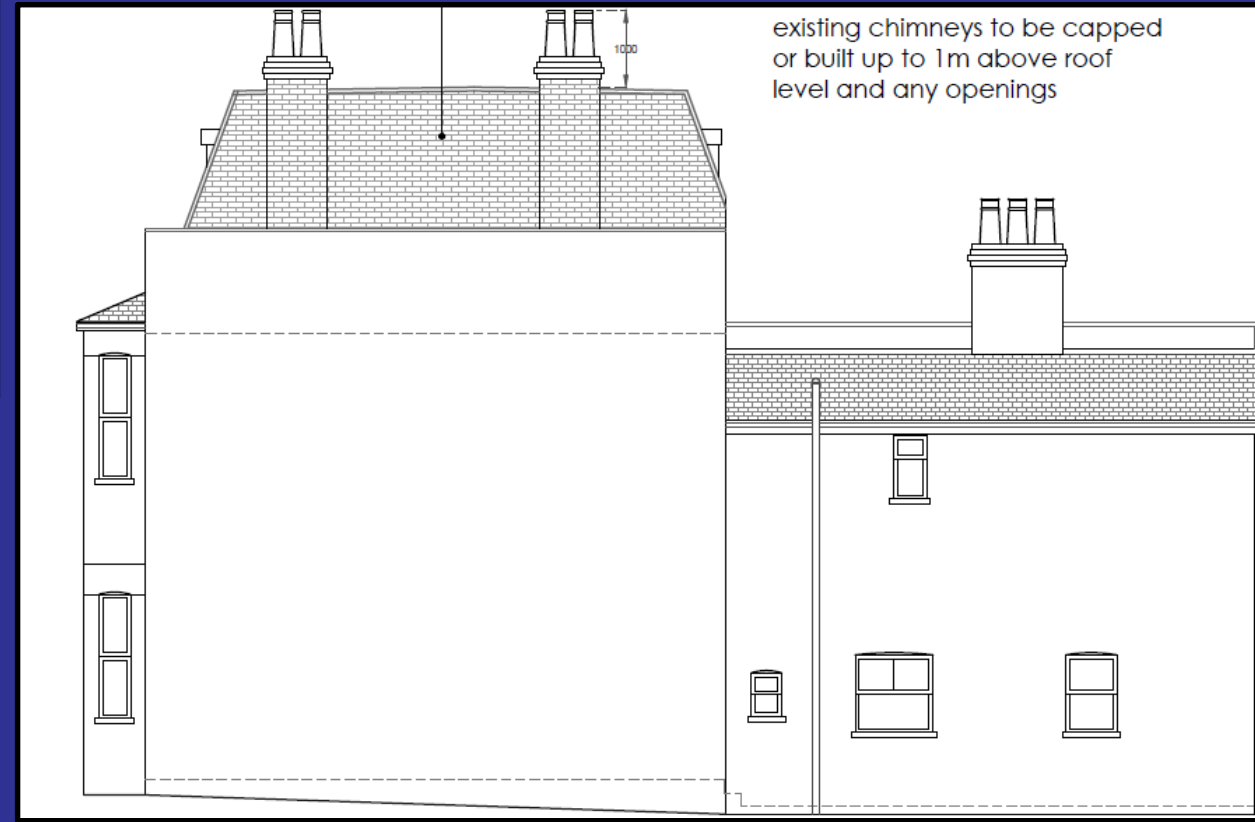
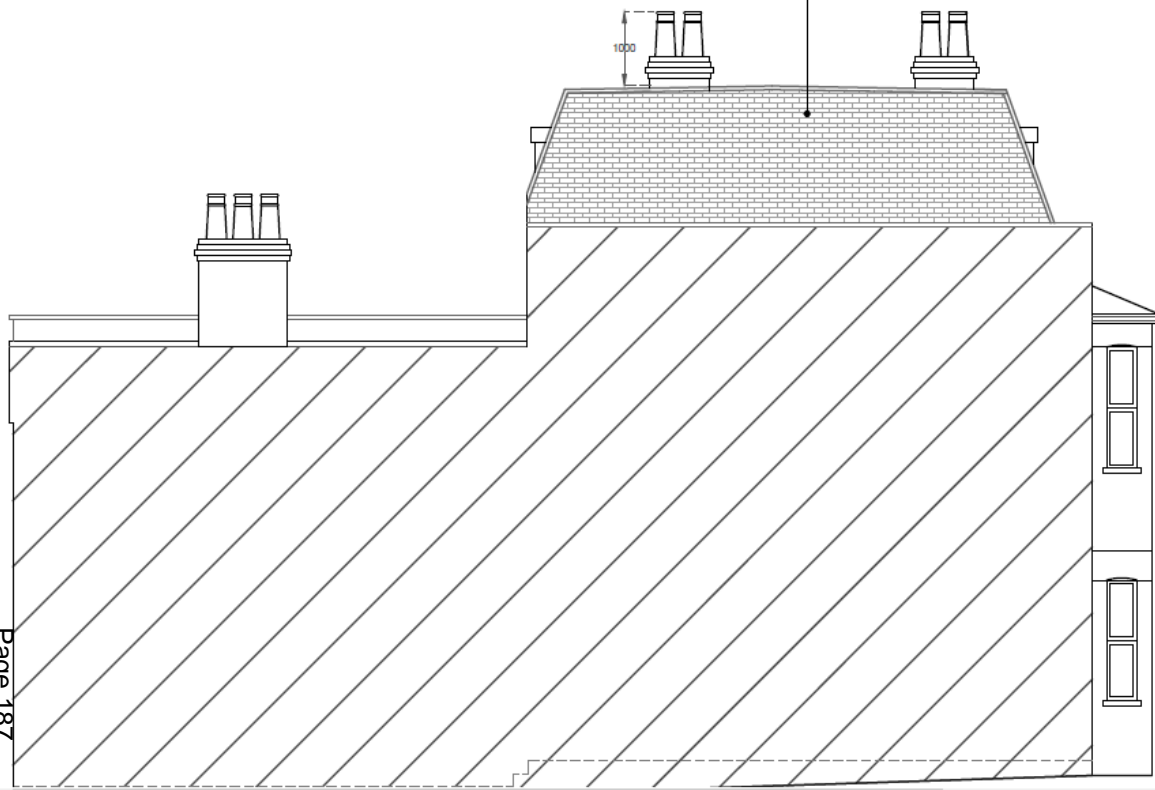


# Proposed Section



# Proposed Front Elevation

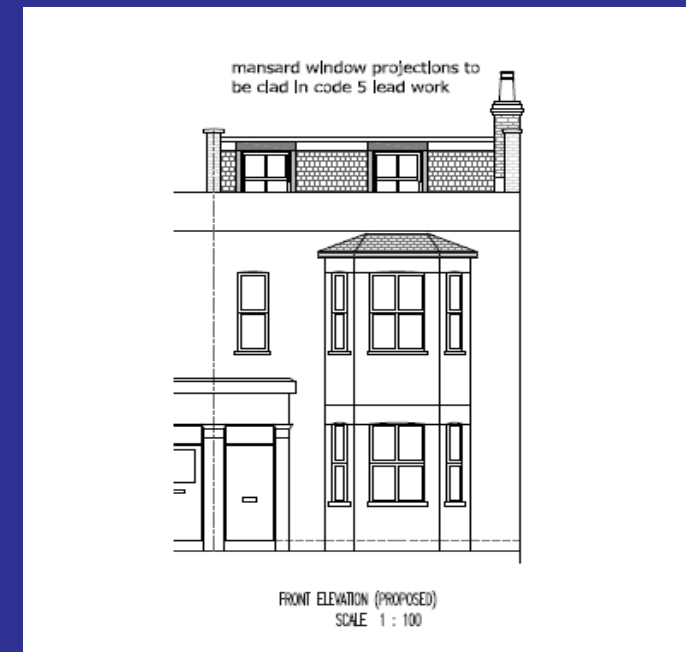
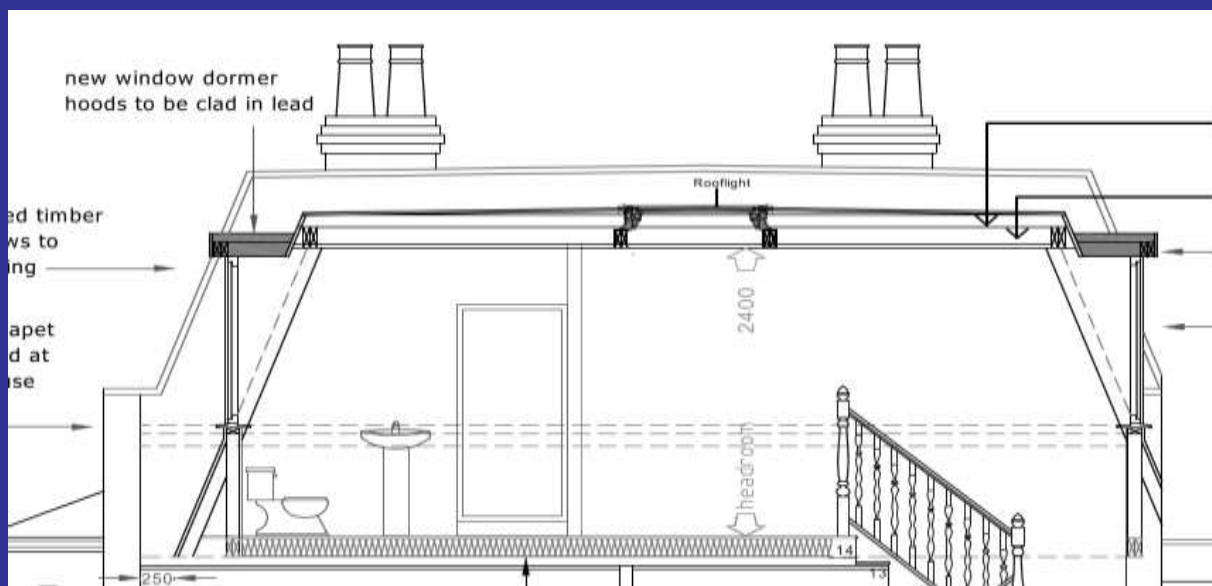
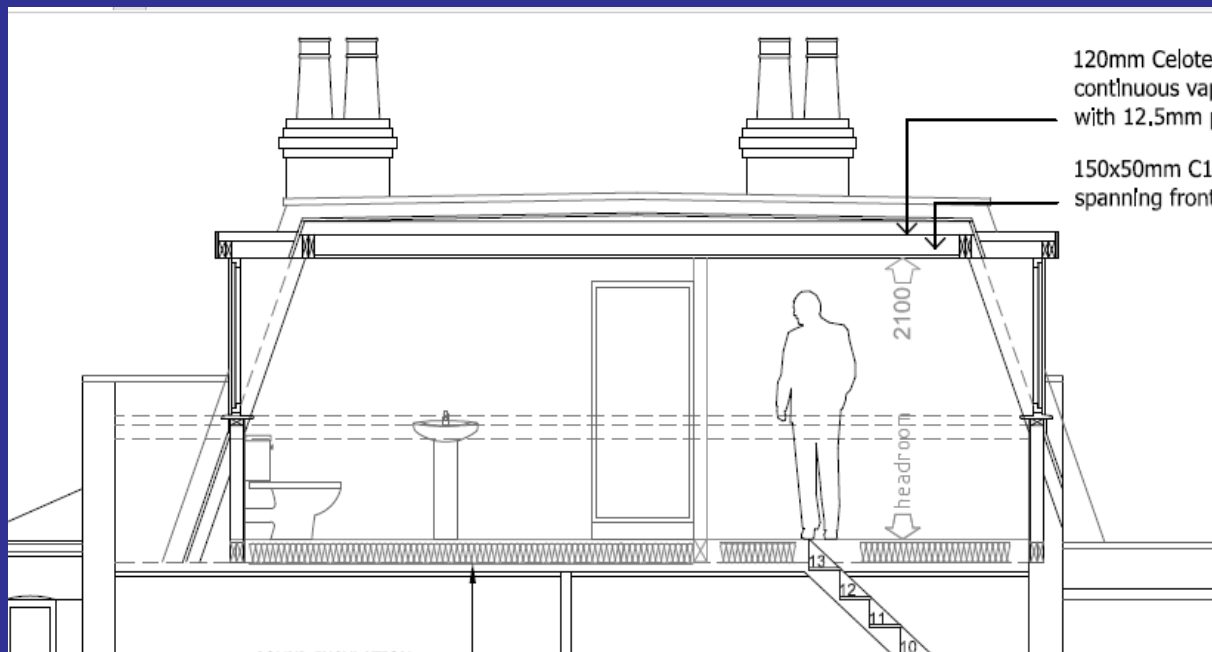




Scheme refused in September 2016 DC/16/97644

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Application scheme



# MAIN PLANNING CONSIDERATIONS

- Principle of Development
- Urban Design
- Living Conditions of Neighbouring Properties



18 Bolden Street (opposite the application site)





# MAIN PLANNING CONSIDERATIONS

- Principle of Development
- Urban Design
- Living Conditions of Neighbouring Properties

End of Presentation

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Committee	PLANNING COMMITTEE A	
Report Title	Addendum Report - 13 Bolden Street	
Ward	Brockley	
Contributors	Alfie Williams	
Class	PART 1	12 August 2021

Reg. Nos. DC/20/120731

Application dated 08.03.21

Applicant Mary-Clare Awford

Proposal The construction of a mansard roof extension with two dormer windows to the front roofslope and two windows to the rear at 13 Bolden Street, SE8.

Background Papers

- (1) Submission drawings
- (2) Submission technical reports and documents
- (3) Internal consultee responses

Designation

- Air Quality Management Area
- Area of Archaeological Priority
- Brookmill Road Conservation Area
- Brookmill Road Conservation Area Article 4 Direction
- Deptford Neighbourhood Forum
- PTAL 4

## 1 SUMMARY

- 1 This addendum report sets out Officers response to an additional letter of objection from the Brookmill Road Conservation Area Society received on 8 August 2021, after the publication of the committee agenda on 2 August 2021.

## 2 FURTHER REPRESENTATIONS

- 2 An additional letter of objection from the Brookmill Road Conservation Area Society was received on 8 August 2020. The letter reiterates the Society's opposition to the proposed mansard roof extension on the grounds that the extension would be detrimental to the character and appearance of the Brookmill Road Conservation Area and risks further incremental harm in the future.
- 3 The objection largely repeats points raised in the initial objection, which are addressed in the main committee report. However, the letter references appeal decisions for mansard extensions dismissed by the Planning Inspectorate at 38 St John's (ref. DC/16/95825)

and 40 St John's Vale (ref. DC/16/95824), which were not addressed in the main committee report. Officers do not consider applications at St John's Vale to be directly relevant to this application and context given that unlike Bolden Street, St John's Vale retains an unaltered roofscape without mansard extensions.

### **3 CONCLUSION**

- 4 The objection from the Brookmill Road Conservation Area Society does not introduce any issues that impact upon Officers assessment of the proposed development. As such, Officers maintain the recommendation to approve planning permission subject to the conditions set out in the main Committee Report.