

PLANNING COMMITTEE B

Date of Meeting: **THURSDAY, 19 OCTOBER 2023 TIME 7.00 PM**

PLACE: **CIVIC SUITE, LEWISHAM TOWN HALL,
CATFORD, SE6 4RU**

Members of the Committee are summoned to attend this meeting:

**Membership
Councillors:**

**Jack Lavery (Chair)
Aliya Sheikh (Vice-Chair)
Billy Harding
Liz Johnston-Franklin
Hilary Moore
John Muldoon
Oana Olaru
John Paschoud**

The public are welcome to attend our committee meetings, however, occasionally committees may have to consider some business in private.



**Jeremy Chambers
Monitoring Officer
Lewisham Town Hall
London SE6 4RU
Date: 11 October 2023**

**For further information please contact:
committee@lewisham.gov.uk Committee Co-ordinator
Laurence House
Catford Road SE6 4RU**

Email: planning@lewisham.gov.uk



	Order Of Business		
Item No	Title of Report	Ward	Page No.
1.	Minutes		1 - 8
2.	Declarations of Interest		9 - 12
3.	Rear of 14 Wickham Road, London, SE4 1PB		13 - 116
4.	Garages to the rear of Creeland Grove SE6 4LE		117 - 230



Planning Committee (B)

Minutes

Date: 19 October 2023

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to consider the Minutes of the meeting of Planning Committee (B), held on 24 August 2023.

Recommendation

That the Minutes of the meeting of the Planning Committee (B), held on 24 August 2023 be confirmed and signed.

This page is intentionally left blank

MINUTES OF THE PLANNING COMMITTEE B

Thursday 24th August 2023 at 7pm

Present: Councillors Jack Lavery, Billy Harding, Aliya Sheikh, John Paschoud and Oana Olaru

Also present: Sarah Assibey (Committee Support Officer), Aaron Lau (Presiding Officer), Antigoni Gkiza (Presenting Officer) and Paula Young (Legal Officer)

In attendance virtually: Barnaby Garcia (Presenting Officer), Max Curson (Presenting Officer),

Apologies: Councillor Johnston-Franklin

1. Minutes

The minutes of the last meeting were agreed as an accurate record.

Councillor Paschoud stated that his declared interest at the last meeting was anonymised and would like to be identified.

2. Declarations of Interest

Councillor Harding declared that the first item is regarding a development in his ward.

Councillor Moore declared that item 3 takes place in her ward.

3. Horniman Museum and Gardens DC/23/ 130987 & DC/23/130988

3.1. The proposed application was for a Sustainable Gardening Zone, including demolition of existing structures and the construction of two new glass houses with external covered area in the nursery hub, paved terrace, paths and landscaping for the Winter Garden, paving and planting for Community wellbeing garden, new cafe, toilet block, store building and play area within old boating lake to Nature Explorers Zone, interpretation panels and entrance gate and ramp on the nature trail; external works to the Natural History Gallery to include new roof coverings, louvres to eastern windows; enlargement of western plant enclosure; plant enclosure on west side of gallery; ductwork penetrations, guardrail's to east elevation, new fencing and gates and other internal and external alterations to the elevations at Horniman Museum and Gardens, 100 London Road SE23.

3.2. The officer gave an illustrative presentation outlining the proposal. It was the Officer recommendation to approve the application. The Presenting Officer highlighted that the site is in the Forest Hill conservation area and is a Grade II statutorily listed heritage asset.

3.3. Officers were satisfied the proposed development would not have negative impact. Nature rail will improve accessibility and allow for more exploration. The developments to the Sustainable gardening zone would further

enhance the area and provide several opportunities for community engagement. The public would also benefit from accessibility, community activities, environmental sustainability and multi-cultural activities and this would outweigh the less than substantial harm.

- 3.4. The key planning considerations were: principle of development, urban design and impact heritage assets; impact on adjoining properties; transport; sustainable development; and natural environment subject to the conditions outlined in the report. Officers were satisfied that all of these considerations would not cause any substantial harm and were acceptable.
- 3.5. It was asked if the toilets would be accessible as long as the gardens were open to which the officer confirmed they would be. The question of the use of Horniman drive for construction traffic was also raised. The officer responded that the highways officers have reviewed the plan and raised concerns of use of Horniman Drive. As a result, they requested that only London Road, Honor Oak Park and Westwood Park be used for vehicular access. The conditions outlined in the report includes the restriction.
- 3.6. It was also asked if Noise impact to neighbours had been considered. The officer responded that the area is quiet, but all things considered it is a park. The adventure zone and café are open during the same hours as the park so there would be no substantial noise impact outside of park noise during the operational hours. There also is a maximum separation distance of 80m and the environmental protection teams review outlines that they were overall satisfied.
- 3.7. It was asked if the new developed zones would create more urbanisation and be too modern for the conservation area. The officer responded that no green space would be reused, and the developments are hidden away from main park. The applicant team had explored different options in terms of design and any impact has been compensated because of additional facilities.
- 3.8. The Applicant was invited to speak. Their main points were: the project is the outcome of a master planning exercise undertaken before the pandemic to resolve several challenges. The visitor numbers have increased significantly since 2001. The facilities were inadequate and there was a lot of congestion.
- 3.9. The museum is London's only museum where you can see nature and culture together. The projects were designed to improve entrance facilities and encourage people to spread themselves over the site as a whole and engaging people in more nature. It is also the aim to engage a more ethnically and socially diverse audience.
- 3.10. The strength of the project had meant that 90% of funding has been secured. The applicant stated they are happy to engage directly or as a group if there are still concerns about the development. In terms of noise levels, they had employed an additional noise impact assessment and it was found to be not detrimental to nearby residents. In terms of increased footfall, it is likely more people will visit the trail- but the aim of the project is

not to primarily increase the number of visitors but to diversify the range and spread them around more. It is estimated there would be 250 more visits per day. This is not considered to have an appreciable impact.

- 3.11. It was asked by Members that the applicant confirm that in changes to outdoor areas would not result in a reduction in space that is freely accessible to public, to which the applicant confirm that the space would still be freely accessible. It was also asked why there were no revised proposals put forward regarding how the architectural character was going to be preserved. The applicant responded that cases outline in the report are to be retained, but slightly reconfigured to make space for wheelchair users. The few that are not able to be retained will be donated to other galleries. The proposal to remove the balustrade cases is because they are inaccessible in size and are not original to the gallery.
- 3.12. It was asked if the applicant was confident that all construction traffic can be managed. The applicant responded that they would want to discuss that as part of the conditions. There is a safety concern about traffic turning into Horniman Drive off from the South Circular.
- 3.13. The objector was invited to speak. They stated that they are a resident from Horniman Drive just outside the park gates. Their main concern was the serious impact caused by traffic turning into Horniman Drive. There are traffic problems during the working week and during events which cause problems with turning movements and access. They stated that they believe construction traffic should come off A205 through the main gate which can be managed by banksmen. There is also significant air pollution from heavy vehicles as well as dust and smell, which is an issue for nearby residents. He stated that the main objection was about vehicle access.
- 3.14. It was the Officer perspective that they had reviewed the anticipated movements of vehicles on and around the site and that the most obvious entry point was from the south circular. He stated that the condition is worded that the Applicant must submit details about how the development was constructed post approval, should Members approve the application. The Applicant would have to explain how the development would be constructed which would be reviewed by officers. The applicant may choose to consult residents before submission. An Informative could be included to discuss with residents before submitting final details.
- 3.15. The wording in Condition 3 subsection H outlined the roads around the site which should be used. The wording does not require size of construction vehicles, as well as times of use. It was agreed that subsection C.2 would include the size of construction vehicles. It was also agreed that an informative would be included if application approved, to discuss the plan with residents.

It was MOVED, SECONDED and RESOLVED to approve the application, subject to amended conditions and added informative.

4. Nicholas Court DC/22/129343

- 4.1. The application was for Prior Approval under Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the construction of an additional storey to provide 5 self-contained flats at Nicholas Court, 166 Burnt Ash Hill, SE12. It was the officer recommendation to approve the application.
- 4.2. The prior approval conditions were as follows: Transport and highways impact; Air traffic and defence asset impact; Contamination risks; Flooding risks; External appearance of the building; Provision of internal natural light to habitable rooms; Impact on neighbouring amenity; Impact on protected views; Fire safety where the building is over 18m in height. It was considered that all the conditions were considered acceptable and that there was no considerable impact on them.
- 4.3. It was asked what the waste management plan would be. The Officer responded that the residents would be using 1100l capacity bins- the refuse storage would be enlarged to what it currently is. The waste management plan condition was outlined in the report.
- 4.4. It was also asked if the building would be any higher than surrounding flats. The officer responded that it would be of lesser height than blocks to the north.
- 4.5. There was no applicant present at the meeting. The objector was invited to speak. Their main objections were as follows:
- They stated that the applicant had not engaged with residents enough. They contested the view that the loss of space is minimal and that the refuse space takes up 4% of the rear garden area whereas the proposed cycle and refuse space will take up 15% according to their calculations. The block is near 3 schools and potentially 12 or more children might be residents-providing outdoor space for children is a priority for the council. The previously refused application proposal was non-contextual that would cause visible harm to the character of the area, and they felt that the current application was not much different. The proposed cladding does not resemble any existing construction material in the area from which Nicholas Court is visible. It is also less attractive than original proposal. The inset should be deeper or be inclined. They stated the proposal was ugly, with minimum space and was an uninhabitable space.
- In terms of lighting, they stated that some units only have a roof window for natural light and that there was no clothes-drying area. Objectors felt the quality is substandard.
- 4.6. The Officer was asked to respond to the objector's points. He highlighted that the application was for prior approval and not planning permission so the assessment that can be made is minimal. He stated that it meets all accommodation requirements, in terms of space standards and light requirements. The building itself is of its time and lacks architectural merit. It would not be built today, so there is very little scope on the appearance. For roof extensions, officers ask for modern materials so there is distinction between the old and contemporary. The material often asked for is zinc as it is both sustainable and high quality. He stated that it is the officer belief

that it meets the required standards and in regard to loss of garden space, the minimum sufficient amount remains. The bin store could be allocated at the front or rear, the applicant determines this, and their decision meets all policy guidance.

It was MOVED, SECONDED and RESOLVED to approve the application subject to the conditions in report.

5. 3 Mantle Road DC/23/130851

Councillor Muldoon was present for the final item and therefore able to vote.

5.1. The proposal was for the construction of a six-storey building at 3 Mantle Road SE4 comprising a ground floor commercial unit and 9 self-contained flats, together with the provision of refuse and cycle storage.

5.2. The Planning Officer gave an illustrative presentation, outlining the proposal. The key planning considerations were; Principle of Development; Housing; Urban Design; Impact on Adjoining Properties; Transport; Sustainable Development; and Natural Environment

The Officer commented that the development meets requirements and that the proposed scheme has much cleaner design than the previously submitted application. It was the Officer recommendation to approve the application.

5.3. It was asked by Members if a waste management scheme condition could be added. The officer responded that a condition similar to that of the previous scheme could be included. He added that it was the view of officers that there was street level access to storage which was in an unsuitable area due to the proximity of the school.

5.4. The officer confirmed that impact on school with regards to light is minimal. He stated that in terms of privacy, there were minimal windows to south elevation, which would otherwise overlook into the school, which are obscure glazed. The balcony also has opaque screens.

5.5. The applicant summarised their argument as follows:

The development would transform a poor quality, unattractive employment site. The building currently only supports 2 jobs, but the development would create about 11 jobs. This revised application addresses issues of quality. The final design respects the local context while adding interest and raising design standards. The sites potential is raised through job creation in the borough and the delivery of high-quality homes. It exceeds minimum internal space standards and generous private amenity spaces. As well as a communal courtyard.

There were no further questions from Members. There was no objector present.

It was MOVED, SECONDED and RESOLVED to approve the application, subject to the additional condition discussed.



Planning Committee (B)

Declarations of Interest

Date 19 October 2023

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Head of Governance and Committee Services

Outline and recommendations

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

1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. There are three types of personal interest referred to in the Council's Member Code of Conduct:

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests.

1.2. Further information on these is provided in the body of this report.

2. Recommendation

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

3. Disclosable pecuniary interests

3.1 These 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.

4. Other registerable interests

4.1 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.

5. Non registerable interests

- 5.1. 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).

6. Declaration and impact of interest on members' participation

- 6.1. 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**
- 6.2. 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 6.3 below applies.
- 6.3. 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.
- 6.4. 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.
- 6.5. 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.

7. Sensitive information

- 7.1. 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.

8. Exempt categories

- 8.1. 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).



Planning Committee B

Rear of 14 Wickham Road, London, SE4 1PB

Date: 19 October 2023

Key decision: No.

Class: Part 1

Ward affected: Brockley

Contributors: Alfie Williams

Outline and recommendations

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 21 individual valid objections.

Application details

Application reference number(s): DC/23/130822

Application Date: 17 March 2023

Applicant: Parkhill Group Ltd

Proposal: Temporary planning permission for the change of use from garden land to holiday let accommodation, comprising three shepherds huts, together with comprehensive landscaping works and community accessible forest garden on land to the rear of 14 Wickham Road SE4.

Background Papers:

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

Designation: Air Quality Management Area
Brockley Conservation Area
Brockley Conservation Area Article 4(2) Direction
PTAL 5

Screening: N/A

1 SITE AND CONTEXT

Site description and current use

- 1 The application site is a plot of land at the rear of 14 Wickham Road that has been severed by title from the host property. The land formerly formed part of the rear garden of the property and has a frontage onto Wickham Mews. The land is currently vacant and features eight trees. There are also two mature trees on the neighbouring site including a large lime tree, located within the mews. The site features a timber fence along the boundary with Wickham Mews.
- 2 The frontage buildings are comprised of a large three storey plus basement Victorian Villa, which adjoins the two-storey coach house. The buildings feature yellow London stock brick and has white Italianate stucco decorations. The original plot of 14 Wickham Road was subdivided and part of which now forms the rear garden of the Coach House.

Figure 1. Site Location Plan

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>



Character of area

- 3 Wickham Mews connects Ashby Road to the south and Wickham Road to the North East. The majority of the mews has a semi-rural character with trees in adjacent gardens, beside and overhanging the mews. There are also wildflower and plants growing on the edges of the informal unmade surfacing. Buildings are generally single storey and used as ancillary garages and workshops. The northern end of the mews features two-storey residential development.

- 4 The roads surrounding the mews are predominantly residential comprised of three storey Victorian properties, including Wickham Road to the east and Manor Avenue to the west. The closest parades of shops are approximately 200m to the north of the application site on the northern side of Lewisham Way. Brockley Cross town centre is also within walking distance approximately 650m to the south-west.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Heritage/archaeology

- 5 The site is located within the Brockley Conservation Area and is subject to an Article 4 Direction removing some permitted development right for development visible from public viewpoints. The Brockley Conservation Area Character Appraisal highlights that 'mews' are predominantly secondary to the buildings on the adjacent roads in terms of scale and character with the buildings historically single storey with abundant vegetation and trees with unmade roads. Wickham Mews is generally a well-preserved example of this character. However, the northern end of the Mews features two and three storey residential development, which detract from this character.

Transport

- 6 The site has a PTAL rating of 5 which indicates a very good level of public transport accessibility. This is most evident in the proximity (150m) to Lewisham Way, which is served by several bus routes including night buses. The site is also located within 400m of St Johns Station, which is situated to the north-east of the application site and 650m from Brockley Station, located to the south-west.

2 RELEVANT PLANNING HISTORY

- 7 DC/98/43391: The alteration and conversion of the coach house to the side of 14 Wickham Road, SE4 to provide a one bedroom house - granted
- 8 DC/14/90247: The erection of a single storey building in the rear garden of The Coach House, 14 Wickham Road, SE4 - granted.
- 9 DC/15/91591: The construction of a single storey extension at lower ground floor level to the rear of The Coach House, 14 Wickham Road, SE14, together with a replacement roof window – granted.
- 10 DC/20/116480: The construction of five lockup garages and an art / design studio buildings on the vacant land at the rear of 14 Wickham Road SE4 – refused on 7 December 2020 for the following reasons:
1. *Insufficient supporting information has been provided to demonstrate that the trees within the vicinity of the proposed development would be adequately protected or replaced, thereby causing harm to the special character of Wickham Mews and failing to preserve or enhance the character and appearance of the Brockley Conservation Area. As such, the proposed development would be contrary to Part 16 Conserving and Enhancing the Historic Environment of the NPPF, Policies 7.4 Local character, 7.6 Architecture, 7.8 Heritage assets and archaeology and 7.21 Trees and woodlands of the London Plan (March 2016), Policies 12 Open Space and environmental assets, 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 25 Landscaping and trees, 30 Urban design and local character 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), the Brockley Conservation Area Character Appraisal (August 2006) and the Brockley Conservation Area SPD (June 2007).*

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

2. *The proposed development, by reason of its design, siting and plot coverage, would result in an unacceptable loss of garden space for No.14 Wickham Road failing to respect the historic spatial character of the property and surrounding area. As such, the proposed development would fail to preserve or enhance the character and appearance of the Brockley Conservation Area contrary to Part 16 Conserving and Enhancing the Historic Environment of the NPPF, 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, 33 Development on infill site, backland sites, back gardens and amenity areas 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), the Brockley Conservation Area Character Appraisal (August 2006) and the Brockley Conservation Area SPD (June 2007).*
3. *Insufficient evidence has been submitted to demonstrate that the proposed garages would not result in an adverse impact to vehicular and pedestrian safety, contrary to Paragraph 109 of the NPPF (2019) and Policy 14 Sustainable movement and transport of The Core Strategy (June 2011).*
4. *Insufficient supporting information has been provided to demonstrate that the site would be accessible for servicing and emergency vehicles, contrary to Paragraph 110 of the NPPF (2019) and Policy 14 Sustainable movement and transport of The Core Strategy (June 2011).*
5. *The proposed five vehicular garages would exceed the maximum parking standard of Table 10.3 of the Intend to Publish London Plan thereby failing to promote sustainable and active transport modes contrary to Paragraph 102 of the NPPF (2019), Policy 6.13 Parking of the London Plan (March 2016), Policies T6 Car Parking and T6.1 Residential Parking of the Intend to Publish London Plan (December 2019) and Policy 14 Sustainable movement and transport of The Core Strategy (June 2011).*

11 DC/22/124231: The construction of four lockup garages and a single storey outbuilding for use as office/studios on the land at the rear of 14 Wickham Road SE4 – refused on 2 February 2022 for the following reasons:

1. *Insufficient supporting information has been provided to demonstrate that the trees within the vicinity of the proposed development would be adequately protected or replaced, thereby causing harm to the special character of Wickham Mews and failing to preserve or enhance the character and appearance of the Brockley Conservation Area. As such, the proposed development would be contrary to Paragraphs 131 and 174 and Part 16 Conserving and Enhancing the Historic Environment of the NPPF, Policies G7 Trees and woodland and HC1 Heritage, conservation and growth of the London Plan (March 2021), Policies 12 Open Space and environmental assets, 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 25 Landscaping and trees, 30 Urban design and local character 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), the*

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Brockley Conservation Area Character Appraisal (August 2006) and the Brockley Conservation Area SPD (June 2007).

2. *The proposed development, by reason of its design, siting and plot coverage, would result in an unacceptable loss of garden space for No. 14 Wickham Road failing to respect the historic spatial character of the property and surrounding area. As such, the proposed development would fail to preserve or enhance the character and appearance of the Brockley Conservation Area contrary to Part 16 Conserving and Enhancing the Historic Environment of the NPPF, Policy HC1 Heritage, conservation and growth of the London Plan (March 2021), 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, 33 Development on infill site, backland sites, back gardens and amenity areas 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), the Brockley Conservation Area Character Appraisal (August 2006) and the Brockley Conservation Area SPD (June 2007).*
3. *Insufficient evidence has been submitted to demonstrate that the proposed garages would not result in an adverse impact to vehicular and pedestrian safety, contrary to Paragraph 111 of the NPPF (2021) and Policy 14 Sustainable movement and transport of The Core Strategy (June 2011).*
4. *Insufficient supporting information has been provided to demonstrate that the site would be accessible for servicing and emergency vehicles, contrary to Paragraph 111 of the NPPF (2019) and Policy 14 Sustainable movement and transport of The Core Strategy (June 2011).*
5. *The proposed four vehicular garages would exceed the maximum parking standard of Table 10.3 of the London Plan (March 2021) thereby failing to promote sustainable and active transport modes contrary to Paragraph 104 of the NPPF (2021), Policies T6 Car Parking and T6.1 Residential Parking of the London Plan (March 2021) and Policy 14 Sustainable movement and transport of The Core Strategy (June 2011).*

3 CURRENT PLANNING APPLICATION

3.1 THE PROPOSALS

Background

- 12 The proposal has evolved through the course of the application during extensive discussions with Officers. As initially submitted the application was intended to be a permanent development with the holiday accommodation operating seven days a week with an ancillary community garden only accessible in the hours between guests checking out and new guests arriving. Officers considered this to be an over intensification of the site with a limited community offer that would not make a meaningful contribution. During the discussions the applicant was fully responsive to the concerns raised and agreed to all of the revisions proposed.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Scope of proposals

- 13 The proposal is an application for temporary permission for one year for the change of use of the garden land to provide short-term holiday accommodation. The change of use would require construction of three shepherd huts available for holiday let. The shepherd huts would measure 4.8m wide x 2.1m deep x 3m high providing accommodation for two people per hut. Each hut would include a double bedroom, kitchenette and shower room. The short-term holiday accommodation would be used Thursday to Sunday on most weeks with the exception of school holidays where it would be used for the entire week.
- 14 The areas surrounding the huts would be landscaped to provide external amenity areas for each hut including seating and a hot tub. There would also be a communal area featuring seating. The site as a whole would be re-landscaped to create an orchard and wildlife garden containing trees, hedges, shrubs, herbs, fruit trees and climbers. The existing timber fence on the boundary to the mews would be replaced with a brick wall.
- 15 The proposal also includes a community offer that would see the garden offered to local schools and community groups. The site would be open to the community from Monday to Wednesday, on a typical week not within a school holiday, and during this period the holiday accommodation would be vacant.

4 CONSULTATION

4.1 APPLICATION PUBLICITY

- 16 Site notices were displayed, and a press notice was published on 5 April 2023.
- 17 Letters were sent to residents and business in the surrounding area as well as to the Brockley Society and the relevant ward Councillors on 31 March 2023.
- 18 21 responses were received comprising 21 objections.

4.1.1 Comments in objection

Comment	Para where addressed
Principle of a holiday accommodation	40-57
Intensification of activity in the mews	50-57
Access for servicing & emergency vehicles	54-56, 88-90
Potential conversion to residential accommodation	57
Harm to the character of the mews	77-81
Design quality	79
Increased traffic	87
Increased parking stress	94
Overbearing enclosure	100-102
Loss of privacy	100-102

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Loss of light	100-102
Increased noise & disturbance	108-116
Loss of security	119
Loss of biodiversity	127-128
Impact to trees	132-133
Air quality impacts	136-137

19 Right of access to the mews and connection to utilities are civil matters and therefore not are not material to this assessment.

4.1.2 Neutral comments

20 The Brockley Society welcomed the principle of the use but highlighted that the scheme is likely to have an impact to light and outlook for an adjacent outbuilding. The Society also raised concerns with the proposal to include the bin and bike storage in the mews, the provision of a wood burning stove and the absence of a management plan. The applicant has addressed these concerns through the relocation of the stores and the submission of a Management Plan. An annotation has also been added to the plans to clarify that the stoves would be electric. Connection to utilities and drainage are subject to separate legislation and as such are not material planning considerations for this scale of development.

4.1.3 Local meeting

21 Due to the number of submissions received, a virtual Local Meeting was held on Thursday 8th December 2022. The meeting was chaired by Councillor Lahai-Taylor, A record of the Local Meeting is contained in Appendix 1 of this report. The issues raised at the Local Meeting were consistent with the matters raised in the written submissions as summarised above.

4.2 INTERNAL CONSULTATION

22 The following internal consultees were notified on 31 March 2023.

23 Conservation: raised no objections subject to relocating the refuse and cycle facilities on site and further details of the materials for the mews boundary and huts, see paras 76-81 for discussion

24 Environmental Protection: no objection subject to a condition securing the recommendations of the management plan, see paras 108-116 for discussion

25 Highways: requested further details regarding car parking and the refuse and cycle parking facilities for the development, see the Transport Section for discussion.

26 Tree Officer: raised concerns with the potential impact to the mature tree within the mews and raised concerns type and number of trees proposed, see paras 132-133 for discussion

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

5 POLICY CONTEXT

5.1 LEGISLATION

27 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).

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

5.2 MATERIAL CONSIDERATIONS

29 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.

30 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.

31 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.

5.3 NATIONAL POLICY & GUIDANCE

- National Planning Policy Framework 2023 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

5.4 DEVELOPMENT PLAN

32 The Development Plan comprises:

- London Plan (March 2021) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)

5.5 SUPPLEMENTARY PLANNING GUIDANCE

33 Lewisham SPD:

- Small Sites SPD (October 2021)
- Brockley Conservation Area SPD (December 2005)

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

34 London Plan SPG/LPG:

- Air Quality Neutral LPG (February 2023)

5.6 OTHER MATERIAL DOCUMENTS

35 Brockley Conservation Area Character Appraisal (August 2006)

6 PLANNING CONSIDERATIONS

36 The main issues are:

- Principle of Development
- Urban Design & Heritage Impact
- Transport
- Impact on Adjoining Properties
- Natural Environment
- Planning Obligations

6.1 PRINCIPLE OF DEVELOPMENT

General policy

37 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.

38 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.

Discussion

39 The proposed redevelopment of the site includes dual uses: holiday lets operating Thursday to Sunday and a community garden operating Monday to Wednesday. The principle of the two uses is assessed in turn below.

6.1.1 Holiday let accommodation

Policy

40 The NPPF defines visitor accommodation as a main town centre use and at para 87 states that Council's should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.

41 LPP SD7 states that boroughs should take a town centres first approach, discouraging out-of-centre development of main town centre uses.

42 LPP E10 states that within outer London and those parts of inner London outside the CAZ, serviced accommodation should be promoted in town centres and within

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Opportunity Areas where they are well-connected by public transport, particularly to central London. The policy is also clear that camping and caravan sites should only be supported in appropriate locations.

- 43 CSP 6 seeks to encourage retail, leisure and other related uses in town centres and discourage them outside of town centres.
- 44 DMP 33 sets out the requirements for a variety of sites within residential areas that may come forward for development. Development on these sites require careful consideration due to the need to preserve the quality and amenity of residential areas. The main types of sites are infill sites, backland sites, back gardens and amenity area.

Discussion

- 45 The proposed holiday let accommodation falls within the Sui Generis Use Class as at the time of writing there is not a separate use class for holiday lets, and the development is not a campsite (Sui Generis) nor a Hotel, B&B or Guesthouse (Use Class C1). Further, the short-term accommodation will be let out more than 90 calendar days a year and it is a composite use with the community garden proposed. Despite this the development has a clear commercial function and would provide visitor accommodation so could reasonably meet the definition of a main town centre use as set out within the NPPF.
- 46 LPP SD7, supported by CSP 6, aims to prevent the location of town centre uses in out of centre areas unless it can be demonstrated that there are no suitable sites within town centres following the application of the sequential tests. Following the sequential approach would indicate that the site would not be the preferred location for the development as it is not within a town centre. Neither is the location considered edge of town centre being located approximately 600m from Brockley Cross Neighbourhood Centre and approximately 900m from the boundaries of the New Cross District Centre and Lewisham Town Centre.
- 47 A strict application of the sequential approach advocated by LPP SD7 at para A.1, would require an assessment demonstrating that there are no suitable sites within town centre or edge of centre locations to accommodate the proposed use. Para A.2 of LPP SD7 would then require an impact assessment to demonstrate that any proposal not accordance with the Development Plan would not have an adverse impact on adjacent town centres.
- 48 A sequential test assessment has not been undertaken for the proposed development. However, in this case the absence of a formal assessment does not prevent a robust analysis of the impact to the town centre for the following reasons. Firstly, the character of the proposed visitor accommodation is fundamentally different to the typical type of visitor accommodation intended for town centres, such as hotels, B&Bs and hostels, being more similar to the cabin and hut accommodation typical within rural areas, so is arguably not truly a main town centre use. There is basis for taking this assessment within the NPPF, which at para 89 states that the sequential approach should not be taken to small scale rural development.
- 49 Secondly, undertaking the sequential test would have been unlikely to have identified any suitable alternative locations within a town centre equivalent to the application site. Officers are therefore satisfied that the proposed use would not be contrary to the provisions of the Development Plan. For that reason, the provisions of para A.2 of LPP SD7 are not engaged and a Town Centre Impact Assessment is not required. It also worth highlighting that a development of the proposed scale would not have any meaningful impact on the vitality or viability of any of the surrounding town centres.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 50 Turning to the suitability of the application site. This area has a PTAL rating of 5, which indicates a very good level of public transport accessibility. This coupled with the proximity to amenities at Brockley Cross and on Lewisham Way signify that this is an appropriate location for modest intensification of the type proposed.
- 51 The site itself was previously that of garden space associated with 14 Wickham Road and was severed by title. Notwithstanding the separate title, the land use remains garden land and therefore DMP 33 is applicable. Part 8 of the policy relates to the loss of the back gardens but is not directly applicable as the proposed development does not include the construction of a separate dwelling. However, it is important to consider whether the formal loss of this area of garden land for the main properties is acceptable. On this point both No.14 and the Coach House retain gardens of approximately 13.5m in length, which is considered a suitable amount of useable and accessible garden for existing and future residents.
- 52 The policy accepts that some sites would not fall squarely within any one of the definitions. In this case while the site is garden land it also exhibits characteristics of an infill site by virtue of the frontage on Wickham Mews and therefore redeveloping the site for an appropriate commercial use would not be objectionable in principle.
- 53 The proposal is therefore subject to an assessment against the General Principles of DM Policy 33 in addition to Part A, which relates to infill sites. Both parts of the policy emphasise that development should be of the highest design quality and sensitive to the amenity of neighbours and the character and form of the surrounding streetscape including any heritage assets.
- 54 There are also practical considerations caused by the mews location. The condition of the mews in terms of the unmade surfacing, absence of external lighting and narrow width coupled with the proximity to residential properties, impose the following practical constraints: (i) access; (ii) physical characteristics; and (iii) impact to the garden of the host property. For these reasons, access to the site is challenging and makes the site unsuitable for most forms of intensification, such as permanent residential accommodation or commercial development with high footfall and/or servicing requirements such as retail, gyms, nurseries, or restaurants.
- 55 The Management Plan submitted with the application details that the servicing requirements for the development would be limited to gardeners and private cleaners who would visit at the end of each stay to clean and tidy the rooms and empty the communal bins. The footfall generated by the development would be restricted to the six guests staying at the site at any one time and small groups using the community garden. Therefore, despite the challenges imposed by the practical constraints the level of intensification is relatively low and therefore could be accommodated within the mews without the need for inappropriate interventions such as extensive lighting or formal surfacing. These interventions would also be complex to deliver due to the number of parties with ownership interests in the mews.
- 56 The mews benefits from three points of access, from Ashby Road, Wickham Road and Manor Avenue. These entrances are accessible to most types of vehicles so access for service vehicles and emergency services is unlikely to be problematic. Officers recognise that as a private road it would not be possible to guarantee that parked cars would not obstruct access to the site. However, the three points of access mean it is unlikely that the site would be entirely inaccessible at all times and therefore the access is considered adequate for the modest operational requirements of the proposed use.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 57 Therefore, the proposed holiday let accommodation is considered suitable for the site. A condition is recommended securing the accommodation as holiday lets and preventing its use as permanent residential accommodation. This is required as the accommodation would not be suitable as a permanent residence and would have more intensive serving requirements that would be harmful to the mews.
- 58 Turning to the quality of accommodation, the huts would be dual aspect and would be a suitable size for short-term accommodation. LPP E10 also seeks to ensure that the visitor accommodation provides sufficient choice so imposes a requirement that either 10 percent of bedrooms are wheelchair accessible in accordance Figures 30 and 32 of the British Standard or 15 percent would be accessible in accordance with the requirements of 19.2.1.2 of British Standard.
- 59 It would not be possible for the accommodation proposed to comply with these standards due to its size and the type of accommodation proposed. This is regrettable but would not warrant the refusal of the application for the following reasons. Firstly, the proposal is a bespoke development intended to make the best use of a constrained site, as such much larger accessible units would not be appropriate. Secondly, strategically the provision of choice within the serviced accommodation sector is intended to be delivered from genuine main town centre uses such as hotels, as is made clear within the spatial requirements of the policy. Finally, the mews is not suitable for the type of adaptation required to make it fully accessible such as through the installation of formal servicing and lighting.

6.1.2 Community garden

Policy

- 60 LPP S1 identifies that development proposals that provides high quality social infrastructure will be supported. The policy confirms that social infrastructure covers a wide range of facilities, including community and faith facilities.
- 61 DMP 41 states that the Council will encourage the provision of community space.

Discussion

- 62 The proposal also includes the intention to utilise the garden for community use three days per week excluding school holidays. The Community Access Plan (CAP) (pages 9-10 of the Management Plan) submitted with the application details that there will be a number of aspects to this community offer. These aspects include:
- Schools – an intension to work with local schools including Myatt Garden Primary School to offer after school forest clubs.
 - Community Groups – working with local community groups to deliver therapeutic horticulture sessions and other wellness events.
 - Local Events – potential to open up the garden for community events such as Open House as well as offering education session to learn horticulture and the history of Brockley.
- 63 The Development Plan is supportive of the principle of new community facilities with LPP S1 advocating making the best use of land to deliver social infrastructure. Furthermore, DMP 41 encourages the use of innovative solutions to the provision of community facilities. The proposed development to allow access to what is currently vacant private

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

garden land would be compliant with both policy aims. The intended provision of community access to the garden is therefore a planning merit of the scheme and is supported. For that reason, a planning obligation, to be secured by legal agreement, is recommended securing a Community Access Plan (“CAP”) formalising this offer to local schools and residents.

6.1.3 Principle of development conclusions

64 The proposed redevelopment of the land to provide short-term holiday let accommodation would be compliant with the Development Plan and as such is supported in principle. The development would also deliver a community benefit via the CAP, which carries positive weight within the overall planning balance.

6.2 URBAN DESIGN & HERITAGE IMPACT

General Policy

65 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

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

67 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.

68 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.

69 LPP HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings.

70 CSP 15 aims to ensure highest quality design and the protection or enhancement of the historic and natural environment.

71 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.

72 DMP 30 requires a site-specific response that creates 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.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 73 DMP 33 supports the principle of new development within a street frontage but seeks to ensure that the proposed development would make a high-quality positive contribution to the area whilst also providing a site-specific creative response to the character and issues of the street frontage typology
- 74 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.
- 75 Further guidance is given in the Brockley Conservation Area Character Appraisal and SPD.

Discussion

- 76 The Brockley Conservation Area SPD characterises the 'mews' as being tranquil leafy lanes and picks out the mature trees, the verdant character and views of the long rear gardens and large Victorian properties as important characteristics. The SPD also identifies single storey garaging and workshops as important aspects of the character, which should generally be ancillary to the main dwellings. The existing site does not feature built form and the trees on the site make a positive contribution to the character of the mews. As such, development on the site needs to be designed sensitively in order to prevent any adverse impact to any significant trees in the vicinity of the site and ensure that any buildings would be appropriately designed and located.
- 77 The applications recently refused for the redevelopment of the site (refs. DC/20/116480 and DC/22/124231) were considered inappropriate for the mews context due to the extent of the built form and loss of trees and greening from the site. These amounted to the loss of the secondary spatial character of the gardens and mews, where garages and outbuildings are historically ancillary to the host properties.
- 78 The proposed development addresses the harm identified with the previous development and proposes a more sensitive approach to the redevelopment of the site that retains the verdant character of the mews through a landscaping scheme intended to enhance the planting. The proposed huts would occupy a smaller footprint than the previous proposals and would be more similar in scale to outbuildings and studios typical of a residential setting. The Huts would measure 3m in height compared to 2.2m for the majority of the boundary. However, only the end of one of the Huts located adjacent to the mews would be visible and its height above the new brick boundary wall would only be marginally. Officers, recognise that the use would not be ancillary to the main dwellings but consider that overall, the development would be more ancillary and secondary in character and therefore would prevent any harm to the mews.
- 79 The huts would be constructed from timber, which is an appropriate material for a garden setting and would ensure that the ancillary character created by the scale and massing is exhibited in the materiality. The applicant has not provided a detailed specification for the materials or finishes for the huts so this will be secured by condition as recommended by the Conservation Officer. Additionally, the Conservation Officer raised concerns with the proposal to construct a white rendered wall at the boundary to the mews. This was revised to a stock brick wall following discussions with Officers and is now supported subject to a condition securing further details of the brickwork.
- 80 The Conservation Officer also objected to the proposal to locate the bin and bike facilities in the mews. This has now been amended to install within the site which is supported subject to a condition securing design details for the bin store.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

81 Therefore, Officers consider that the current proposal would lead to no harm to the significance and setting of the Brockley Conservation Area.

6.2.1 Urban design & heritage conclusion

82 Officers, having regard to the statutory duties in respect of conservation areas 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 proposals would be a sensitive and compatible design which would preserve the secondary character and appearance of the mews and the Brockley Conservation Area generally.

6.3 TRANSPORT IMPACT

General policy

83 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of paragraph 104. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic; and (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.

84 Para 111 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

6.3.1 Local Transport Network

Policy

85 The NPPF at paragraph 106 states that significant impacts on the transport network (in terms of capacity and congestion) should be mitigated to an acceptable degree.

86 LPP T4 requires that development proposals reflect and are integrated with current and planned transport access, capacity and connectivity.

Discussion

87 The application site has a very good PTAL rating of 5 and is within short walking distance to bus stops on Lewisham Way as well St Johns and Brockley Stations. The site would be accessed via a gate from Wickham Mews. No on-site car parking has been provided but cycle parking facilities would be provided on-site. Irrespective of the transport mode the modest scale of the proposed would prevent any harmful impacts to the local transport network and therefore no additional mitigation is required.

6.3.2 Servicing and refuse

Policy

88 LPP T7 states that development proposals should facilitate sustainable freight movement by rail, waterways and road.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

89 CSP13 sets out the Council's waste management strategy for new development and states that major developments should be designed to incorporate the existing and future long-term needs of waste management and disposal.

Discussion

90 The proposed servicing arrangements are detailed at paras 55-56 above, which detail that operational requirements for the development are relatively modest and therefore acceptable despite the access constraints. The provision of bins would be appropriate for the accommodation proposed. A condition is recommended securing the final details of the refuse arrangements in addition to the provision of the bin stores prior to the occupation of the development.

6.3.3 Transport modes

Cycling

Policy

91 Development is required to provide cycle parking in accordance with the requirements of Policy T5 and Table 10.2 of the London Plan.

Discussion

92 The proposed development would generate a requirement for 4.5 cycle parking spaces. The cycle parking facilities proposed for development include three cycle hoops provided space for six cycles. This would exceed the London Plan requirement and is therefore acceptable. A condition is recommended securing the provision of the cycle prior to the occupation of the development.

Private cars

Policy

93 LP Policies T6 and T6.4, supported by CSP 14 and DMP 29, require developments to take a restrained approach to parking provision to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use.

Discussion

94 No off-street car parking is proposed as part of the development, which is supported given the very good PTAL rating. Overspill parking to the surrounding roads cannot be prevented due to the absence of a CPZ. However, the scale of development would likely prevent a significant increase in parking stress to the surrounding roads. Furthermore, the good level of public transport accessibility and provision of cycle parking facilities would encourage visitors to use alternative transport modes and users of the community garden are likely to be from local groups or schools within walking distance.

6.3.4 Construction

Policy

95 LPP T7 states that development proposals should facilitate sustainable freight movement by rail, waterways and road. Additionally, LPP T7 requires that construction logistic plans should be development in accordance with TfL guidance.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Discussion

- 96 The scale of development and type of buildings proposed mean that the construction phase would be relatively short, and no public highway would be affected. Therefore, a condition requiring a Construction Management Plan would not be necessary or proportionate to the development proposed.

6.3.5 Transport impact conclusion

- 97 The proposed development is considered acceptable in transport terms.

6.4 LIVING CONDITIONS OF NEIGHBOURS

General Policy

- 98 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.

6.4.1 Enclosure, outlook, privacy & natural light

Policy

- 99 DMP 33 states that infill development should result in no significant overshadowing or overlooking, and no loss of security or amenity to adjacent houses and gardens.

Discussion

- 100 There is 13m between the rear boundary of the application site and the rear elevations of No.14 and the Coach House. This is considered sufficient distance to prevent any significant impacts to outlook and natural light to the windows and main amenity areas of the garden at the neighbouring properties, taking into account the single storey height of the huts. There would be some impact to the windows in an outbuilding at the rear of the garden. However, outbuildings are not afforded the same weight as main habitable rooms and therefore the impact is considered acceptable.
- 101 The site also adjoins the rear gardens of Nos. 12 and 16 Wickham Road. The rear gardens are generally not considered main amenity areas and therefore the impacts from single storey structures would be acceptable.
- 102 The site would be enclosed by 2.2m high boundaries which would prevent overlooking to the neighbouring properties. As such, any impacts to the privacy of neighbours would be negligible. The provision of the boundary treatments would be secured by condition.

6.4.2 Noise and disturbance

Policy

- 103 The NPPF at para 170(e) states decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. At para 180(a) of the NPPF states

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

that planning 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

- 104 The National Planning Policy Guidance for Noise (July 2019) advises on how planning can manage potential noise impacts in new development. It states that local planning authorities' plan-making and decision taking should take account of the acoustic environment and in doing so consider whether or not:
- a significant adverse effect is occurring or likely to occur;
 - an adverse effect is occurring or likely to occur; and
 - a good standard of amenity can be achieved.
- 105 LPP D13 states that the Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.
- 106 LPP D14 is clear that development should avoid significant adverse impacts to quality of life.
- 107 DMP 26 states that the Council will require a Noise and Vibration Assessment for noise and/or vibration generating development or equipment and new noise sensitive development, where appropriate, to identify issues and attenuation measures, prepared by a qualified acoustician.

Discussion

- 108 The proposed development would represent an intensification of activity compared to the existing site, given it is vacant, and a typical residential garden given the number (six) of people potential using the accommodation and the character of the accommodation, which as holidays accommodation is orientated towards external activity. Furthermore, the community garden would likely be used by larger groups albeit during day-time hours. The scale of the development means that the proposed uses are not automatically incompatible with a residential area, given that residential properties and gardens generate noise and are used for social gatherings broadly commensurate with the numbers likely to use the community garden, particularly in summer months.
- 109 A Noise Impact Assessment (NIA) (Clement Acoustics, March 2023) has been submitted in supported on the application. The NIA models the likely noise impacts of the both proposed uses, including for worst case scenarios of groups of 50 people which would exceed the number of potential users for the proposed uses. The report concludes that the noise impacts would be acceptable subject to limiting activity at night-time hours (23:00 – 7:00) and amplified sound and music. The NIA also recommends that a Management Plan be adopted to ensure noise is minimised. The Council's Environmental Protection Officer has reviewed the NIA and has accepted the analysis and recommendations of the report.
- 110 In accordance with the recommendations of the NIA the applicant has submitted a Management Plan, which from pages 1–7 provides details of the booking system, check-in details, the rules of stay, noise mitigation measures and enforcement. For the booking system the Management Plan details that bookings will be limited to two guests per hut and would be booked via a third-party website that would allow screening for good reviews.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 111 Check-in would require a security code that would be changed regularly. The rules of stay include the following:
- No parties or loud music
 - No outside guests
 - No use of garden space beyond 11pm
- 112 These rules accord with the recommendations of the NIA and are therefore supported. The Management Plan details that the rules would be enforced remotely via noise monitors and cameras which would be monitored 24 hours a day with staff despatched to the site if the rules are not followed. The enforcement section also commits to regular in person checks. In addition, neighbours would be able to report nuisances via an emergency number, email or the on the website.
- 113 The community garden would only be accessible on a managed basis either through a community organisation, school or as part of an event. Therefore, although there would be a larger number of people using the garden it would be supervised and during daytime hours. As such, the noise impacts are considered acceptable.
- 114 The proposed suite of measures would provide a robust and proportionate strategy for managing noise and disturbance and would therefore be secured by condition. The management measures are therefore considered the maximum that could reasonably be imposed that would allow the accommodation to operate viably. However, Officers acknowledge that despite the comprehensive Management Strategy it would not be possible to entirely eliminate the risk of adverse noise and disturbance. The fact that this is an unusual proposal for a residential area within an inner-London context is also recognised.
- 115 Officers have balanced this lack of precedent and potential risk against the mitigation measures proposed, which include the management strategy, limiting the use to four days per week and attenuation from the planting and boundaries, and consider that a one-year temporary permission to trial the concept would be the most appropriate outcome. In reaching this conclusion Officers have also given weight to the planning merits of the CAP. The PPG for Planning Conditions provides support for this recommendation advising that temporary permissions can be justified where *“a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period”*.
- 116 Therefore, in summary the conditions securing the management strategy and temporary permission are considered sufficient to prevent any long-term harm to the living conditions of the neighbouring properties.

6.4.3 Security

- 117 Para 130 of the NPPF states that planning decisions 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 118 DMP 33 states that infill development should result in no significant overshadowing or overlooking, and no loss of security or amenity to adjacent houses and gardens.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Discussion

- 119 The objections from local residents raise concern that the provision of holiday accommodation would increase security risks for the neighbouring properties, primarily in the form of burglaries to the neighbouring properties. Officers, recognise that the proposed use would intensify activity within the site but are not persuaded that this represents an increased risk to security. Rather, Officers consider the increase in activity to be a potential benefit as it would introduce surveillance, both passive and formal, to a vacant site. The development would also introduce more solid boundaries to the site. As such, additional security risks to local residents are unlikely.

6.4.4 Impact on neighbours conclusion

- 120 The proposed conditions recommended above are considered sufficient to prevent any harmful impacts to the living conditions of neighbours.

6.5 NATURAL ENVIRONMENT

General Policy

- 121 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 122 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 123 The NPPF at para 180 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

6.5.1 Ecology and biodiversity

Policy

- 124 LPP G5 expects development to incorporate urban greening measures such as high-quality landscaping (including trees), green roofs and green walls.
- 125 LPP G6 expects development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain.
- 126 CSP 7 expects urban greening and living roofs as part of tackling and adapting to climate change. DMP 24 requires all new development to take full account of biodiversity and sets standards for living roofs.

Discussion

- 127 The applicant has proposed a comprehensive landscaping scheme that would include seven replacement trees, shrub and herbaceous planting, a green roof, hedges and lawn. Hard landscaping would be restricted to the paths to the huts and communal area and is considered the minimum necessary to navigate the space. The landscaping scheme would also include a pond, log piles and a bug hotel. Overall, Officers are satisfied that the landscaping scheme and wildlife measures would enhance the biodiversity and ecology of the site thus improving the verdant character of the mews.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

128 A condition is recommended to secure the soft landscaping scheme and would require further details of the planting and surfacing for the site as well as management and maintenance plan. The wildlife enhancement measures would also be secured by condition.

6.5.2 Trees

Policy

129 LPP G7 expects development proposals to ensure that, wherever possible, existing trees of value are retained. Where it is necessary to remove trees, adequate replacement is expected based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or other appropriate valuation system.

130 CSP 12 seeks to protect trees and prevent the loss of trees of amenity value, with replacements where loss does occur.

131 DMP 25 states that development schemes should not result in an unacceptable loss of trees, especially those that make a significant contribution to the character or appearance of an area, unless they are considered dangerous to the public by an approved Arboricultural Survey.

Discussion

132 The existing eight trees on site would be removed in order to facilitate the development. The seven trees are Category C so are of moderate value, where Category A is the highest. There is also an uncategorised tree on site that is of very poor quality. None of the trees proposed to be removed are subject to a Tree Preservation Order. The proposal to replace the seven viable trees is supported and Officers consider the mix of four fruit trees and three larger canopy deciduous trees would be appropriate. The Council's Tree Officer considers that there landscaping proposal should include a variety of trees so the species will be approved as part of the soft landscaping condition.

133 There are also two high value trees on adjacent sites: a large Category A lime tree in the mews and a Category B sycamore tree in the rear garden of No.12. Therefore, a condition is recommended ensuring that any construction works within the root protection areas would be undertaken in accordance with the British Standard.

6.5.3 Air pollution

Policy

134 LPP SI1 states that development proposals should seek opportunities to identify and deliver further improvements to air quality and should not reduce air quality benefits that result from the Mayor's or boroughs' activities to improve air quality.

135 The Air Quality Neutral LPG provides additional guidance and established the benchmark values for assessing whether a development would achieve air quality neutral.

Discussion

136 The proposed development would not include any on-site parking and the huts would be heated by electric stoves. Therefore, the development would be compliant with the

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

benchmarks set within the Air Quality Neutral LPG. A condition is recommended securing the installation of the electric stoves prior to the occupation of development.

137 The rules of stay included within the Management Strategy prevents the lighting of fires and BBQs, which would reduce the air quality impacts of the scheme and thus is supported.

6.5.4 Light pollution

Policy

138 The NPPF at para 180 states limits the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation

Discussion

139 The Lighting Concept Plan within the Landscaping Design Presentation (Studio Cullis, September 2023) details that low level sensor lighting would be installed within the site. A condition is recommended securing the details of the lighting to prevent light spill and ensure an acceptable impact to neighbours and local wildlife.

6.5.5 Natural Environment conclusion

140 The recommended conditions would ensure that the impacts to the natural environment would be acceptable.

7 LOCAL FINANCE CONSIDERATIONS

141 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).

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

143 The CIL is therefore a material consideration.

144 £0 Lewisham CIL and £0 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.

8 EQUALITIES CONSIDERATIONS

145 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.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 146 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.
- 147 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.
- 148 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>
- 149 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
- 150 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>
- 151 The planning issues set out above include factors that relate specifically to the equalities categories set out in the Act. Therefore, there is a potential impact on equality given the facts, however, for the reasons set out at paras 58-59 above the site is not considered suitable to make a contribution to accessible accommodation and therefore the development is considered lawful.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

9 HUMAN RIGHTS IMPLICATIONS

152 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

153 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.

154 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.

155 This application has the legitimate aim of providing new buildings for visitor accommodation. 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.

10 LEGAL AGREEMENT

156 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

157 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. The following Heads of Terms have been agreed:

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Community Access Plan

- a Community Access Plan for the garden requiring the facilities to be made available on Monday to Wednesday (excluding school holidays) for community, voluntary and school groups.

158 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).

11 CONCLUSION

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

160 In summary, the development proposes an innovative use for this site that prioritises landscaping to maintain a positive contribution to the verdant character of Wickham Mews, while also retaining subservience to the back gardens of the main properties in contrast with the recently refused applications. The proposal to introduce visitor accommodation to a residential area would not conflict with the principles of the Development Plan as the type of accommodation proposed is not suitable for a town centre. Furthermore, the provision of a community garden would deliver a meaningful contribution to the social infrastructure within the surrounding area.

161 The application site is particularly sensitive to intensification given the proximity to rear gardens and the servicing issues intrinsic to this mews which result from the difficulties with access. The scale and type of use are unlikely to generate significant levels of servicing or customer footfall and therefore the practical concerns with access are not significant. The Management Plan submitted with the application provides a robust strategy for mitigating noise and disturbance. However, noise and disturbance remain a significant concern and despite the submission of a Management Plan, there is potential for long-term harm to the living conditions of neighbours. Therefore, a temporary permission is considered appropriate to test the concept as recommended within the NPPG.

162 Finally, Officers are satisfied that the development would have an acceptable impact to the local transport network and natural environment. Therefore, the application is recommended for approval subject to the conditions and planning obligation recommended above.

12 RECOMMENDATION

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

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

12.1 CONDITIONS

1. Temporary Time Limit

The use hereby permitted shall be discontinued and all structures removed within one year of the first occupation of development hereby approved.

Reason: In order that the local planning authority may assess the impact of the use at the end of the limited period hereby permitted, in the light of Paragraph 170 of the National Planning Policy Framework (2023) and DM Policies 26 Noise and Vibration and 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

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; Proposed Floor Plan & Elevations received 31 March 2023;

Proposed Elevations received 4 July 2023 ;

Landscape Masterplan - p.28 of the Landscape Design Presentation Rev E (Studio Cullis, September 2023); Landscape Sectional Elevations AA & BB; Landscape Sectional Elevations CC & DD received 5 October 2023;

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 & Detailed Design

(a) Prior to the commencement of the development hereby approved (excluding demolition and site clearance) a detailed schedule and specification of the Shepherd Huts including manufacturer's literature or detailed drawings at scale 1:5 or 1:10 shall be submitted to and approved in writing by the local planning authority in respect of the following:

- i) external cladding (including colour and finish);
- ii) roofing materials;
- iii) windows and external doors;

(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 for the lifetime of the development.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal in its verdant Mews setting and the Brockley Conservation Area and to comply with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and 16 Conservation areas, heritage assets and the historic environment 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, Development Management Local Plan (November 2014).

4. Refuse & Recycling Facilities

- (a) Prior to the first occupation of the development hereby approved, details of the management location and appearance of the refuse and recycling facilities shall be submitted to and approved in writing by the local planning authority.
- (b) The management and facilities as approved under part (a) shall be provided in full prior to first occupation of the development and shall thereafter be permanently retained and maintained.

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

5. Cycle Parking Facilities

The cycle parking spaces for six cycles shall be provided in full accordance with the Landscape Masterplan shown on p.28 of the Landscape Design Presentation Rev E (Studio Cullis, September 2023) and made available for use prior to occupation of the development and maintained thereafter.

Reason: In order to ensure adequate provision for cycle parking and to comply with Policy T5 cycling and Table 10.2 of the London Plan (March 2021) and Policy 14: Sustainable movement and transport of the Core Strategy (2011).

6. Landscaping Plan

- (a) Prior to the commencement of above ground works (excluding demolition and site clearance), a Landscaping Plan, set out in accordance with Pages 23 and 28 of the Landscape Design Presentation Rev E (Studio Cullis, September 2023), shall be submitted to and approved in writing by the local planning authority. The Landscaping Plan shall including details of any planting to be retained, the hard surfacing, the wildlife garden, the proposed plant

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

numbers, species, location and size (including details of the proposed 7 new trees (to follow the right tree, right place principle) and tree pits) and details of the management and maintenance of the landscaping.

- (b) The approved wildlife enhancement measures shall be installed prior to the first occupation of the development. 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: To safeguard the verdant Mews setting and local biodiversity and to comply with Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

7. **Boundary Treatments**

- (a) Details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the local planning authority prior to construction of any above ground works.
- (b) The approved boundary treatments shall be implemented in full accordance with the details approved by Part (a) prior to first occupation of the development 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).

8. **External Lighting**

- (a) Prior to occupation of the development hereby approved 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 prior to first occupation 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.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

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 Policy G6 Biodiversity and access to nature of the London Plan (March 2021) and DM Policies 24 Biodiversity, living roofs and artificial playing pitches and 27 Lighting of the Development Management Local Plan (November 2014).

9. **Operating Times**

The development hereby approved shall only operate as short-term holiday let accommodation on Thursday to Sundays (excluding school holidays within London Borough of Lewisham schools as set by the Council) and a Community Garden 9am-5pm Monday to Wednesdays (excluding school holidays).

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 170 of the National Planning Policy Framework (2023) and DM Policies 26 Noise and Vibration and 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

10. **Restrict Use**

The short-term holiday units forming part of the development hereby approved shall be occupied for holiday let purposes only and shall not be occupied as a main place of residence. The owner shall maintain an up-to-date register of the detail of all occupiers, including their names and main home addresses, of the holiday units on the site and shall make it available for inspection at all reasonable times by the local planning authority

Reason: The application has been assessed only in terms of this restricted use and any other uses may have an adverse effect on the character and amenity of the area and amenity for future occupiers

11. **Electric Heating**

The Shepherd Huts hereby approved shall be fitted with electric heating stoves, in full accordance with the Proposed Floor Plan & Elevations drawing, prior to the first occupation of the development and retained thereafter for the lifetime of the development

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

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

12. Tree Protection

Any off-site trees shown to be retained within the Arboricultural Impact Assessment (Arborclimb Consultants, January 2023) hereby approved shall be protected in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations) the entirety of the construction period including site clearance and site preparation, such protection to include the use of protective barriers to form a construction exclusion zone, employ suitable ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

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

13. Management Plan

The short-term holiday let accommodation forming part of the development hereby approved shall operate in full accordance with the measures set out on pages 1 - 7 of the approved Management Plan prepared by The Parkhill Group dated 11 September 2023, for the lifetime of the development.

Reason: In order to safeguard the amenity of the surrounding residential properties and to comply with Paragraph 170 of the National Planning Policy Framework (2023) and DM Policies 26 Noise and Vibration and 33 Development on infill sites, backland sites, back gardens and amenity areas 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.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

13 BACKGROUND PAPERS

- (1) Submission Drawings
- (2) Submission technical reports and supporting documents
- (3) Internal consultee responses
- (4) External consultee responses

14 REPORT AUTHOR AND CONTACT

Report Author: Alfie Williams (Senior Planning Officer)

Email: alfie.williams@lewisham.gov.uk

Telephone: 020 8314 9336

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

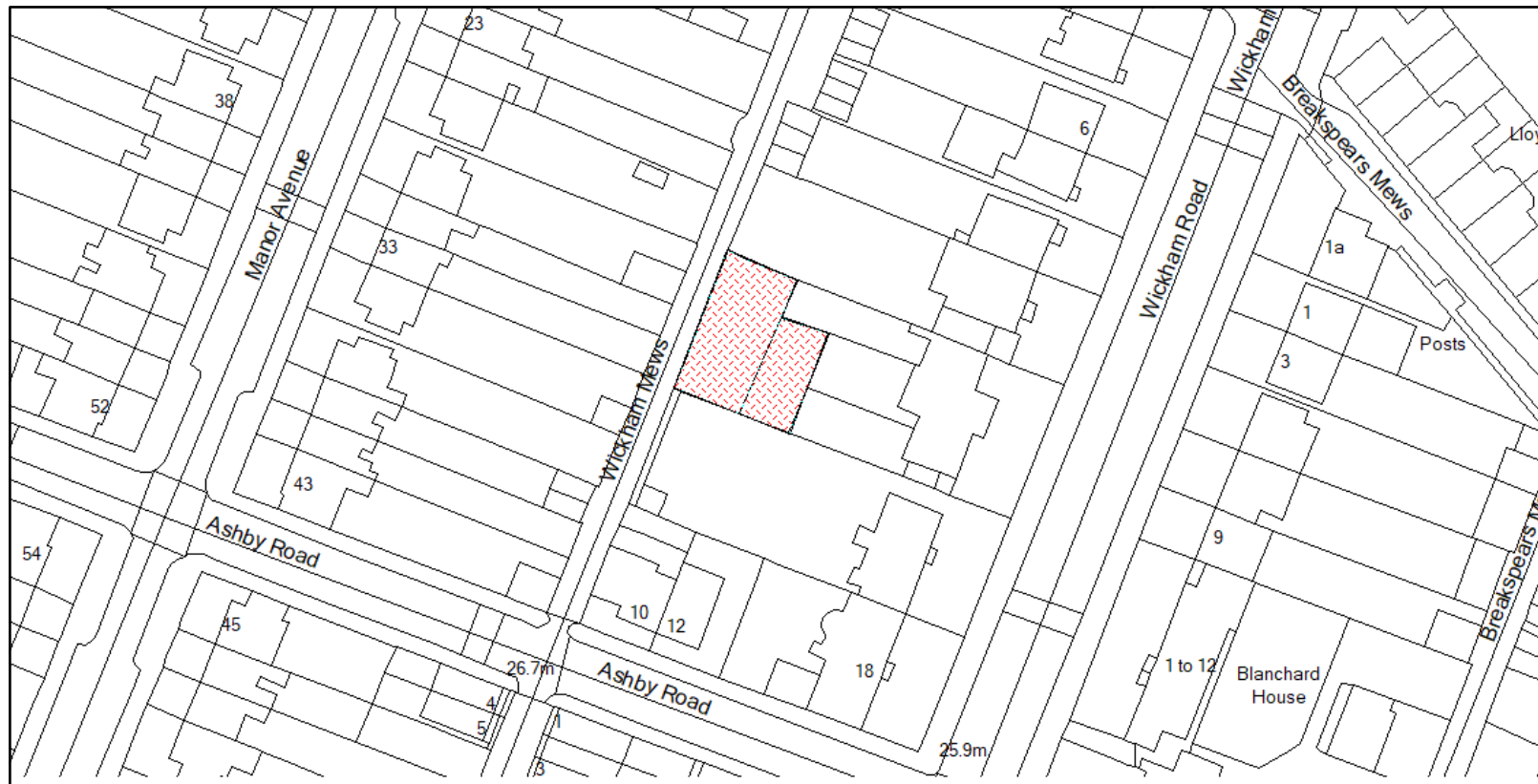
Rear of 14 Wickham Road, London, SE4 1PB

Application Ref. DC/23/130822

Temporary planning permission for the change of use from garden land to holiday let accommodation (Sui Generis), comprising three shepherds huts, together with comprehensive landscaping works and community accessible forest garden on land to the rear of 14 Wickham Road SE4.

Existing Site

Site Location Plan



Aerial Photograph



Site Photographs



View south along
Wickham Mews



View north along
Wickham Mews

Site Photographs

Page 51



Proposals

Proposals & key Information

- 1 Year Temporary Permission (from occupation)
- Short-term holiday lets operating Thursday – Sunday & all week during school holidays
- Community orchard garden Monday – Wednesday 9am – 5pm excluding school holidays
- Management Plan (for holiday lets)
 - Vetting of guests
 - Security code access
 - Security cameras and noise sensors
 - Maximum six guests (two per hut)
 - No amplified sound or music
 - No use of garden space 11pm – 7am
- Community Access Plan for the garden secured by planning obligation

Proposed Landscaping

2.2m high native hedge

Proposed fruit tree

4.87m x 2.13m shepherd hut over loose gravel. Window bench, small table and chairs and 1 no. Minut Noise Monitor

1.5m high existing stock wall with proposed 70cm high willow trellis top

Proposed deciduous ornamental tree

4.87m x 2.13m shepherd hut over loose gravel. Window bench, small table and chairs and 1 no. Minut Noise Monitor

Paving and grass surface

1.5m high existing stock wall with proposed 70cm high willow trellis top

Proposed fruit tree

Shrub and herbaceous planting

Espalier trees against new masonry wall

2 no. bike hoops



Rebuilt 1.5m high reclaimed stock brick wall

Proposed fruit tree

Communal grass area with 1 no. Minut Noise Monitor

Proposed deciduous ornamental tree

Rebuilt 1.5m high reclaimed stock brick wall

Proposed pond

Shrub and herbaceous planting

Timber bench

Curved willow screens, various heights with gate to each hut entrance

Proposed fruit tree

Proposed deciduous ornamental tree

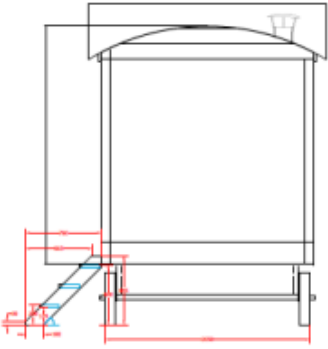
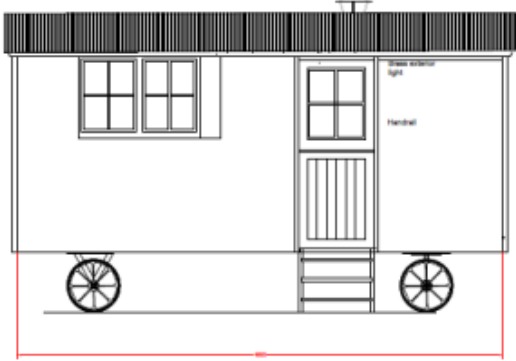
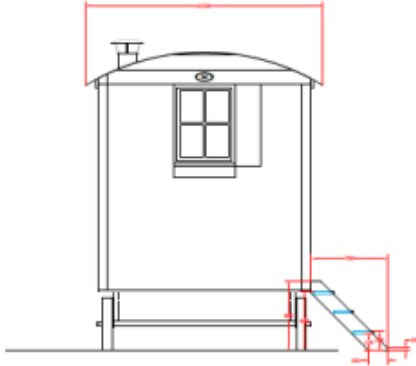
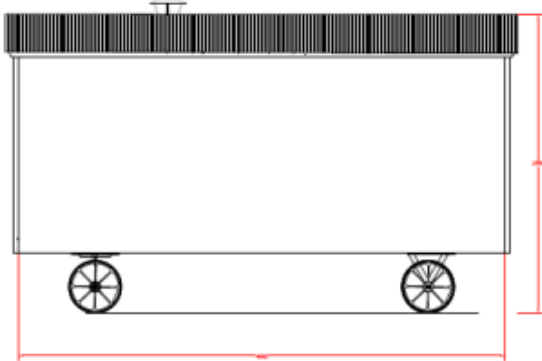
Existing 3.0m high wall

4.87m x 2.13m shepherd hut over loose gravel. Window bench, small table and chairs and 1 no. Minut Noise Monitor

Proposed 2.2m high masonry wall to mews boundary with timber double gate entrance

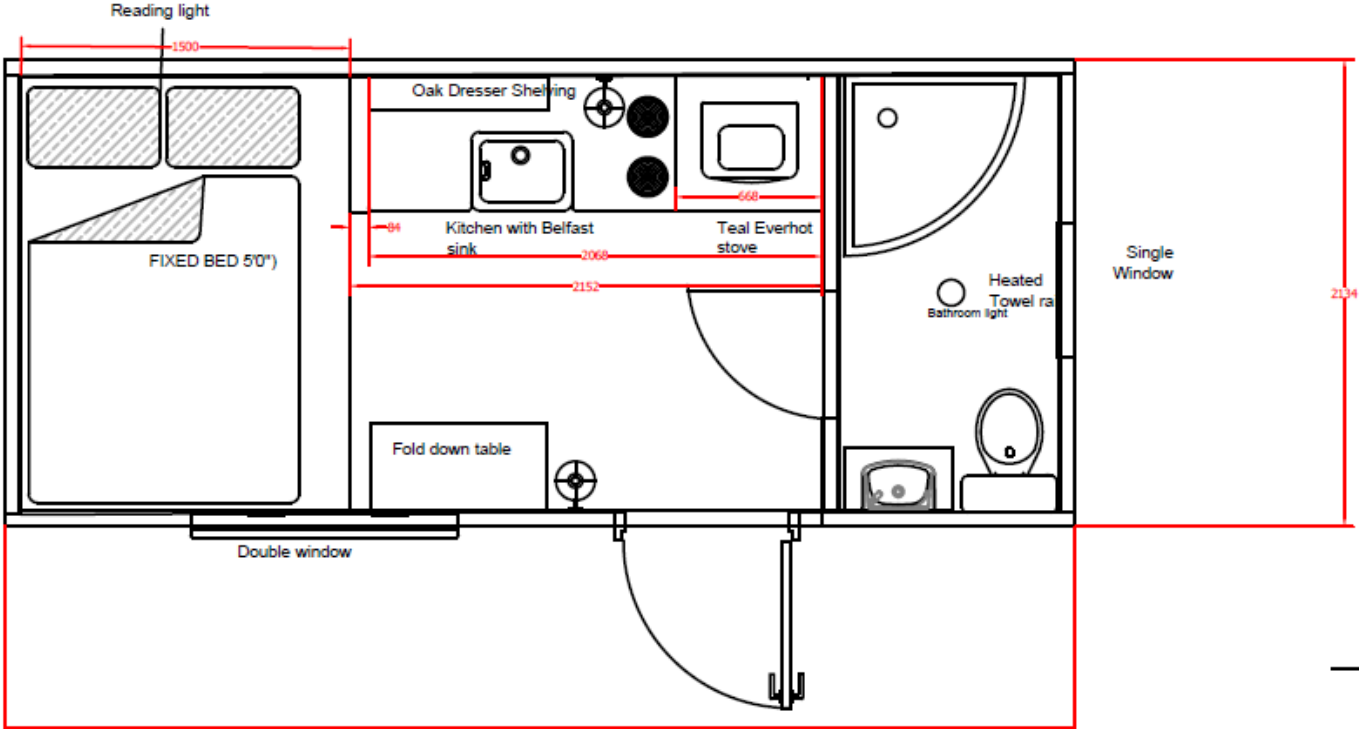
Proposed elevations

Page 55



Proposed floor plan

Page 56



Proposed Boundary Treatment

Page 57



Landscape Sectional Elevation BB'
1:50@A2



Main Planning Considerations

Main Planning Considerations

- Principle of Development
- Urban Design & Heritage Impact
- Transport Impact
- Living Conditions of Neighbors
- Natural Environment

This page is intentionally left blank

LOCAL MEETING – Rear of 14 Wickham Road

THURSDAY 7 SEPTEMBER 2023

DC/23/130822 - The change of use for the siting of holiday let accommodation, comprising three shepherds huts, together with comprehensive landscaping works and community accessible forest garden on land to the rear of 14 Wickham Road SE4.

Participants:

- *Cllr Ayesha Lahai-Taylor (Chair)*
- *Alfie Williams (Senior Planning Officer)*
- *Joe Badby (Applicant)*
- *Paul Webster (Agent)*

Notes of the meeting

Chair – Welcomes everybody to the meeting

Alfie Williams (AW) – Provides a brief introduction detailing the purpose and rules of the meeting

Joe Badby (JB) – Gives a presentation beginning with the history of the site and background to the application. Then provides an overview of the proposed development.

At this stage of the meeting the chair opened the meeting for questions and comments.

Questions and comments (Q) from members of the public and the answers (A) given by the application team and Council Officers are detailed below:

Q: JJ - States that gardens are generally quiet in contrast to the proposed holiday lets which would be used by more people on a more frequent basis. Also concern that there would be an increase parking stress to the surrounding roads and servicing traffic. Asked whether there would be wood burning stoves and whether the cycle and bins can be on site. Also pointed to security as a concern.

A: JB - Answered that the stoves are electric and there would be no open fires or BBQs permitted. Stated that revisions have been submitted to relocate the bins and bikes on site. On security noted that the site is currently vacant so the development would increase surveillance. Highlighted that noise monitors and cameras would be installed both linked to an app monitored by staff. Accepted that there will be some disruption from construction on site but that it would be relatively low level as most of the construction would take place off-site. On transport and parking pointed to the High PTAL and expects that most guests would arrive via public transport.

Q: JJ - Follow-up question about the frequency of serving.

A: JB - Responded that this would be short-term stays so waste generated would be low so frequency of servicing trips would also be low.

Q: JBE - Stated that the primary concern is noise and disturbance. Asked for clarification on the days of use and over how the site would be managed given that staff would be remote.

A: JB - answered that the accommodation would be let Thursday to Sunday. Explained that they have responded to advice from Officers on enforcement and have strengthened the management plan in response. Highlighted that Airbnb includes the function to pre-screen and approve guests and referenced the house rules detailed in management plan, which includes no parties or large groups. Detailed that the development has been designed to suppress noise via the landscaping and boundaries, that the huts are well insulated and referenced the video and noise monitoring. On enforcement stated that the company head office is 2.5 miles away and that neighbours would be given the emergency number and email which would allow staff to be dispatched to the site and reserve the right to remove guests if they contravene policy.

Q: JBE - asked whether staff will monitor 24hours

A: JB - answered that they aim to have staff available around the clock. Also explained that this would initially be a temporary permission to test the concept.

Q: RM - stated that it would be inappropriate to have the holiday lets in inner London as the use is orientated towards outdoor entertaining. Also raised concern that this would set a harmful precedent. Raised concern that vetting would not comply with Airbnb anti-discrimination policies.

A: JB - answered that guests with bad reviews will not be accepted.

Q: RM - asked whether it is legal to screen based on age as is stated in the Management Plan?

A: JB - explained that they will focus screening on the reviews rather than demographics and that bookings will be managed on a case by case basis but confirmed that they would not contravene discrimination policies.

Q: RM - asked whether there will be a minimum number of reviews?

A: JB - answered that the details have not yet been finalised but that the policy would establish a minimum number of stars and reviews.

Q: RM - asked whether they can guarantee that people will not know each other?

A: JB - explained that it would be difficult but no different to a house having guests over.

Q: RM - countered that gathering within residential gardens would be less frequent so the risk is lower and that it is possible to speak to adjoining neighbours directly and establish relationships.

A: JB - answer that the business will be your neighbour and that they will engage directly

Q: RM - asked whether the company owns any similar properties?

A: JB - stated that they own some visitor accommodation but not in the this area. Noted that the proposed development is being held to higher standard than a residential property letting via Airbnb.

Q: RM - proclaimed that key aspects of the management plan are not workable and that the risks from noise are higher than a residential property.

Q: CH - stated that there are so many issues that it would not be possible to cover them all within the meeting and that the result of the development would be making money to the detriment of neighbours.

A JB - countered that the development is responding to a need for visitor accommodation in London and has the benefit of preventing further loss of homes to 90 day Airbnb letting. Also highlighted that the development would enhance the green space and deliver a community benefit.

Q: CH - explained that this is the best-preserved mews and a jewel within the Conservation Area as there is currently no residential development on this stretch. Stated that the development would churn-up the mews and introduce the worst kind of residential development.

A: PW - stated that the use would be controlled by conditions and legal agreement.

Q: CH - responded that the development will be impossible to control and expressed concern that the neither the Council nor the police are able to control parties. Claimed that the development would torture local residents and asked why it cannot be retained as a garden?

A: JB - answered that back garden is private so this development will be available to wider community.

Q: CH - asked why it cannot be an allotment?

Chaired intervened to allow other residents to ask questions.

Q: MC - agreed with the previous concerns raised but stated that the main issue is security as there is a big issue with burglaries in the surrounding area so worried that this development would increase the risk.

A: JB - answered that the risks are no larger than the existing situation and pointed to additional monitoring and improved boundaries in addition to more regular activity and surveillance.

Q: MC - stated that many properties have cameras and a secure perimeter, but these measures have not proved to be effective.

A: JB - stated that the gate would be locked and that the code on the gate would be changed regularly so this would not be a public park.

Q: MC - raised concern that the site will only be monitored remotely.

A: JB - Countered that the site will only be open to reputable community organisations but acknowledged that it will not be possible to prevent people climbing over the fence.

A: PW - noted that the s106 agreement will define what type of community group can access the site.

Q: MC - stated that the development is totally inappropriate and that having no on-site management is a concern. Asked what would happen is an incident occurs at 3am?

A: JB - answered that they would send staff out and if there are disturbances they would be asked to leave and would then alert the appropriate authorities.

Q: MC - highlighted the potential for hen or stag bookings.

A: JB - explained that those type of booking would not be accepted.

Chair spoke to warn that there is not time to discuss every worst case scenario and invited questions for residents who have not spoken.

Q: PM - asked whether guests would have access during the day

A: JB - confirmed they would.

Q: PM - asked whether they would have water and electric facilities.

A: JB - confirmed that there would be a cooker and connection to water.

Q: PM - raised concern these will be used for permanent residential dwellings in the long-term.

A: PW - stated that planning permission would be required for residential conversion.

A: JB - explained that this is a concept that is being tested and that they would take the comments on board. Invited residents to contact him to discuss any concerns.

Chair - concluded the meeting and summarised that there is significant concern with noise and security then urged the applicant to liaise further with residents.

AW - thanked everybody for attending and noted that the revised documents have been uploaded online. Then assured residents that the application would be determined at committee in the event there is a recommendation for approval.

Chair - noted that objectors share 5 minutes to speak at planning committee meetings so advised that concerned residents should coordinate representations.

The chair brought the meeting to a close at this stage and thanked everyone for taking the time to attend

End



This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



Planning Committee B

GARAGES TO THE REAR OF CREELAND GROVE, SE6 4LE

Date: 19 October 2023

Key decision: No

Class: Part 1

Ward affected: Rushey Green

Contributors: Amanda Ghani

Outline and recommendations

This report sets out the Officer's recommendation for approval of the above proposal for full planning permission. This application is before committee as over 10 valid planning objections have been received.

Application details

Application reference number(s): DC/23/130975

Application Date: 19 October 2023

Applicant: Northhill Properties (South) Limited

Agent: MJP Planning Limited

Proposal: Demolition of the existing garages and construction of 3 x part one/part two storey dwellings and 3 x two storey plus roof space dwellings, together with associated landscaping, refuse storage and 14 cycle spaces on the garages to the rear of Creeland Grove SE6.

Background Papers: (1) Submission drawings and documents
(2) Internal Consultee Responses
(3) External Consultee Responses.

Designation: Small HMO Article 4 Direction
PTAL 4
Archaeological Priority Area
Local Open Space Deficiency
2 x ash trees (TPO)

1 SITE AND CONTEXT

Site description and current use

- 1 The site is largely rectangular in shape located on the eastern side of Creeland Grove and consists of land on which a row of 26 garages is sited. Access to the site is from Creeland Grove. The site abuts the rear gardens of residential properties in Exbury Road, Elm Lane and Bargrove Crescent.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>



Character of area

- 2 The surrounding area is predominately residential in nature comprising two storey, semi-detached, terraced and flatted properties.

Heritage/archaeology

- 3 The site is not within a conservation area, it is subject to an Article 4 Direction that has removed permitted development rights for change of use from a single dwelling (Use Class C3) to a small HMO (Use Class C4)
- 4 The site is within an area of archaeological priority.

Surrounding area

- 5 The site is within an area of local open space deficiency.

Local environment

- 6 Two ash trees (T4 & T5) on site are subject to a Tree Preservation Order (TPO)

Transport

- 7 Catford and Catford Bridge Railway Stations are 600m and 675m north of the site and there are bus stops within the vicinity. The site is within an area with a PTAL 4 rating.

2 RELEVANT PLANNING HISTORY

- 8 DC/05/060331 - The demolition of the existing garages and electricity sub-station on the site at the east end of Creeland Grove SE6 and the construction of a two storey building comprising 8 one bedroom and 2 two bedroom self-contained flats, together with associated landscaping, construction of a replacement electricity sub-station at the southern end of the site, provision of external storage areas and a new open car park for 16 cars, 2 motorcycles and 8 bicycles with access onto Creeland Grove. Refused 19/10/05 for the following reasons:

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

1. *The proposed two-storey block is considered to represent an over-development of the site, contrary to Policy URB 3 Urban Design, HSG 4 Residential Amenity and HSG 16 Density in the adopted Unitary Development Plan (July 2004).*
2. *The proposed two-storey block would be visually intrusive and over dominant when viewed from adjoining houses and gardens, especially those in Exbury Road and flats in Creeland Grove, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity and HSG 16 Density in the adopted Unitary Development Plan (July 2004).*
3. *The proposed two-storey block on this small site would cause overlooking and loss of privacy to residents in nearby houses in Exbury Road, contrary to Policies URB 3 Urban Design and HSG 4 Residential Amenity in the Adopted Unitary Development Plan (July 2004).*
4. *The front doors to the proposed units are all at the rear and this is likely to cause detriment to residents of the proposed flats for reasons of overlooking / loss of privacy and would also result in an inactive appearance to the front elevation, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity and HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004).*
5. *The proposed new site access runs close to the residential block at 9-31 Creeland Grove, which would lead to increased noise and disturbance and thus have a negative impact on the amenities enjoyed by residents in Creeland Grove, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity and HSG 5 Layout and Design of New Residential Development in the adopted Unitary Development Plan (July 2004).*
6. *The proposal would result in the loss of mature trees, which would have a negative impact on the amenities enjoyed by residents in Creeland Grove and be contrary to policies URB 3 Urban Design, URB 12 Landscape and Development, URB 13 Trees, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 7 Gardens in the adopted Unitary Development Plan (July 2004).*
7. *The proposal would result in the loss of the existing garages on the site and therefore be likely to result in an increase in on-street parking in the vicinity, contrary to Policy HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).*

9 The application was subsequently dismissed at appeal (APP/C5690/A/06/2012734) on 9th October 2006. The inspector concluded that the proposed development would involve the unacceptable loss of the protected trees and result in overlooking and loss of privacy for adjoining residents.

3 CURRENT PLANNING APPLICATION

3.1 THE PROPOSALS

10 Demolition of the existing garages and construction of 3 x part one/part two storey dwellings and 3 x two storey plus roof space dwellings comprising 6 family sized units, together with associated landscaping, refuse storage and 14 cycle spaces on the garages to the rear of Creeland Grove SE6.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

11 During the assessment of the current application, changes were made to the proposal which included:

- a reduction in the scale of development and the number of dwellings from 7 x 3b5p units to 5 x 3b5p and 1 x 3b6p units, and
- the retention of the two TPO ash trees to the front of the site.

4 CONSULTATION

4.1 PRE-APPLICATION ENGAGEMENT

12 Prior to the lodgement of the current planning application, pre-application advice was sought for the demolition of the existing garages and the construction of 9 dwellings in the form of 1 x 2b4p two-storey dwelling, 2 x 3b5p two-storey dwellings and 6 x 3b5p three-storey dwellings, including cycle and refuse storage and associated landscaping.

13 Officers had concerns over the size of the development, quantum and arrangement of amenity space, and its impact on neighbouring amenity as well as the loss of two protected trees. The applicant was advised to reduce the size of the development and to retain the two protected trees.

4.2 APPLICATION PUBLICITY

14 Site notices were displayed on 12th April 2023.

15 Letters were sent to residents in the surrounding area and the relevant ward Councillors on 12th April 2023.

16 17 number responses received, comprising 17 objections, 3 of which were from one property and a further two were from outside the Borough, from the objector's extended family members.

4.2.1 Comments in objection

Comment	Para where addressed
Overbearing, overdevelopment of site, proposal is excessively high	52-55, 90-94
Increased noise, disturbance and loss of privacy due to a lack of off-street parking provision and increased parking stress	126-128
Loss of daylight and sunlight to west facing Exbury Road gardens.	171-174
Loss of privacy and negative visual impact	140-143, 143-153
Scheme does not take into account TPO trees	214
The scheme does not allow enough room for landscaping or greenery.	186-190

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Loss of biodiversity on site.	206-208
There are only 16 cycle storage spaces	132-134
Flat roof of Unit 7 could be used as a terrace by occupiers who could overlook gardens of 10 and 12 Exbury Road.	153
Additional noise from future occupiers	179-180
Development will block existing views	142-144
Proposal does not include any affordable housing	56
Neighbours affected by building works	180
Increase in surface water	194
Loss of 25 garages/off street car parking spaces	45, 124

17 Other comments were also raised as follows:

18 There is no nearby sewer, until they have a plan to connect to a sewer they cannot be given permission to build. Officer response – Drainage and waste disposal is covered separately by The Building Regulations 2010

19 Excavations and foundations will cause damage to the structure of existing gardens in Exbury Road. Officer response – Excavations and foundations are covered separately by The Building Regulations 2010.

20 There is a dispute as to who owns the wall that abuts the rear gardens of Exbury Road properties. Officer response – This is a civil matter and not a planning consideration.

4.3 INTERNAL CONSULTATION

21 The following internal consultees were notified on 12th April 2023.

22 Highways: raised no concerns subject to waste management and short stay cycle parking conditions. See para 6.4 for further details.

23 Urban Design: design is supported. See para 6.3 for further details.

24 Environmental Protection: no objection subject to a land contamination assessment and associated remediation study to be secured by condition. See paragraph 6.7 for further details.

25 Tree Officer: proposal is acceptable. See para 6.7.2 for further details.

4.4 LOCAL MEETING

26 A Local Meeting was held on the 14th of September 2023 as 10 or more objections had been received. The meeting was held virtually and was chaired by Councillor Krupski.

27 Fifteen people attended the local meeting.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

28 The summary note of the local meeting has been attached as Appendix 1.

5 POLICY CONTEXT

5.1 LEGISLATION

29 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).

5.2 MATERIAL CONSIDERATIONS

30 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.

31 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.

32 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.

5.3 NATIONAL POLICY & GUIDANCE

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

5.4 DEVELOPMENT PLAN

33 The Development Plan comprises:

- London Plan (March 2021) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)

5.5 SUPPLEMENTARY PLANNING GUIDANCE

34 Lewisham SPG/SPD:

- Small Sites Design Guide (October 2021)

35 London Plan SPG/SPD:

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- Character and Context (June 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Housing (March 2016)
- Energy Assessment Guidance (October 2018)

6 PLANNING CONSIDERATIONS

36 The main issues are:

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

6.1 PRINCIPLE OF DEVELOPMENT

General policy

- 37 The National Planning Policy Framework (NPPF) at paragraph 11, states that there is a presumption in favour of sustainable development.
- 38 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.
- 39 LPP H1 looks to increase housing supply by optimising the potential for housing delivery on all suitable and available sites especially those within areas of PTAL 3-6 or which are located within 800m distance of a station or town centre boundary. The application site is approximately 660m from Catford train Station, consequently the application meets this criterion.
- 40 LPP H2 states that boroughs should increase the contribution of small sites (below 0.25 hectares) to meeting London's housing needs and sets a ten-year target for Lewisham of 3,790 new homes.
- 41 DM Policy 33 States that if a site is considered suitable for development, planning permission will not be granted unless the proposed development is of the highest design quality and relates successfully and is sensitive to the existing design quality of the streetscape. This includes the spaces between buildings which may be as important as the character of the buildings themselves, and the size and proportions of adjacent buildings. Development on these sites must meet the policy requirements of DM Policy 30 (Urban design and local character), DM Policy 32 (Housing design, layout and space standards) and DM Policy 25 (Landscaping and trees).
- 42 The provision of housing is a key priority in the Borough and is highlighted in the policies of the Council's Local Development Framework. The Core Strategy seeks to provide for

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

the housing needs of new and existing population that will include affordable housing, appropriate mix of dwellings as well as lifetime homes and specialist accommodation

43 DM Policy 33 (7) sets out specific principles for backland development, which includes the following to be achieved:

- a) proper means of access and serving, which is convenient and safe both for drivers and pedestrians;
- b) no significant loss of privacy, amenity, and no loss of security for adjoining houses and rear gardens; and
- c) appropriate amenity space in line with the policy requirements in DM Policy 32.

44 Small Sites SPD at paragraph 31.1 defines Backland sites as those that are largely landlocked by surrounding development. Such sites generally fall into one of two categories: garages/yards and mews/alleys. Garages and yards are defined by backland sites which are accessed via a single passageway from the public highway.

Discussion

45 Officers have confirmed with the developer that the existing garages, due to their small size are in use as storage units rather than accommodating cars. As such, there would be no loss of off-street parking provision.

46 As an area of land with access onto Creland Grove, the application site can be considered a backland site and would need to adhere to the criteria as set out in DM Policy 33. The site is also considered a backland site in the Small Sites SPD and so consequently, the principle of development on this site is supported subject to the proposal meeting the relevant policy criteria.

47 The principle of residential development would achieve the wider benefit of providing six additional family sized homes within the Borough which is considered a planning merit. As such, the principle of development is acceptable.

6.1.1 Principle of development conclusions

48 In summary, officers raise no objection to the principle of development, subject to matters including design, standard of accommodation, neighbour impact, highways and natural environment are to be met.

6.2 HOUSING

49 This section covers: (i) density and (ii) the standard of accommodation.

6.2.1 Density

Policy

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

51 The NPPF encourages the efficient use of land subject to several criteria set out in para.124. Para.125 applies where there is an existing or anticipated shortage of land for

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

meeting identified housing needs and strongly encourages the optimal use of the potential of each site.

- 52 London Plan Policies H1, H2 and D3 support the most efficient use of land and development at the optimum density. The London Plan has removed the density matrix. Defining optimum is particular to each site and is now the result of the design-led approach. Consideration should be given to: (i) the site context, (ii) its connectivity and accessibility by walking and cycling and existing and planned public transport and (iii) the capacity of surrounding infrastructure.

Discussion

- 53 The site has an area of 0.27 hectares and is in a PTAL of 4 in a suburban location. The surrounding area has a mixed towers and slabs/urban (free form low rise) character in the form of four-storey flatted development, terraces and detached period properties.
- 54 The London Plan has moved away from a density matrix approach to site capacity. LPP D3 requires a design-led approach to optimising site capacity, where design options determine the most appropriate form of development that responds to a site's context, capacity for growth and existing and planned supporting infrastructure capacity. The current proposal is considered a minor application with the proposal providing 6 residential units. Plan Policy D2 states '*it will not normally be necessary for minor developments to undertake infrastructure assessments or for boroughs to refuse permission to these schemes on the grounds of infrastructure capacity.*' Due to its size the proposed development is considered to have a minor incremental impact on local infrastructure capacity. As such, an infrastructure assessment was not required in this instance.
- 55 It is considered that the development proposal would optimise an existing underutilised site. As such, the proposed density is considered to be acceptable.
- 56 It is noted that as the application is for minor development rather than major, therefore there is no requirement for the developer to provide affordable housing as part of the proposal.

6.2.2 Residential Quality

General Policy

- 57 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 (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).
- 58 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.

Internal space standards

Policy

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

59 LPP D6 seeks to achieve housing development with the highest quality internally and externally in relation to their context. Minimum space standards are set out in Table 3.1 of the London Plan.

60 The Technical Housing Standards (2015), Mayor’s Housing Supplementary Planning Guidance (SPG), London Plan Policy D6 and DM Policy 32 set out to 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. LPP D6 states that ‘a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant.

61 In particular, DM Policy 32 states that it will assess whether new housing development provides an appropriate level of residential quality and amenity in terms of size, a good outlook, with acceptable shape and layout of rooms.

Discussion

62 The table below sets out proposed dwelling sizes.

Table []: Internal space standards – proposed v (target)

Dwelling	Layout	GIA m ² ()	Bed 1 (proposed (target))	Bed 2 (proposed (target))	Bed 3 (proposed (target))	Built-in storage m ² (proposed (target))	External amenity m ²
Unit 1	3b5p on two floors	103 (93)	18 (11.5)	12 (11.5)	8 (7.5)	3 (2.5)	64 (8)
Unit 2	3b5p on two floors	107 (93)	17 (11.5)	14 (11.5)	8 (7.5)	4 (2.5)	46 (8)
Unit 3	3b5p on three floors	102 (99)	17 (11.5)	14 (11.5)	8 (7.5)	3.5 (2.5)	28 (8)
Unit 4	3b5p on three floors	102 (99)	17 (11.5)	14 (11.5)	8 (7.5)	4.7 (2.5)	31 (8)
Unit 5	3b6p on three floors	114 (108)	13 (11.5)	12 (11.5)	12 (11.5)	6.2 (2.5)	17 (8)
Unit 6	3b5p On two floors	96.5 (93)	13 (11.5)	12 (11.5)	8 (11.5)	5.1 (2.5)	23 (8)

63 All units have been designed to exceed the London Plan minimum standards in terms of overall unit sizes and the internal space standards of individual rooms as set out in LPP

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

D6 and DM Policy 32. The internal storage space requirements would be exceeded in all dwellings in the form of dedicated storage areas and inbuilt wardrobes. All residential units would have a minimum floor to ceiling height of 2.5m. Dwellings will be designed to meet M4(2) 'accessible and adaptable' requirements. To ensure the dwellings are built to M4(2) specifications a condition will be attached.

Outlook & Privacy

Policy

- 64 LPP D1(8) requires development to achieve appropriate outlook, privacy and amenity.
- 65 DMLP Policy 32 expects all new units to provide a satisfactory level of privacy, outlook and natural lighting for future residents, which is also supported by the Mayors Housing SPD. Furthermore, the London Plan Policy D6 requires the highest standards of sustainable design and construction to be achieved, including the avoidance of single-aspect units.

Discussion

- 66 The proposed scheme presents a good level of outlook and privacy for all proposed residential units. The layout and floor plan has been designed in such a way so as to reduce overlooking between proposed units.

Overheating

Policy

- 67 London Plan Policies D6 and SI 4 seek to avoid internal overheating through design, layout, orientation, materials and the incorporation of green infrastructure. The Mayors Housing SPG also demonstrates that development proposals should achieve an appropriate design of dwellings to avoid overheating without heavy reliance on energy intensive mechanical cooling systems

Discussion

- 68 All units are dual aspect which is considered sufficient to avoid unacceptable overheating.

Daylight and Sunlight

Policy

- 69 DM Policy 32 (1)(b) expects new development to provide a satisfactory level of natural lighting for its future occupiers.
- 70 Daylight and sunlight are generally measured against the Building Research Establishment (BRE) standards. This is not formal planning guidance and should be applied flexibly according to context.

Discussion

- 71 A daylight/sunlight assessment has been provided. The assessment has been based on the provision of seven residential units. The assessment concluded that all 29 rooms within the proposed development meet or surpass the spatial daylight autonomy test and

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

the proposed accommodation will meet Sunlight exposure requirements. Since the assessment was made, the scheme has been reduced in size and the quantum of development is now for six residential units (24 habitable rooms). A reduction in the quantum of development on site would not decrease the proposed dwellings accessibility to daylight and sunlight. As such, officers consider the daylight and sunlight levels to remain acceptable.

Noise & Disturbance

Policy

- 72 With regards to internal noise levels of the residential units, Part E of the Building Regulations controls noise transmission between the same uses and is usually outside the scope of Planning. Although London Plan Policy D14 highlights the management of noise by encouraging the right acoustic environment, both externally and internally; as this is important to promote good health and a good quality of life within the wider context of achieving sustainable development.
- 73 Planning controls the effect of noise from external sources on residential uses and noise transmission between different uses. The relevant standard is BS:8233:2014. This states the internal noise levels within living rooms must not exceed 35dB(A) during the daytime (0700-2300) and 30dB(A) in bedrooms during the night time.
- 74 With respect to external areas, BS 8233:2014 recommends that external noise level does not exceed 50dB LAeq, T with an upper guideline value of 55dB LAeq, T.

Discussion

- 75 A noise assessment has not been provided with this application however it is recommended that a condition is secured ensuring that the internal and external areas proposed are within the relevant range as set out within BS8233.

External space standards

Policy

- 76 Private outdoor space should be practical in terms of its shape and utility and the space should offer good amenity. With regards to private amenity space, LPP D6 requires a minimum of 5sqm of private outdoor amenity space be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant.

Discussion

- 77 All six dwellings would be provided with readily accessible, secure, private and useable external spaces that comfortably exceed the minimum requirements. All of the dwellings would have a rear garden; Unit 1 would have a wrap-around rear/side garden and Unit 2 would benefit from three separate outdoor spaces.

6.2.3 Housing conclusion

- 78 It has been demonstrated that the proposed development would provide an uplift in housing over that which existed previously.
- 79 The proposal would optimise the site, providing six family sized dwellings with a high-quality standard of residential accommodation provided for potential future occupiers

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

and provide a number of high-quality new homes within the Borough. This material public benefit is afforded significant weight by officers.

6.3 URBAN DESIGN

General Policy

- 80 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. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 81 London Plan Policy D1 requires Borough's to define the characteristics, qualities and value of places in order to develop an understanding of different areas' capacity for growth. Policy D3 requires all development to take a design-led approach that optimises capacity of sites.
- 82 DM Policy 33 seeks to protect and enhance the Borough's character and street frontages through appropriate and high-quality design.
- 83 DM Policy 30 states that all new development should provide a high standard of design and should respect the existing forms of development in the vicinity.
- 84 Core strategy Policy 15 repeats the necessity to achieve high quality design but also confirms a requirement for new developments to minimise crime and the fear of crime.
- 85 Backland sites present an opportunity to achieve high-quality placemaking and a sense of identity. As these sites are often some distance from neighbouring properties, they can often allow a good architect to create a high-quality living environment which is visually distinct from its surroundings.

6.3.1 Appearance and character

Policy

- 86 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG)
- 87 In terms of architectural style, the NPPF encourages development that is sympathetic to local character and history, including the surrounding built environment and setting, while not preventing or discouraging appropriate innovation and change (para.130) At para.134, the NPPF states great weight should be given to outstanding and innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>



Proposed view from the west (fronting on to Creeland Grove)



Proposed view from the north



Proposed view from the South

Discussion

88 A contextual and townscape analysis has been completed as part of the Design and Access Statement. The immediate vicinity has an eclectic mix of residential dwellings in terms of architectural styles and periods, with buildings ranging from two to four storeys in height.

89 Officers consider that the contemporary design approach is suitable in this instance.

Layout

Policy

90 London Plan Policy D3 states that the design of new buildings and spaces they create should help respond to and enhance the character, legibility and permeability and accessibility of the neighbourhood.

Discussion

91 The surrounding context, as demonstrated within the application's design and access statement is varied. The site sits at a transitional point between four storey flatted development to the west and two-storey semi-detached dwellings to the east and south.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Four of the six dwellings are semi-detached, the other two are detached. Each detached and semi-detached pair sit comfortably within the site and are clearly readable as separate dwellings, further defined by the gaps between the built form that allows views through the site to trees beyond. The pedestrian pathway to the front of the site provides a permeable and legible route through the site, allowing easy orientation and navigation. The quantum of development is optimum for the site, providing high quality residential accommodation and attractive landscaped communal space that enhances this part of Creeland Grove.

Form and Scale

Policy

- 92 LPP D3 requires sites to be optimised through the design-led approach and the Small Sites SPD states that proposals should make efficient use of available space.

Discussion

- 93 The proposal is for one detached and one semi-detached pair of three-storey dwellings that include pitched mansard style upper floors; bookmarked by three one/two storey flat roofed dwellings at either end of the site. The three storey dwellings would have a maximum height of 8.7m and an eaves height of 6.4m. The part one/two storey dwellings would have a maximum height of 6.2m and the single storey elements would measure 3.2m high.
- 94 The urban morphology is reflective of the surrounding context, with semi-detached pairs with relief provided in the gaps between houses. The form and scale of the proposal is appropriate for the site.

Detailing and Materials

Policy

- 95 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG)
- 96 In terms of architectural style, the NPPF encourages development that is sympathetic to local character and history, including the surrounding built environment and setting, while not preventing or discouraging appropriate innovation and change (para.130). At para.134 the NPPF states that great weight should be given to outstanding and innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area.

Discussion

- 97 Due to the lack of a dominant architectural style in the road, the proposed design has been developed as a contemporary stand-alone scheme.
- 98 The dwellings would be brick built and include brick soldier course detailing. Aluminium framed windows and canted tiled roofs. A minimal neutral colour palette of high-quality materials is proposed, which is considered appropriate to the location and form of the buildings proposed and is in sympathy with the surrounding context. Exact specifications of all materials would be captured by condition to ensure that this design quality is carried through to construction of the proposal.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

99 In summary, the design approach in terms of appearance and materiality is supported given its high-quality contemporary nature.

6.3.2 Public Realm

Policy

100 Streets are both transport routes and important local public spaces. Development should promote accessibility and safe local routes. Attractive and permeable streets encourage more people to walk and cycle. LPP D8 requires development proposals to ensure there is a mutually supportive relationship between the space surrounding the building and its use, so that the public realm enhances the amenity and function of buildings and the design of buildings contributes to a vibrant public realm.

Discussion

101 The buildings would be set back within the site but would provide a good level of natural surveillance over the public realm and onto Creeland Grove. The area of public realm is assessed as good, with step-free permeable paving and generous footways to the west of the site, which form the primary access route for the homes toward the south.

6.3.3 Urban design conclusion

102 Officers acknowledge the constraints of the site. The overall design approach is suitable to ensure that in urban design terms, the scheme would result in a form of development that sits comfortably with the wider character and appearance of the local area.

103 The proposal achieves a high-quality design and significant public benefits by providing six family sized dwellings. As such, it is considered the proposal is acceptable with regards to urban design and accords with the Development Plan.

6.4 TRANSPORT IMPACT

General policy

104 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para.104. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic and (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.

105 Paragraph 111 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

106 Regionally, the Mayor’s Transport Strategy (‘the MTS, GLA March 2018) sets out the vision for London to become a city where walking, cycling and green public transport become the most appealing and practical choices. The MTS recognises links between car dependency and public health concerns.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

107 Objective 9 and Policy 14 of The Core Strategy reflects the national and regional priorities

6.4.1 Access

Policy

108 The NPPF requires safe and suitable access for all users. Paragraph 110 states that in assessing applications for development it should be ensured that appropriate opportunities to promote sustainable transport modes can or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users.

109 CPS 14, states that the access and safety of pedestrians and cyclists will be promoted and prioritised and that a restrained approach to parking provision will be adopted.

Discussion

110 The existing access into the site would be maintained. The front boundary treatment of the site would consist of 1.2m high metal railings; as such the front facades of the dwellings would appear clearly legible within the streetscene and the dwellings would have active frontages with windows looking out onto the front of the site and beyond, into Creeland Grove, providing natural surveillance and activity and the opportunity for resident's social interaction. Maximising active frontages is a critical element of the London Plan's approach to designing out crime.

111 The proposed access to the site is acceptable.

6.4.2 Local Transport Network

Policy

112 The NPPF states that significant impacts on the transport network (in terms of capacity and congestion) should be mitigated to an acceptable degree.

Discussion

113 Catford and Catford Bridge railway stations are both located within 10 minutes walking distance from the site. Bus routes 75, 181 and 202 stop at the Beechfield Road bus stop which is located 95m from the site entrance. The site also benefits from being a 15-minute walk from Catford Town Centre and its associated retail amenities.

114 The proposed development is located close to Catford and Catford Bridge railway stations and has a good PTAL level of 4. As such, it is considered that intensification at the site in terms of the provision of six residential units could be accommodated within the local transport network.

6.4.3 Servicing and refuse

Policy

115 The NPPF at paragraph 104 states that significant impacts on the transport network (in terms of capacity and congestion) should be mitigated to an acceptable degree.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 116 CSP13 sets out the Council's waste management strategy for new development and states that major developments should be designed to incorporate the existing and future long-term needs of waste management and disposal.
- 117 DMLP 29 requires new development to have no negative impact upon the safety and suitability of access and servicing.
- 118 Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Buildings in accordance with London Plan Housing Supplementary Planning Guidance (2016) standard 23.

Discussion

- 119 Two communal refuse stores are proposed, both on the front boundary of the site, with one in front of Unit 6 (store A) and the other in front of Unit 1 (store B). Bin store A would service units 4-6 and bin store B which is over 40m from the accessway where it meets the public highway, would serve units 1-3. Usually, bins should be within 25m of the waste collection point specified by the waste collection authority. When this cannot be achieved, a waste management plan is required so that occupiers of the properties do not have to drag bins in excess of 30m.
- 120 The bin collection point is provided along the access road within 10m of the public highway. According to the submitted transport statement, the local council will collect the waste from the site, but a management company will be employed to bring bins to this point on collection day and return them to the bin store once collected.
- 121 A condition will be added requiring details of the refuse management strategy to be submitted and approved by the Council, including details of the management company and specific arrangements.

6.4.4 Transport modes

Private cars

Policy

- 122 The NPPF at paragraph 104 states that significant impacts on the transport network (in terms of capacity and congestion) should be mitigated to an acceptable degree.
- 123 LPP T6 sets out car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity, with car-free the starting point where public transport accessibility is good. LPP T6.1 states that the maximum parking standards of Table 10.3 should not be exceeded, with all spaces providing infrastructure for electric or ultra-low emission vehicles. Table 10.3 states that inner London boroughs in areas with PTAL of 4 or above should be car-free.
- 124 An absence of local on-street parking controls should not be a barrier to new development.

Discussion

- 125 Officers have confirmed with the developer that there is no existing off street car parking on site.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 126 The provision of a car free scheme is not objectionable as it would comply with LPP T6.1 and the principles of the development plan more generally. Parking is unrestricted on the surrounding roads with no CPZ's in operation. As part of the application a parking beat survey was undertaken by Nationwide Data Collection, providing an overnight 'snapshot' of parking conditions within a 200m walking distance of the site and records the parking stress as percentages as well as highlighting the availability of parking spaces.
- 127 Results of the parking beat survey identified a minimum of 52% (11 spaces) to be available in Creeland Grove and a limited number of additional unrestricted parking spaces on Rathfern Road.
- 128 As part of the transport statement, census information was obtained that shows 41% of households in Lewisham have no private car. In terms of the proposed development, the census therefore indicates that at least two of the proposed dwellings are unlikely to accommodate occupants that have a private car. Nevertheless, the survey has evidenced that there would be sufficient parking available on-street should the occupants of all six dwellings wish to park on the street. Consequently, the proposed development is not considered to contribute to a significant increase in on-street parking stress.

Walking and cycling

Policy

- 129 Residential developments are required to provide cycle parking in accordance with the requirements of LPP T5 and Table 10.2 of the London Plan.
- 130 All developments should provide dedicated storage space for cycles at the following level: 1 per studio and one bed dwellings, 1.5 per 1 bedroom, two person dwellings and 2 per all other dwellings. Two short-stay parking spaces are required for proposals of 5 to 40 new dwellings.
- 131 Communal cycle storage outside the home should be secure, sheltered (weatherproof) and easily accessible.

Discussion

- 132 Catford town centre is located approximately 1.3km north-east of the site and can be accessed in 10-15 minutes by walking or in 5 minutes by bicycle. The Waterlink Way comprises part of the National Cycle Network Route 21 and can be accessed from Catford Hill approximately 400m north-east of the site and is a walking and cycling route that connects Sydenham to the Thames via Catford, Lewisham and Deptford.
- 133 The proposed scheme requires 12 long term secure cycle storage spaces. These spaces have been provided in the form of two communal cycle storage facilities, one to the side elevation of Unit 3 (store A) and one sited between Units 4 and 5 (store B). Additionally short stay cycle storage for two bicycles would be sited adjacent to refuse store A.
- 134 Cycle storage A consists of a matt green metal cycle hanger as outlined in drawing 1095-DFA-02109. Cycle storage B is a vertical slat timber, flat roofed store, with three doors to the front elevation, as outlined in drawing 1095-DFA-02110. Each storage facility is capable of accommodating six bicycles. Officers consider that the requirements as noted under Policy T5 of the London Plan for cycle storage to have been met, though

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

further details of the short stay cycle storage are recommended to be secured via condition, since no details have been provided.

6.4.5 Transport impact conclusion

- 135 Given the site's good PTAL rating, the parking survey results and the proposed scheme's size, it is considered that the development would not result in unacceptable impacts to the local transport network.
- 136 Furthermore, the development would have an acceptable provision of cycle and refuse storage, and, subject to condition, should not unacceptably impact transport safety with regards to servicing once constructed and deliveries both during and after construction.

6.5 LIVING CONDITIONS OF NEIGHBOURS

General Policy

- 137 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 180 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. 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).
- 138 This is reflected in relevant policies of the London Plan (LPP D3), the Core Strategy (CP15), the Local Plan (DMPs 32 and 33) and associated guidance.
- 139 LPP D3 states that development proposals should deliver appropriate impacts to outlook, privacy and amenity as well as mitigating noise levels.
- 140 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.

6.5.1 Enclosure and Outlook

Policy

- 141 Overbearing impact arising from the scale and position of blocks is subject to local context. Outlook is quoted as a distance between habitable rooms and boundaries.

Discussion

- 142 Officers have given weight to the urban character of the area where increasing density and constraints to outlook across neighbouring sites are typical.
- 143 The proposed scheme would result in an increase in height in terms of built form on the eastern boundary. However, where the elements of the dwellings are more than single storey in height, additional stories have been set back from this boundary and roof forms are angled away to minimise visual impact when viewed from the adjacent Exbury Road properties.
- 144 The first-floor elements of Units 1 & 2 are set away from the nearest windows at 14 Bargrove Crescent and the windows in the side elevation of 9-31 Creeland Grove will

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

have direct views through the site created by the gap between units 1 & 2 and the side elevation of Unit 3. Consequently, there will be no significant impact regarding outlook on adjacent dwellings due to the sensitive setbacks and siting of the development.

6.5.2 Privacy

Policy

145 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.

146 As a general rule, DMP 32 requires a minimum separation distance of 21m between directly facing habitable room windows on main rear elevations. The policy can be applied flexibly dependent on the context of the development.

Discussion

147 Lewisham is an inner-London borough, and expectations of individual privacy need to be balanced with the need to achieve appropriate levels of residential density. The Small Sites SPD expects a gap of no less than 16m between new and existing principle facing windows at upper levels.

148 On the eastern elevation that faces the rear elevations of Exbury Road properties only Units 3, 4 & 5 have upper floor windows. All eight windows serve either a bathroom or landing, other than at Unit 5 where one window serves a bedroom. The bedroom window is a secondary window to the bedroom and can be conditioned to be obscure glazed as can the bathroom windows. Landings are not considered to be primary habitable rooms in planning terms.

149 Additionally, these windows are set back from the rear boundary by 2.5m and set back a further 19.8m from the rear elevations of the dwellings on Exbury Road; exceeding the separation distance requirement in Policy DM32 and the Small Sites SPD. Consequently, there would be no significant levels of overlooking or loss of privacy to the rear gardens of the Exbury Road dwellings.

150 To the west of the site are the rear elevations of Nos.12 & 14 Bargrove Crescent. These neighbouring properties are set back between 6.5m and 8.8m from the flank wall of Unit 1. There are no upper floor windows from Unit 1 that face onto the rear gardens of these neighbours. A 1.8m high closed board timber fence will be sited on this shared boundary and will prevent any overlooking at ground floor level to No.12 & 14 from the occupiers of Unit 1.

151 The rear bedroom windows of Units 1 and 2 are sited 12m from the shared southern boundary and a further 13.5m from the nearest rear window in the rear elevation of Lane Cottage in Elm Lane to the south of the site; exceeding the separation distance requirements.

152 The three windows on the side elevation of the flats (9-31 Creeland Grove) to the west of the site will not be directly overlooked by windows in the front elevation of the proposed development.

153 Furthermore, occupiers will not be allowed to use any of the flat roofs as amenity space. This can be secured by condition. Consequently, the proposal is acceptable in terms of impact on privacy.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

6.5.3 Daylight and Sunlight and Overshadowing

Policy

- 154 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.
- 155 The NPPF does not express particular standards for daylight and sunlight. Para 123 (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
- 156 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. It is clear that the BRE standards set out below are not a mandatory planning threshold.
- 157 In the first instance, if a proposed development falls beneath a 25-degree angle taken from a point two metres above ground level, then the BRE say that no further analysis is required as there will be adequate skylight (i.e. sky visibility) availability.
- 158 Daylight is defined as being the volume of natural light that enters a building to provide satisfactory illumination of internal accommodation between sunrise and sunset. This can be known as ambient light. Sunlight refers to direct sunshine.
- 159 *Daylight Guidance*
- 160 The three methods for calculating daylight are as follows: (i) Vertical Sky Component (VSC); (ii) Average Daylight Factor (ADF) and (iii) No Sky Line (NSL).
- 161 The VSC is the amount of skylight received at the centre of a window from an overcast sky. The ADF assesses the distribution of daylight within a room. Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced factors including the size of the window relative to the room area and the transmittance of the glazing, with the size of the proposed obstruction being a smaller influence. NSL is a further measure of daylight distribution within a room. This divides those areas that can see direct daylight from those which cannot and helps to indicate how good the distribution of daylight is in a room.
- 162 In terms of material impacts, the maximum VSC for a completely unobstructed vertical window is 39.6%. If the VSC falls below 27% and would be less than 0.8 times the former value, occupants of the existing building would notice the reduction in the amount of skylight. The acceptable minimum ADF target value depends on the room use: 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. If the NSL would be less than 0.8 times its former value, this would also be noticeable.
- 163 While any reduction of more than 20% would be noticeable, the significance and therefore the potential harm of the loss of daylight is incremental. The following is a generally accepted measure of significance:
- 164 - 0-20% reduction – Negligible 21-30% reduction – Minor Significance 31-40% reduction – Moderate Significance Above 40% reduction – Substantial Significance.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

165 It is important to consider also that the context and character of a site when relating the degree of significance to the degree of harm. It is also noted that recent planning decisions (including appeal decisions made by the Planning Inspectorate) in London and Inner London have found retained VSC values in the mid-teens to be acceptable

166 *Sunlight Guidance*

167 Sunlight is measured as follows: (i) Annual Probable Sunlight Hours (APSH) and (ii) Area of Permanent Shadow (APS)

168 The APSH relates to sunlight to windows. BRE guidance states that a window facing within 90 degrees due south (windows with other orientations do not need assessment) receives adequate sunlight if it receives 25% of APSH including at least 5% of annual probable hours during the winter months. If the reduction in APSH is greater than 4% and is less than 0.8 times its former value then the impact is likely to be noticeable for the occupants. The APS relates to sunlight to open space: the guidance states that gardens or amenity areas will appear adequately sunlit throughout the year provided at least half of the garden or amenity area receives at least two hours of sunlight on 21st March.

Overshadowing Guidance

169 The BRE Guidelines suggest that sun hours on ground assessments should be undertaken on the equinox (21st March or 21st September). It is recommended that at least half of a garden or amenity area should receive at least two hours of sunlight on 21st March, or that the area which receives two hours of direct sunlight should not be reduced to less than 0.8 times its former value (i.e. there should be no more than a 20% reduction).

170 It must be acknowledged that in urban areas the availability of sunlight on the ground is a factor which is significantly controlled by the existing urban fabric around the site in question and so may have very little to do with the form of the development itself. Likewise, there may be many other urban design, planning and site constraints which determine and run contrary to the best form, siting and location of a proposed development in terms of availability of sun on the ground.

Discussion

171 A daylight & sunlight amenity study was submitted as part of the application. The assessment has calculated the effect of the proposed development on the amenity of 1-7 and 9-31 Creeland Grove, 14 Bargrove Crescent to the west, 8-28 (even) Exbury Road, to the north and east and Lane Cottage, Elm Lane to the south.

172 The daylight has been assessed to neighbouring properties using Vertical Sky Component and Daylight distribution tests. The results demonstrate 100% compliance.

173 Overshadowing has been assessed to 19 amenity spaces, the results demonstrate that there would be a negligible impact on neighbouring properties.

174 The proposed development satisfies the BRE recommendations and as such complies with national and local planning policy and best practice guidance with regards to access to daylight and sunlight and overshadowing.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

6.5.4 Noise and disturbance

Policy

- 175 PPG states LPAs should consider noise when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.
- 176 Construction and demolition activity can result in disturbance from among things noise, vibration, dust and odour. This can harm living conditions for the duration of construction. Since some disturbance is inevitable, such impacts are usually not considered to be material planning considerations.
- 177 A range of legislation provides environmental protection, principally the Control of Pollution Act. It is established planning practice to avoid duplicating the control given by other legislation.
- 178 Further guidance is given the Mayor of London's The Control of Dust and Emissions during Construction and Demolition SPG (2014)

Discussion

- 179 Given the nature of the proposed development itself, being a residential scheme in a residential area, it is unlikely that the use of the development proposal would result in unreasonable levels of noise pollution.
- 180 Any noise or dust associated with construction would be controlled by the relevant environmental health and building control statutory protections. To ensure that demolition and construction is undertaken in a manner that does not affect the wider highway and utilises best practice, a condition requiring the submission to the LPA for approval of a demolition and construction management plan should be imposed were this application to be approved.

6.5.5 Impact on neighbours conclusion

- 181 All neighbouring properties would have an acceptable degree of impact resulting from this development, especially given the urban context.

6.6 SUSTAINABLE DEVELOPMENT

General Policy

- 182 Para. 149 of the NPPF requires Local Planning Authorities to take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies and decisions should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts. 138 CS Objective 5 reflect the principles of the NPPF and sets out Lewisham's approach to climate change and adapting to its effects. CSP 7, CSP 8 and DMP 22 support this.

6.6.1 Energy and carbon emissions reduction

Policy

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

183 LPP SI2 states that major development should achieve zero carbon and should minimise peak energy demand in accordance with the following energy hierarchy: Be lean: use less energy; Be clean: supply energy efficiently; and Be green: use renewable energy. 140 CSP 8 also states that developments of greater than 1,000sqm should fully contribute to CO2 emission reductions in line with the regional and national requirements and make a financial contribution to an offset fund if this cannot be adequately achieved on site.

Discussion

184 The proposed development falls below the threshold for a major development and as such, the requirements of LPP SI2 and CSP 8 are not applicable to this application. However, an Energy & Sustainability Statement (The PES, 9 February 2023) has been submitted with the application that details that regulated CO2 savings for the development as a whole would be 68.03%, exceeding the London Plan target of 35%. These CO2 savings will be undertaken through the adoption of very high standards of insulation, heat pump driven heating and water systems and roof mounted photovoltaic panels. Whilst these energy saving measures are welcomed, they are not a requirement for minor developments. Consequently, no planning weight can be attributed to the energy saving measures.

6.6.2 Urban Greening

Policy

185 LPP G5 states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of the site and building design and by incorporating measures such as high-quality landscape, including trees, green roofs and nature based sustainable drainage.

186 CSP 7 expects urban greening and living roofs as part of tackling and adapting to climate change. DMP 24 requires all new development to take full account of biodiversity and sets standards for living roofs.

Discussion

187 The site currently offers little by the way of urban greening. The proposed scheme seeks to improve the quantity and quality of greening on site through the introduction of green roofs, additional trees and soft landscaping.

188 The current proposal is considered minor rather than major development; however, an urban greening factor report has been submitted as part of the application, (Northhill Properties (South) Limited – 9th June 2023).

Urban greening factor

189 The Mayor recommends a target of 0.4 UGF for residential schemes. The proposed development seeks to improve the overall quality of the landscape through the planning of trees, shrubs, groundcovers, climbers, perennials and areas of lawn. The proposal will improve the urban greening and biodiversity of the site. The urban greening factor calculation for the site is 0.43 UGF which exceeds the recommended target.

190 The proposal includes green roofs and photovoltaic (PV) panels. Three PV panels per dwelling will be sited on green roofs as shown in drawing 1095 -DFA -02005.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Type of Living Roof/Wall	Size of Living Roof/Wall (m2)	Size of Living Roof (as % of total roof space)
Extensive green roofs	197	77.8
Total	197	77.8

6.6.3 Flood Risk

Policy

- 192 NPPF para.155 expects inappropriate development in areas at risk of flooding to be avoided by directing development away from areas highest as risk. Para 167 states development should only be allowed in areas at risk of flooding where mitigation measures can be included.
- 193 LPP SI 12 expects development proposals to ensure that flood risk is minimised and mitigated.
- 194 CSP 10 requires developments to result in a positive reduction in flooding to the Borough. Further guidance is given in the NPPG and the GLA Sustainable Design and Construction SPG.

Surface water flood risk

- 195 According to the Ground condition desk top study (Ground Condition Consultants May 2023) the surface water flood risk on site is negligible.

Ground water flood risk

- 196 According to the desk top study, the risk of groundwater flooding on site is low.

6.6.4 Sustainable Urban Drainage

Policy

- 197 London is at particular risk from surface water flooding, mainly due to the large extent of impermeable surfaces. LPP SI 13 require developments to incorporate sustainable drainage into development proposals.

Discussion

- 198 The site is within a Flood zone 1, which means the risk of flooding from the nearest river is low. The proposal includes permeable paving to the communal walkways and private patios. Details of the permeable paving will be conditioned.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

6.6.5 Sustainable Infrastructure conclusion

199 As the current application is for a minor development, there is no requirement for the submission of an urban greening factor and whilst the inclusion of green roofs and PV panels is welcomed, there is no requirement to provide them for a development of this size. The proposed development would incorporate air source heat pumps and urban greening of the site, which would be acceptable with regards to sustainable development; to which modest weight is given.

6.7 NATURAL ENVIRONMENT

General Policy

200 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle of planning.

201 The NPPF and NPPG promote the conservation and enhancement of the natural environment (Chapter 15) and set out several principles to support those objectives.

202 The NPPF at paragraph 180 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.

6.7.1 Ecology and biodiversity

Policy

203 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.

204 NPPF para 170 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. NPPF para 175 sets out principles which LPAs should apply when determining applications in respect of biodiversity.

205 CSP 12 seeks to preserve or enhance local biodiversity.

206 DMP 24 require all new development to take full account of biodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity.

Discussion

207 A preliminary ecological appraisal and preliminary roost assessment has been submitted as part of the application (arbtech 3 February 2023). Officers note that the appraisal takes into consideration the loss of six trees on site. The appraisal was undertaken before the scheme's revision, which now retains the two mature ash trees on the site.

208 The existing site consists of a garage block with associated concrete driveway. Gravel and bare ground is present scattered around the site. Ephemeral and ruderal plants are growing on the hardstanding.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

209 The roost assessment concluded that there are no bats within 2km of the site. The existing site offers low habitat value for foraging and commuting bats due to the low number of trees on site and the urban location. Other protected species such as amphibians, reptiles, badgers, hedgehogs and dormice were likewise not found on site, due to the lack of vegetation and suitable habitat on site. As a consequence, the development will have no detrimental impact on the site in terms of ecology and biodiversity.

6.7.2 Green spaces and trees

Policy

210 S.197 of the Town and Country Planning Act gives LPA's specific duties in respect of trees.

211 LPP G7 requires development proposals to ensure that existing trees of value are retained. The planting of additional trees should generally be included in new developments. DM Policy 25 seeks to ensure that applicants consider landscaping and trees as an integral part of the application and development process.

212 Para.131 of the NPPF (2021) states that trees make an important contribution to the character and quality of urban environments and can help mitigate and adapt to climate change. Planning policy and decisions should ensure that existing trees are retained wherever possible.

Discussion

213 An updated Tree Survey and Arboricultural Impact Assessment (Arborclimb Consultants - June 2023) was submitted as part of the application. In line with development constraints and proposed landscape improvements one category C tree and four category U trees will be removed from site. These include trees T6 to T10 as shown on the tree constraints plan. All five trees are located on the site's western boundary.

214 The trees within this backland site make a significant contribution to both biodiversity and the quality of the public realm. Views of the trees glimpsed through gaps between buildings and from the junction of Creeland Grove with Catford Hill, provide important visual interest and depth to an otherwise built-up urban area.

215 The Council's tree officer undertook two site visits to the site, on 7th May and 19th July 2023 and observed that the two protected Ash trees to the front of the site are in good health and free from disease. The revised scheme layout which now includes the retention of the two ash trees is welcomed. The proposed footpath that will be sited within the root protection area of the two ash trees (T4 and T5) will include Geo-cellular ground protection as part of the construction subbase which will protect the roots from compaction damage.

216 As part of the landscaping scheme, five trees will be planted along the western boundary of the site; four callery pear trees and one crab apple tree. A further 4 trees will be planted within the site; along with communal and private lawned areas, shrub and bulb planting.

217 The Council's Ecological Regeneration Manager offered no objection to the documents submitted. The tree officer has concerns regarding post development pressure on the retained trees, however the revised scheme is considered an improvement.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

6.7.3 Ground pollution

Policy

218 Failing to deal adequately with contamination could cause harm to human health, property and the wider environment (NPPG, 2014). The NPPF at para 170 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 soil pollution. Development should help to improve local environmental conditions.

219 The NPPF states decisions should contribute to and enhance the natural and local environment by remediating and mitigating contaminated land, where appropriate (para 170). Further, the NPPF at para 178 and NPPG states decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination.

220 DMP 28 reflect national policy and are relevant.

Discussion

221 The existing garages are used as storage spaces for individuals. There is a risk that contaminants may be present on site. A Phase 1 Desk Study (Ground Condition Consultants May 2023) has been submitted with the application and concludes that there is potential for contamination to be present on site. The risks identified include asbestos beneath the site and in the construction of the current garages. There is also potential for ground gas generation, if significant thickness of Made Ground are present.

222 The Environmental Protection Team offered no objection with regards to the desk study produced and recommended a land contamination assessment and associated remediation study to be secured by condition. Since the site is within an area of archaeological importance an Archaeological desk-based assessment has been undertaken (RPS - JAC28754 Version 1 February 2023). In summary, the site has been assessed for its below ground archaeological potential and concluded a low to moderate potential at the site for significant remains. However, it was considered that it would be reasonable for further evaluation and mitigation works to be secured by condition.

6.7.4 Natural Environment conclusion

223 The proposal would, subject to conditions, have an acceptable impact with regards to ecology and biodiversity. Additionally, subject to a condition, officers are satisfied that concerns surrounding the historic ground pollution at the site can be mitigated.

7 LOCAL FINANCE CONSIDERATIONS

224 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).

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 225 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 226 The CIL is therefore a material consideration.
- 227 £31,086.49 Lewisham CIL and £20,539.29 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.

8 EQUALITIES CONSIDERATIONS

- 228 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.
- 229 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.
- 230 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.
- 231 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>
- 232 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

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

233 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>

234 The new dwellings have been inclusively designed for the wider community, and therefore it has been concluded that there is no impact on equality.

9 HUMAN RIGHTS IMPLICATIONS

235 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

236 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.

237 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.

238 This application has the legitimate aim of providing a new building with [employment and residential uses]. 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.

10 CONCLUSION

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

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 240 Principally, the proposal seeks to make a contribution to housing supply of six family sized dwellings which is considered a benefit in planning terms and to which significant weight is attributed. The proposal would also make an improvement to the urban environment in design terms and to biodiversity on the site through the incorporation of soft landscaping.
- 241 Subject to the imposition of an obscure glazed planning condition the impacts to neighbouring buildings with regards to overlooking, privacy and outlook are not considered to be unacceptable. Other considerations surrounding transport, residential quality and sustainable development are all considered to be acceptable subject to conditions.
- 242 In light of the above, officers consider the proposal to be beneficial to the wider area and would meet the requirements of the Development Plan. Consequently, it is recommended that permission be granted subject to conditions.

11 RECOMMENDATION

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

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

11.1 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) DEVELOP IN ACCORDANCE WITH APPROVED PLANS

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

1095-DFA-01002; 1095-DFA-01003; 1095-DFA-01004; 1095-DFA-01005
(Received 29 March 2023)

1095-DFA-02001; 1095-DFA-02002; 1095-DFA-02003; 1095-DFA-02004; 1095-DFA-02005; 1095-DFA-02101; 1095-DFA-02102; 1095-DFA-02104; 1095-DFA-02105; 1095-DFA-02106; 1095-DFA-02107; 1095-DFA-02108; 1095-DFA-02109; 1095-DFA-02110; 1095-DFA-02111; L039 PL 02 Rev.A; L039 PL 01 Rev.A; L039 PL 03 Rev.A; L039 PL 04 Rev.A; L039 RP01 Rev.A; L039 RP02 Rev.A; L039 RP03 Rev.A; L039 RP04 Rev.A (Received 14 June 2023)

P73jrJune23_TCPex_FV1.dwg (Tree Constraints Plan for existing layout);
P73jrJune23_TCPpr_FV2.dwg (Tree Constraints Plan for proposed layout);
P73jrJune23_TPP_FV1.dwg (Tree Protection Plan) (Received 15 June 2023 as part of the Arboricultural Impact Assessment – Date June 2023)

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

3) CONSTRUCTION MANAGEMENT PLAN

No development shall commence on site until such time as a Demolition and Construction Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall cover:-

- (i) Dust mitigation measures.
- (ii) (ii) The location and operation of plant and wheel washing facilities.
- (iii) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process.
- (iv) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - Rationalise travel and traffic routes to and from the site.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - Measures to deal with safe pedestrian movement.
- (v) Security Management (to minimise risks to unauthorised personnel).
- (vi) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements. The development shall be constructed in accordance with the approved Plan.

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 SI1 Improving air quality and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).

4) **SOFT LANDSCAPING**

All planting, seeding and turfing shall be carried out in the first planting and seeding seasons following completion of the development, in accordance with the Planting Plan (drawing L039-PL-03 Rev.A) and the Planting Schedule (L039-RP02 Rev A). Any trees or plants which within a period of five years from the completion of the development, die or 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).

5) **HARD LANDSCAPING**

- a) No development above ground level shall take place until detailed design proposals of the scheme of hard landscaping have been submitted to the local planning authority for their approval.
- b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to the first occupation of the development and maintained for the lifetime 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.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

6) MATERIALS SCHEDULE

- a) No development of the relevant part of the development above ground shall take place on site until a detailed schedule and specification (digital submission)/samples (to be viewed on site) of all external materials and finishes to be used on the building have been submitted to an approved in writing by the local planning authority.
- b) The development shall be carried out in accordance with the approved details prior to the first occupation of the development and be maintained 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(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

7) OBSCURED GLAZING

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the first floor rear windows on the rear elevations of Units 3, 4 and 5 as shown in approved drawing 1095-DFA-02003 shall be fitted as obscure glazed to a minimum of Level 3 on the 'Pilkington Scale' prior to the first occupation of the residential units hereby approved and shall be retained in perpetuity.

Reason: To avoid the direct overlooking of the rear gardens of Exbury Road properties and consequent loss of privacy thereto and to comply with DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

8) ARCHAEOLOGICAL WORK

- a. No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include:
 - i) the statement of significance and research objectives;
 - ii) the programme and methodology of site investigation and recording;
 - iii) the programme for post-investigation assessment, subsequent analysis, publication & dissemination and deposition of resulting material; and

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- iv) details of the nomination of a competent person(s) or organisation to undertake the agreed works.
- b. Prior to first occupation of the development, evidence of the post-investigation assessment, analysis, publication & dissemination and deposition of resulting material, completed in accordance with the programme set out in the WSI shall be submitted to the local planning authority.

Reason: To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy HC1 Heritage conservation and growth of the London Plan (March 2021)

9) **REMOVE PERMITTED DEVELOPMENT RIGHTS**

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

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

10) **TREE PROTECTION**

The tree protection measures as set out in the approved Tree Protection Plan P73jrJune23_TPP_FV1.dwg shall be implemented before the start of any demolition works and should be kept in place throughout the construction process.

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).

11) **CYCLE STORES**

- a. Prior to first occupation of the development hereby approved, full details of the short stay cycle parking facilities for the residential units shall be submitted to and approved in writing by the local planning authority. The short stay cycle parking facilities shall be installed prior to occupation of the development and maintained thereafter.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- b. All cycle parking as set out in drawings 1095-DFA-02109 and 1095-DFA-02110 and L039-PL-02 Rev.A shall be provided and made available for use prior to the first occupation of the development and maintained thereafter.

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

12) **M4(2) RESIDENTIAL UNITS**

All dwellings hereby approved shall be constructed to be easily adapted in full accordance with Part M4(2) 'Accessible and adaptable dwellings' of Building Regulations 2015 (as amended) as shown on approved drawings, prior to their first occupation and maintained for the lifetime of the development.

Reason: To ensure the new residential units are inclusively designed and laid out and can easily be adapted to meet the future needs of the occupiers 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)

13) **AIR SOURCE HEAT PUMPS**

No development shall take place until a scheme including the details of the location, type and specification and enclosure of the proposed Air source heat pumps shall be submitted to and approved in writing by the local planning authority. The approved plant shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied and shall be retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in accordance with policy DMS1 and to accord with London Plan Policy SI 1 'Improving air quality' and Policy T7 'Deliveries, servicing and construction' of the London Plan (March 2021), and paragraph 181 of the NPPF.

14) **NOISE INSULATION MEASURES**

- a) No development shall commence until a detailed scheme of noise insulation measures for all divisions walls and/or floors separating proposed residential dwellings shall be submitted to and approved in writing by the Local Planning Authority.
- b) The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall demonstrate that the proposed sound insulation will achieve a level of protection which is at least +5dB above the Approved Document E standard dwelling houses and flats for airborne sound insulation and -5dB for impact sound insulation. c) The approved scheme shall be implemented prior to the first occupation of the residential units and be permanently retained thereafter.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Reason: To ensure that the design and noise resistance is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard in detailing and safeguard amenity of future occupiers in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011), DM Policy 26 Noise and Vibration and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

15) **REFUSE STORES**

- a) Prior to the first occupation of the development hereby approved details of the waste management strategy for the moving of bins to and from the collection point for the residential units hereby approved, have been submitted to and approved in writing by the local planning authority. The WMS shall be implemented in accordance with the approved details prior to occupation of the development and shall be maintained as such for the lifetime of the development.
- b) The facilities as approved in drawings 1095-DFA-02111 and 1095-DFA-02107 and L039-PL-02 Rev.A shall be provided in full prior to occupation of the development and shall be thereafter permanently maintained.

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

16) **LAND CONTAMINATION**

- (a) No development or phase of development (including demolition of existing buildings and structures, **except where enabling works for site investigation has been agreed by the local planning authority**) shall commence until :-
 - (i) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
 - (ii) The required remediation scheme implemented in full.
- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

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

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

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

11.2 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
- 2) Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- 3) The applicant is advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site
- 4) The written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited heritage practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

12 BACKGROUND PAPERS

244 Submission drawings, technical reports and documents

245 Statutory consultee responses

13 REPORT AUTHOR AND CONTACT

246 Amanda Ghani amanda.ghani@lewisham.gov.uk 0208 314 9417.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

This page is intentionally left blank

GARAGES TO THE REAR OF CREELAND GROVE, SE6 4LE

Application No. DC/23/130975

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

Demolition of the existing garages and the construction of 3 x part one/part two storey dwellings and 3 x two-storey plus roof space dwellings; together with associated landscaping, refuse and cycle storage.



Site Location Plan

Existing Site



Street Context



Proposed Elevations looking south and north within the site.



Proposed Ground Floor Plan

Page 165



Proposed First Floor Plans

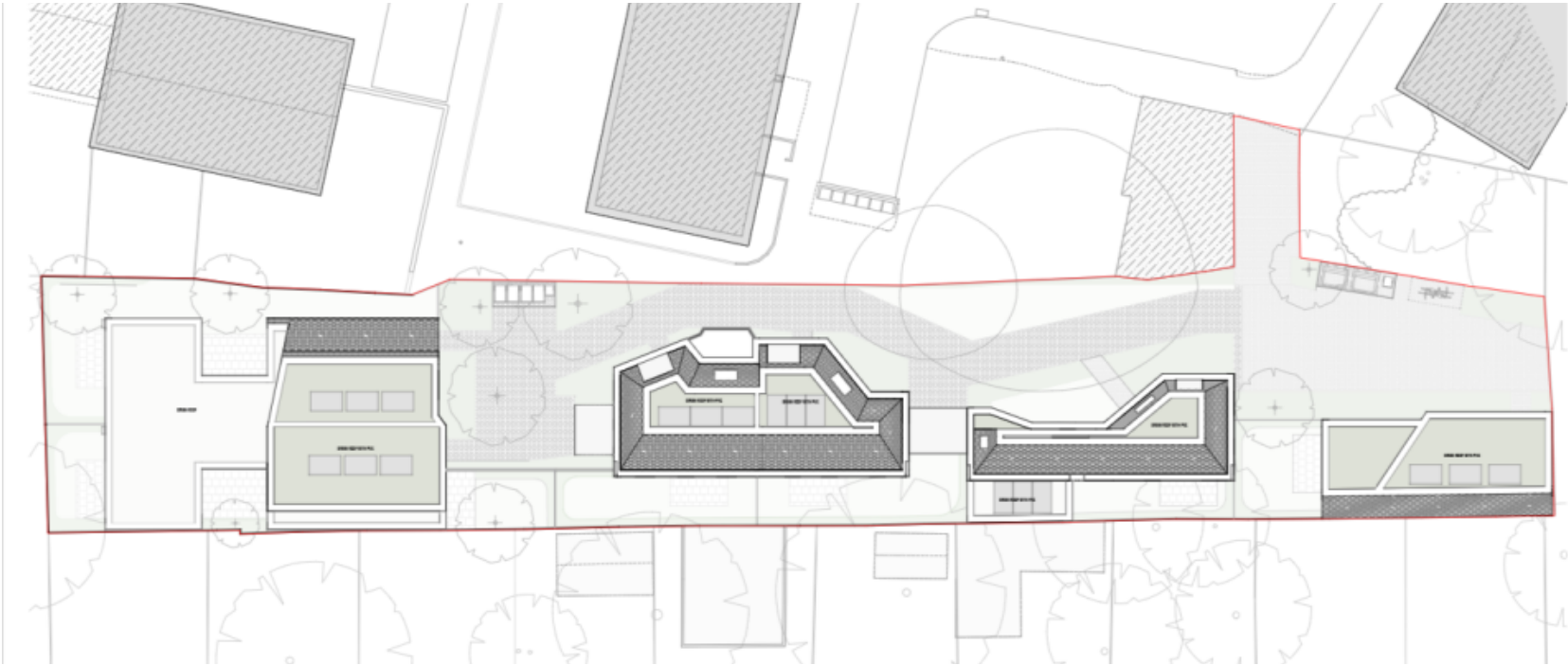


Proposed Second Floor Plans



Proposed Roof Plan

Page 167



Key planning considerations

- Principle of Development;
- Housing and Standard of Accommodation
- Urban Design
- Impact on Adjoining Properties
- Transport
- Sustainable Development
- Natural Environment

Distances

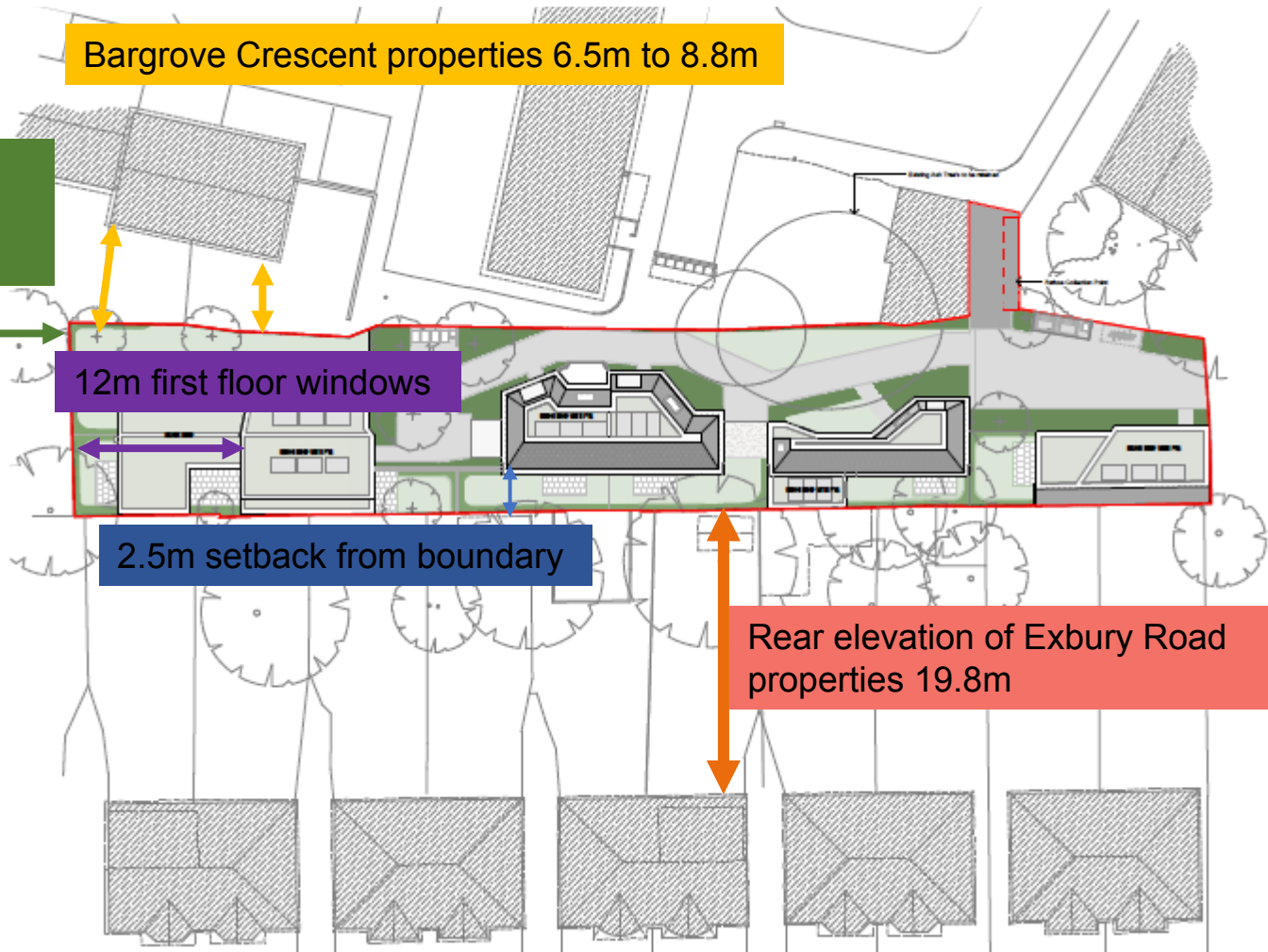
Bargrove Crescent properties 6.5m to 8.8m

13.5m to rear elevation of Lane Cottage

12m first floor windows

2.5m setback from boundary

Rear elevation of Exbury Road properties 19.8m



This page is intentionally left blank



Garages to the rear of Creland Grove, SE6 4LE. DC/23/130975 - Local Meeting

Thursday 14th September 2023 @ Microsoft Teams Meeting.

The Local Meeting was held virtually on Microsoft Teams. Fifteen residents logged on to the call. Ward Councillor for Rushey Green - Louise Krupski, Chaired the meeting. Planning officer Amanda Ghani represented the Planning Service, and Max Plotnek (MJP Planning Limited), Tom Farmer (Dowen Farmer Architect), Tom Brain (Hillstone group) and Gian Verdy (Dowen Farmer Architect) represented the applicant.

Meeting opened 19:00

First Councillor Krupski introduced the meeting to discuss planning application. The purpose of this meeting was to allow residents to ask questions of, and put their views to, the developer and Council officers.

The applicant's architect gave a brief overview of the scheme.

Councillor Krupski then started to take questions. The discussion is summarised below:

A resident stated she was concerned over noise pollution and mentioned that once a year there is a party with noise going on until 5am at property in Creland Grove. She would like a play area where the garage site is rather than the proposed development. She stated that the proposal will create more light and noise pollution and more bins would lead to more foxes. It was also stated that currently there are too many trees on and around the site which prevents light into the rear gardens of Exbury Road properties.

The architect's response was that all buildings have a visual impact and the existing garages on site are not of a particularly high quality. He stated that the current proposal is high quality due to its scale, siting, views through the site to trees and its use of good quality materials. The daylight/sunlight assessment shows the proposal to be acceptable in terms of impact on the proposed development and surrounding properties.

A second resident from Exbury Road stated that knocking down the garden (boundary) wall and building a double height wall would negatively impact biodiversity.

The architect's response was that the boundary treatment would be single storey and that this will have no impact on biodiversity. He stated that trees on this boundary are not protected and can be lopped or felled.

A resident enquired as to whether occupiers of the development would be able to use their flat roofs as amenity space.

The architect responded that the windows would have restrictors. The planning officer stated that a condition could be attached to prevent flat roofs being used as amenity spaces.

Another resident stated that Units 1 and 2 would appear overbearing to properties to the west of the site.

The architect stated that there are no windows overlooking the rear of these properties. Units 1 and 2 are single storey with pitched set back first floors. He stated that these neighbours

would not be impacted through loss of daylight and the buildings would not appear overly large.

The issue of loss of daylight was raised by another Exbury Road resident in reference to his rear garden; he asked why do we need a party wall agreement?

The architect stated the boundary wall is owned by the developer and residents of Exbury Road. He went on to explain the Party Wall Act and the importance of a party wall agreement.

A resident asked if all the houses will remain in single family use or will they be used as small HMO's.

The planning Officer stated that the application site is subject to an Article 4 Direction which has removed permitted development rights for change of use from a single dwelling to a small HMO. This restriction of permitted development rights requires a planning application to be submitted if an owner wishes to change the use of a dwelling to an HMO.

Residents voiced concerns over on street parking impact and stated that it is likely the occupiers will have cars since the proposed dwellings are all family sized units.

The architect reiterated that the existing garages are not large enough to park modern cars and that the garages are being used as storage units so there is no loss of off-street parking space. He stated that the planning strategy from the London Plan is for less car use and that the proposed development is in line with London Plan policy.

A resident raised concerns that occupiers of the proposed dwellings would build loft extensions.

The architect stated that the proposed development includes bedrooms within the roof spaces.

Meeting Closed 20:00.



This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank