



## Planning Committee B

### Report title:

**Former Allotment Gardens at rear of 2-20 Arcus Road, BR1 4NW**

**Date:** 29 September 2022

**Key decision:** No.

**Class:** Part 1

**Ward(s) affected:** Downham

**Contributors:** Louisa Orchard and Georgia McBirney

### Outline and recommendations

This report sets out the officer's recommendations of approval for this application.

The case has been brought before committee as 16 objections have been received.

## Application details

**Application reference number(s):** DC/21/124509

**Application Date:** 07 December 2021

**Applicant:** Mikhail Riches on behalf of Phoenix Community Housing

**Proposal:** Demolition of garages and re-development of the land to provide residential units, together with associated access works, car parking, cycle parking, landscaping, refuse storage and the installation of a new substation to the rear of Arcus Road and 1-10 Chingley Close BR1

**Background Papers:** Submission drawings  
Submission technical reports  
Internal consultee comments  
Statutory consultee comments

**Designation:** PTAL 1b/ 2, Small Houses in Multiple Occupancy Article 4 Direction

**Screening:** N/A

## 1 SITE AND CONTEXT

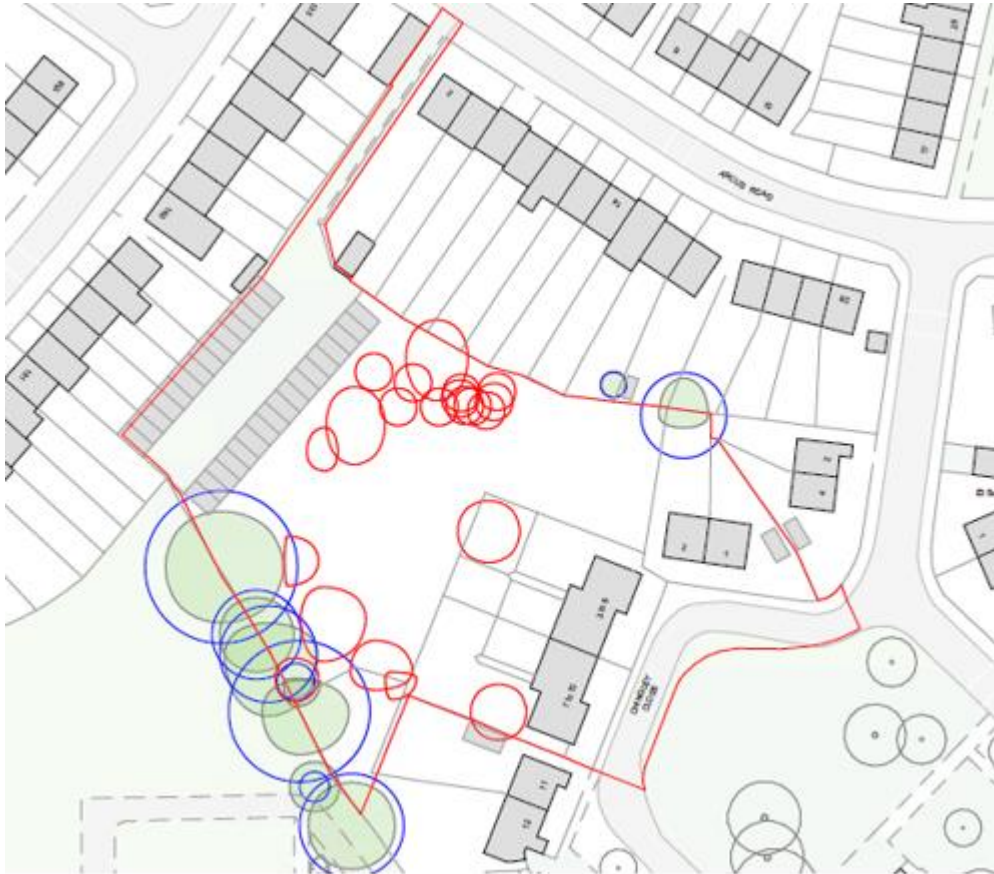
### *Site description and current use*

- 1 The application site is the land situated to rear of Arcus Road and has an area of 0.58ha. The site is bounded by Bromley Hill Cemetery to the south, Chingley Close to the east, Arcus Road to the north and Glenbow Road to the west.
- 2 The site hosts 31 disused garages and a two storey residential block of 8x one-bedroom flats with private gardens and 2x three-bedroom houses with gardens. The centre of the site is a land locked parcel of vacant and overgrown grassland; the Planning Statement sets out that this part of the site was used as an allotments in the 1980s. Figure 1, shows the Site Location Plan.

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**Figure 1 Site Location Plan**

***Character of area***

- 3 The surrounding area is predominately residential in nature, comprised of two storey dwellinghouses and three storey flatted developments.
- 4 Bromley Hill Cemetery is situated to the south of the application site.

***Heritage/archaeology***

- 5 The application site is not within a conservation area, nor does it host any listed buildings.
- 6 The application site is not within an area of archaeological priority.

***Local environment***

- 7 The site is within Flood Risk Zone 1 meaning there is minimal risk of river flooding.

***Transport***

- 8 The application site a PTAL rating of 2 on a scale of 0 to 6b, which indicates the site has poor access to public transport. The closest bus stops to the application site are on Bromley Road.

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## 2 RELEVANT PLANNING HISTORY

9 Prior to the submission of the application, the applicants undertook five pre-applications (two in 2020 and three in 2021).

## 3 CURRENT PLANNING APPLICATION

### 3.1 THE PROPOSALS

10 The present application is for the demolition of the garages and dwellings and the redevelopment of the land to provide residential units, together with associated access works, car parking, cycle parking, landscaping, refuse storage and the installation of a new sub-station to the rear of Arcus Road and 1-10 Chingley Close, BR1.

11 36 dwellings are proposed to be provided on the site across three proposed terraces. The layout of the terraces are shown in Figure 2.



Figure 2 Proposed Site Layout

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- 12 The proposed unit mix is 14x 1-bedroom units, 4x 2-bedroom units, 16x 3-bedroom units and 2x 4-bedroom units.
- 13 The proposal is 100% affordable with 25 units being London Affordable Rent and 11 being London Shared Ownership.

## 4 CONSULTATION

### 4.1 PRE-APPLICATION ENGAGEMENT

- 14 The submitted statement of public engagement sets out that 4 engagement activities took place between August 2019 and July 2021 (online and in person). Three newsletters were sent to local residents, with the final letter being sent in October 2021 to approximately 400 households.

### 4.2 APPLICATION PUBLICITY

- 15 Site notices were displayed on 17 December 2021 and a press notice was published on 15 December 2021.
- 16 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 7 December.
- 17 [17] number responses received, comprising [16] objections, [1] support and [0] comments.

#### 4.2.1 Comments in objection

Comment	Para where addressed
<i>Principle of Development</i>	
Dispute that the existing dwellings are uninhabitable	53-63
<i>Housing</i>	
More of the units should be London Affordable Rent	84-86
<i>Urban Design</i>	
The proposal represents over development	139-143
Heights should be reduced from to two storeys from three storeys	132-134
Timber fences are insufficient boundary treatments with neighbouring properties	Condition 24
<i>Transport</i>	
Insufficient parking is proposed	163 – 171

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Road safety concerns	163 - 171
Increased traffic and air pollution	271 - 272
Parking permits are not supported	163 - 171
<i>Living Conditions of Neighbours</i>	
Loss of daylight and sunlight and overshadowing	211 – 215
Overbearing impact	180 – 193
Overlooking and loss of privacy	197 – 208
Noise impacts from electrical sub-station	108, 217 - 219
Odour impacts from bin store	219
Increased noise and disturbance	108, 217 - 219
Increased noise and dust during construction	108 and condition 5
Increased anti-social behaviour	282, Impact on neighbours section
Increased risk of crime from alleyway and raised flower beds	282, Impact on neighbours section
<i>Natural Environment</i>	
Loss of trees	267 - 268

### 4.3 INTERNAL CONSULTATION

- 18 The following internal consultees were notified on 7 December 2021:
- 19 Environmental Sustainability: No objections.
- 20 Building Control: No response received.
- 21 Ecological Regeneration Manager: Following revisions, confirmed no objection subject to conditions and S106 obligation securing biodiversity net gain off-site
- 22 Environmental Protection: In respect of air quality and contaminated land no objection subject to conditions in respect of a Dust Management Plan; Air Pollution Mitigation Measures; Non Road Mobile Machinery; Site Contamination; and an Operational Unexploded Ordnance Emergency Response Plan.

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In respect of Noise, the Air Source Heat Pumps (ASHP) should be enclosed in acoustic enclosures. This will be secured by condition.

- 23 Highways: No objection see Section 6.4. Recommended that double yellow lines are implemented to resolve existing parking issues in the area.
- 24 Urban Design: No objection
- 25 Tree Officer: : Following revisions, confirmed no objection subject to conditions in relation to UGF, landscape management and hard and soft landscaping
- 26 Housing Strategy: Support the proposal and welcome the provision of additional affordable family sized homes.
- 27 SuDS: No objection subject to drainage condition

#### **4.4 EXTERNAL CONSULTATION**

- 28 The following External Consultees were notified on 7 December 2022:
- 29 Environment Agency: No objection subject to conditions in respect of remediation, a verification report, unidentified contamination and piling.
- 30 Thames Water: No objection subject to informatives
- 31 Secure by Design: No objection subject to secure by design condition. This will be added as an informative.
- 32 Sustrans: No response received.
- 33 London Fire Brigade: Responded stating no observations to make.

#### **4.5 LOCAL MEETING**

- 34 A Local Meeting was held on 14 June 2022.
- 35 The meeting was hosted online via Teams and chaired by Cllr Andre Bourne. Minutes of the meeting are included at Appendix 1

### **5 POLICY CONTEXT**

#### **5.1 LEGISLATION**

- 36 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).

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## 5.2 MATERIAL CONSIDERATIONS

37 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.

38 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.

39 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

40 The Development Plan comprises:

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

## 5.5 SUPPLEMENTARY PLANNING GUIDANCE

41 Lewisham SPG/SPD:

- Planning Obligations Supplementary Planning Document (February 2015)

42 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- Play and Informal Recreation (September 2012)
- Character and Context (June 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Social Infrastructure (May 2015)

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- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Energy Assessment Guidance (October 2018)

## 6 PLANNING CONSIDERATIONS

43 The main issues are:

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

### 6.1 PRINCIPLE OF DEVELOPMENT

#### *General policy*

44 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.

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

#### *Policy and Discussion*

46 The main matters that need to be considered in respect of principle of development are loss of the garages; demolition of existing housing and new residential development; and the former allotment land. These matters are discussed in turn.

#### Loss of Garages

47 The application proposes the loss of the existing garages on the site to make way for the proposed development.

48 The garages on the site are no longer used and are in poor condition, nor are they considered fit for a modern vehicle. The principle of the demolition of disused garages is accepted.

#### Former Allotment Land

49 Part of the site between the garages and to rear of the existing dwellings on site is former allotment land. The submitted Planning Statement sets out that the allotments were in use in the 1980s and have not been used for allotment purposes for at least 18 years based on Google Earth Pro imagery. The Planning Statement goes on to state that

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at a Council meeting on the 15 July 2015, the allotment site was formally disposed of through a land swap with Phoenix Community Housing as it was resolved that the site was surplus to requirements.

- 50 Core Strategy Policy 12 Open space and environmental assets sets out in part (1) that in recognising the strategic importance of the natural environment and to help mitigate against climate change the Council will: (a) conserve nature; (b) green the public realm; and (c) provide opportunities for sport, recreation, leisure and well-being. Part (2) (c) sets out that part (1) can be achieved by maintaining and improving publically accessible allotments (amongst others which are not relevant to this application). The supporting text of Core Strategy Policy 12 at paragraph 7.105 sets out that due to finite land and development pressures within the borough, the opportunities to create additional open space is limited and as such the policy emphasises protecting existing open space including allotments.
- 51 Annex 1 of the Development Management Local Plan (DMLP) (2014) is a list of open spaces and open space designations in Lewisham. Table 1 in Annex 1 sets out a list of open spaces designated by Core Strategy Policy. This list includes allotments within the borough, it is highlighted that the allotment on the application site is not included in this table; this reiterates the claim in the Planning Statement that the part of the site is former allotment and there was not allotment on the site in 2014 (when the DMLP was published).
- 52 Whilst officers acknowledge that Core Strategy Policy 12 states that publicly accessible allotments need to be maintained, given that the site does not appear of the list of the allotments in Annex 1 of the DMLP, combined with the assertions by the applicant that site has not been in use as allotment for at least 18 years and the land has been disposed of by the Council, the principle of redeveloping the former allotment land is considered acceptable.

#### Loss of Existing Housing and New Residential Development

- 53 The NPPF (2021) speaks of the need for delivering a wide choice of high quality homes. Which meet identified local needs (in accordance with the evidence base), widen opportunities for home ownership, and create sustainable, inclusive and mixed communities.
- 54 NPPF Chapter 11 outlines that planning decisions should make effective use of land by promoting and supporting underutilised land and buildings, particularly where they would contribute to housing needs and where sites could be used more effectively.
- 55 Table 4.1 of Policy H1 of the London Plan sets a year housing completion target of 16,670. Part 2 of Policy H1 states that councils should optimise potential for housing delivery on all suitable and available brownfield sites.
- 56 Policy H8 Loss of existing housing and estate redevelopment of the London Plan states in part (a) that loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace.
- 57 Core Strategy Policy 1 states in part (2) that there should no net loss of housing and housing densities should be in accordance with Core Strategy Policy 15. Core Strategy Policy 15 states that densities as applied in the London Plan should be applied, except where this is not appropriate to preserving or enhancing the characteristics of conservation areas.

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- 58 DM Policy 2 states in part (1) that the Council will only grant planning permission for the loss of housing by demolition, redevelopment or change of use if the proposed redevelopment would result in housing gain which regenerate and replace older housing estates.
- 59 The application proposes the demolition of ten existing dwellings; eight are one-bedroom units and two are three-bedroom units. The submission sets out that the existing units on site are vacant. Of the units that currently exist on site, two are family sized dwelling. The proposal would provide 36 dwellings, with 16 being family sized dwellings (3 + bedrooms); the uplift in the provision in family sized units offsets the loss of the existing family sized units on site. The proposal is considered to be in accordance with policy H8 of the London Plan and DM Policy 2 of the DMLP.
- 60 DM Policy 33 Infill, backland and back garden and amenity area development sets out the requirements for a variety of sites within residential areas that may come forward for development. The policy recognises that there will be instances where a particular site does not fall squarely within one of the definitions in the policy and in these cases the principles will be applied will be taken from the appropriate parts of the policy.
- 61 Due the nature of the proposal, the site has both infill and backland characteristics as such parts (a) Infill sites and (b) Backland sites are both relevant. Part (a) Infill Sites states that development within street frontages and on street corners will only be permitted where they:
- a. make a high quality contribution to the area
  - b. provide a site specific creative response to the character and issues of the street frontage typology identified in Table 2.1 Urban typologies in Lewisham
  - c. result in no significant over shadowing or overlooking, and no loss of security or amenity to adjacent houses and gardens
  - d. provide appropriate amenity space in line with DM Policy 32
  - e. retain appropriate garden space for adjacent dwellings
  - f. repair street frontage and provide additional natural surveillance
  - g. provide adequate privacy for new development
  - h. respect the character, proportions and spacing of existing housing
- 62 Part (b) of DM Policy 33 sets out that new development on sites of this type will only be permitted where they provided:
- a. a proper means of access and servicing which is convenient and safe both for drivers and pedestrians
  - b. no significant loss of privacy and amenity, and no loss of security for adjoining houses and rear gardens; and
  - c. appropriate amenity space in line with policy requirements in DM Policy 32 (Housing design, layout and space standards)

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63 The demolition of the garages, redevelopment of former allotment land and demolition of existing house and construction of 36 residential units is supported in principle subject to the application meeting the policy tests set out above and other relevant development plan policies as set out in the sections below. The development is acceptable in principle and will make a contribution to Lewisham's targeted housing supply.

### **6.1.1 Principle of development conclusions**

64 The demolition of the garages, redevelopment of former allotment land and demolition of existing house and construction of 36 residential units is supported in principle as it would make a contribution to Lewisham's targeted housing supply.

## **6.2 HOUSING**

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

### **6.2.1 Contribution to housing supply**

#### *Policy*

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

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

68 The NPPF states that housing applications should be considered in the context of the presumption favour of sustainable development. The NPPF sets out the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create, sustainable, inclusive and mixed communities.

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

70 The plan sets a 10 year housing completion target of 16,670 new homes between 2019 and 2029.

71 National and regional policy avoids specifying prescriptive dwelling size and mixes for market and intermediate homes.

72 NPPF paragraph 62 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups within the community.

73 NPPF paragraph 62 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups within the community.

#### *Discussion*

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- 74 The application site has an area of 0.58 ha and is in a PTAL of 2 in a suburban location. The proposal is for 36 units consisting of 14x 1B2P units, 2x 2B3P units, 2x 2B4P units, 10x 3B5P units, 6x 3B6P units and 2x 4B7P units.
- 75 Table 1 below sets out the measures of density criteria required by the supporting text to LPP D3 (para 3.3.22 of the LP) for all sites with new residential units.

**Table [1]: Measures of Density**

Criteria	Value	Criteria/area
<i>Site Area (ha)</i>	<i>0.58</i>	<i>n/a</i>
Units	36	62.06 U/ha
Habitable rooms	146	251.72 Hr/ha
Bedrooms	81	139.65 Br/ha
Bedspaces	138	237.93 Bs/ha

- 76 Table 2 below sets out the measures of height and scale of each building or major component in the development required by the supporting text to LPP D3 (para 3.3.23 of the LP) for all major proposals.

**Table [2]: Additional Major criteria**

Criteria	Value
<i>Site Area</i>	<i>0.58 ha</i>
Floor Area Ratio (GEA of all floors/site area)	0.86
Site Coverage Ratio (GEA of ground floors/site area)	0.28
Maximum height (m above ground level)*- Terrace 1	10.28m
Maximum height (m above ground level)*- Terrace 2	10.28m
Maximum height (m above ground level)*- Terrace 3	10.28m

*Summary*

- 77 Policy D6 of the London Plan states for London to accommodate the growth identified in the plan in an inclusive and responsible way, every new development needs to make the most efficient use of land. This means developing at densities above those of the surrounding areas on most sites
- 78 Whether the scale of development is appropriate for the site and surrounding area, the impact on neighbouring occupiers, and accessibility are all relevant factors when determining the optimum density, and these will be considered in the following sections of the report.

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79 Subject to an assessment of matters in this report, the principle of the proposed density is considered to be acceptable and would not result in an over intensification of the site and would provide 36 residential units. The proposed development is considered to result in a more efficient use of land and increase the housing supply in line with the London Plan.

## 6.2.2 Affordable housing

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

#### *Policy*

80 London Plan Policy H4 sets out the strategic target of 50% of all new homes delivered across London to be genuinely affordable. Major developments which trigger affordable housing requirement should provide affordable housing through the threshold approach. This approach is outlined in London Plan Policy H5. Part (D) of policy H5 states that developments proposing 75% or more of affordable housing may follow the fast track route where the tenure is acceptable to the borough. Part (E) of Policy H5 states that fast tracked applications are not required to provide a viability assessment at application.

#### *Discussion*

81 The application has been submitted on behalf of Phoenix Community Housing and the scheme is proposed to be 100% affordable.

### ***Affordable housing tenure split and dwelling size mix***

#### *Policy*

82 The NPPF expects LPAs to specify the type of affordable housing required.

83 Core Strategy Policy 1 sets out that affordable housing component should be provided as 70% social rented and 30% intermediate housing. DM Policy 7 sets out that the Council will require new residential development to provide onsite affordable housing in accordance with Core Strategy Policy 1. Part (2) of DM Policy 7 states that when considering affordable housing mix, the Council will maximise housing output on a case by case basis by making the best use of available resources and by taking account of other relevant factors.

#### *Discussion*

84 The current scheme proposed all 36 units to be affordable units. 25 units would be London Affordable Rent (LAR), which is genuinely affordable housing and comparable to social rent, and 11 units would be Shared Ownership. The proposed split is 69:31. If the scheme delivered the 50% affordable housing requirement in policy the 70:30 tenure split would equate to 13 socially rented units and 5 intermediate units. Therefore, even though the proposed tenure split would be 69:31, the proposed LAR numbers surpass the requirements stated above due the scheme being 100% affordable. Consequently the tenure split is deemed acceptable. It is highlighted that Strategic Housing raised no objection to the proposed tenure split.

85 The supporting text of Policy H6 Affordable housing tenure of the London Plan states that London Shared Ownership, should be affordable to households on incomes of up to £90,000. The submission sets out that the shared ownership units would be London

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Shared Ownership, so will follow the plan guidance in respect of income thresholds for the proposed shared ownership units.

**Table 3: Tenure Mix by Dwelling Size\***

	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed +</b>	<b>Total</b>
<b>LAR</b>	7 (4)	0 (0)	16 (0)	2 (0)	25 (0)
<b>Shared Ownership</b>	7 (0)	2 (0)	2 (0)	0 (0)	11 (0)
<b>Total</b>	14 (0)	2 (0)	18 (0)	2 (0)	36 (4)

\*Wheelchair accessible units shown in ( )

*Summary*

- 86 The scheme would provide 36 units of which 100% would be affordable, significant weight is given to this. The proposed tenure split is considered to be acceptable.

***Dwelling Size***

*Policy*

- 87 The NPPF expects planning policies to reflect the need and housing size, type and tenure (including affordable housing for different groups in the community. Core Strategy Policy 1 echoes the above with several other criteria, however, expects the provision of family house (3+ bedrooms) in major developments. Core Strategy Policy 1 also states that for affordable housing, the Council will seek a mix of 42% as family dwellings (3+ bedrooms).

*Discussion*

- 88 As can be seen from Table 4 18 units would be 3-bedroom units and two units would be 4-bedroom units, this equates to 55.5% of the affordable housing being family sized units, this exceeds the policy requirement in respect of family sized dwellings.

**Table 4: Dwelling Size Mix\***

	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed +</b>	<b>Total</b>
<b>No.</b>	14 (4)	2 (0)	18 (0)	2 (0)	36 (4)
<b>%</b>	39 (11)	5.5 (0)	50 (0)	5.5 (0)	
<b>Total</b>	14 (4)	2 (0)	18 (0)	2 (0)	36 (4)

\*Wheelchair accessible units shown in ( )

***Summary of Affordable housing***

- 89 The scheme would be 100% affordable, providing 36 residential units of which 18 would be 3+ bedroom units. The scheme providing 100% affordable units, and the large number of family sized units, both in excess of their respective policy requirements is given substantial weight as a material planning consideration.

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## 6.2.3 Residential Quality

### *General Policy*

- 90 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).
- 91 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity; and (vii) children's play space.

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

#### *Policy*

- 92 London Plan Policy D6 and DM Policy 32 seek to achieve housing developments with the highest quality internally and externally and in relation to their context and sets out the minimum space standards. These policies set out the requirements with regard to housing design, seeking to ensure the long term sustainability of new housing provision.

#### *Discussion*

- 93 The table below sets out proposed dwelling sizes.

**Table 5: Internal space standards – proposed v target**

Unit Number	Unit Type	GIAm <sup>2</sup>	B1m <sup>2</sup>	B2m <sup>2</sup>	B3m <sup>2</sup>	B4m <sup>2</sup>	Built in storage	Floor to ceiling height m	Private amenity m <sup>2</sup>
<b>Terrace 1</b>									
<b>T1. 0.01</b>	1B2P	59.5	14.2				1.5	2.5	41.92
	F- G	(50)	(11.5)				(1.5)		(5)
<b>T1. 0.02</b>	1B2P	64.8	14.6				1.5	2.5	7
	F- 1	(50)	(11.5)				(1.5)		(5)
<b>T1. 0.03</b>	1B2P	68.1	14.1				1.5	2.34-3.38	5.7
	F- 2	(50)	(11.5)				(1.5)		(5)
<b>T1. 0.04</b>	3B6P	112.2	13.6	11.9	11.8		2.7	G - 2.57	32.07
	C	(102)	(11.5)	(11.5)	(11.5)		(2.5)	1- 2.38	(9)

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<b>T1. 0.05</b>	3B6P C	112.2 (102)	13.6 (11.5)	11.9 (11.5)	11.8 (11.5)		2.7 (2.5)	G - 2.57 1- 2.38	32.55 (9)
<b>T1. 0.06</b>	3B5P A	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G - 2.57 1- 2.38	36.85 (8)
<b>T1. 0.07</b>	3B5P A	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G-2.57 1- 2.38	30.08 (8)
<b>T1. 0.08</b>	1B2P F - G	59.5 (50)	14.2 (11.5)				1.5 (1.5)	2.5	41.48 (5)
<b>T1. 0.09</b>	1B2P F -1	64.8 (50)	14.6 (11.5)				1.5 (1.5)	2.5	7 (5)
<b>T1. 0.10</b>	1B2P F -2	68.1 (50)	14.1 (11.5)				1.5 (1.5)	2.34- 3.38	5.7 (5)
<b>Terrace 2</b>									
<b>T2 0.01</b>	1B2P F-G	59.5 (50)	14.2 (11.5)				1.5 (1.5)	2,5	33.63 (1.5)
<b>T2 0.02</b>	1B2P F-1	64.8 (50)	14.2 (11.5)				1.5 (1.5)	2.5	7 (5)
<b>T2 0.03</b>	1B2P F -2	68.1 (50)	14.1 (11.5)				1.5 (1.5)	2.34- 3.38	5.7 (5)
<b>T2 0.04</b>	3B5P A	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G-2.57 1- 2.38	29.53 (8)
<b>T2 0.05</b>	3B5P A	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G-2.57 1- 2.38	30.17 (8)
<b>T2 0.06</b>	3B5P A	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G-2.57 1- 2.38	37.30 (8)
<b>T2 0.07</b>	3B6P C	112.2 (102)	13.6 (11.5)	11.9 (11.5)	11.8 (11.5)		2.7 (2.5)	G - 2.57 1- 2.38	37.39 (9)

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<b>T2 0.08</b>	3B6P C	112.2 (102)	13.6 (11.5)	11.9 (11.5)	11.8 (11.5)		2.7 (2.5)	G - 2.57 1- 2.38	43.58 (9)
<b>T2 0.09</b>	3B5P A	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G-2.57 1- 2.38	55.56 (8)
<b>T2 0.10</b>	3B5P A	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G-2.57 1- 2.38	59.22 (8)
<b>T2 0.11</b>	3B5P A	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G-2.57 1- 2.38	62.08 (8)
<b>T2 0.12</b>	1B2P F-G	59.5 (50)	14.2 (11.5)				1.5 (1.5)	2.5	35.95 (5)
<b>T2 0.13</b>	1B2P F-1	64.8 (50)	14.2 (11.5)				1.5 (1.5)	2.5	7 (5)
<b>T2 0.14</b>	1B2P F-2	68.1 (50)	14.1 (11.5)				1.5 (1.5)	2.34- 3.38	5.7 (5)
<b>Terrace 3</b>									
<b>T3 0.01</b>	2B4P G-2	80 (70)	12 (11.5)	13.1 (11.5)			2.4 (2)	2.28- 3.78	8.5 (7)
<b>T3 0.02</b>	2B3P G-1	74.4 (61)	12 (11.5)	7.9 (7.5)			2.1 (2)	2.5	8.5 (6)
<b>T3 0.03</b>	1B2P G-G	62.8 (50)	13.6 (11.5)				1.9 (1.5)	2.5	40.32 (5)
<b>T3 0.04</b>	3B5P B	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G - 2.57 1- 2.38	29.13 (8)
<b>T3 0.05</b>	4B7P E	129.6 (108)	13.1 (11.5)	12 (11.5)	9.4 (7.5)	12.1 (11.5)	3.9 (3)	G - 2.63 1- 2.44 2- 2.3	31.76 (10)

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<b>T3 0.06</b>	3B6P D	112.2 (102)	13.6 (11.5)	11.9 (11.5)	11.8 (11.5)		2.7 (2.5)	G - 2.57 1- 2.38	35.73 (9)
<b>T3 0.07</b>	3B6P D	112.2 (102)	13.6 (11.5)	11.9 (11.5)	11.8 (11.5)		2.7 (2.5)	G - 2.57 1- 2.38	43.99 (9)
<b>T3 0.08</b>	4B7P E	129.6 (108)	13.1 (11.5)	12 (11.5)	9.4 (7.5)	12.1 (11.5)	3.9 (3)	G - 2.63 1- 2.44 2- 2.3	41.39 (10)
<b>T3 0.09</b>	3B5P B	97.98 (93)	10.8 (11.5)	12 (11.5)	7.5 (7.5)		2.7 (2.5)	G - 2.57 1- 2.38	37.24 (8)
<b>T3 0.10</b>	1B2P G-G	62..8 (50)	13.6 (11.5)				1.9 (1.5)	2.5	44.83 (5)
<b>T3 0.11</b>	2B3P G-1	74.4 (61)	12 (11.5)	7.9 (7.5)			2.1 (2)	2.5	8.5 (6)
<b>T3 0.12</b>	2B4P G-2	80 (70)	12 (11.5)	13.5 (11.5)			2.4 (2)	2.28- 3.78	8.5 (7)

- 94 As can be seen from Table 5 all of the units would meet or exceed the minimum floor areas for all unit types. In terms of bedrooms sizes all units except Unit Type A would meet or exceed the required sizes. In respect of Unit Type A, as can be seen from Table 5, Bedroom 1 would have an area of 10.8, falling short of the minimum size of double bedroom by 0.7m<sup>2</sup>. On balance, officers consider that given that this units exceed the minimum GIA requirements by 4.93m<sup>3</sup> and that all of the other bedrooms comply with the required space standards, the overall standard of accommodation is acceptable.
- 95 As can be seen from Table 5, all of the units would also meet or exceed the minimum requirements in terms of built in storage.
- 96 In terms of floor to ceiling heights, Policy D6 of the London Plan and DM Policy 32 requires a floor to ceiling height of 2.5m or above for 75%. It is noted that the Nationally Described Space Standards (2015) requires a floor to ceiling height of 2.3m or above for 75%. As set out in Table 5, not all of the proposed units would comply with Policy D6 and DM policy 32 but all units would comply with the Nationally Described Space Standards. In this instance, officers consider that compliance with the Nationally Described Spaces Standards is acceptable as an increased floor to ceiling height would

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increase the overall height of the building, and given the context, the building being taller would not be appropriate.

### **Outlook & Privacy**

#### *Policy*

- 97 London Plan Policy D6 seeks high quality design of housing development and requires developments to achieve 'appropriate outlook, privacy and amenity'. Policy D6 also seeks to maximise the provision of dual aspect dwellings. This is echoed in DM policy 32.

#### *Discussion*

- 98 All of the proposed units would be at least dual aspect as such all of the units are considered to be provided with a good standard of outlook.
- 99 The proposed units are sufficiently set from neighbouring properties as to not result in direct overlooking.
- 100 Officers also need to consider inter-development overlooking. The terraces due to their siting and separation distances between elevation is not considered to result in unacceptable levels of overlooking.

### **Daylight and Sunlight**

#### *Policy*

- 101 DM Policy 32 (1) (b) expects new development to provide a 'satisfactory level' of natural lighting for future residents. The London Housing SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living spaces.

#### *Discussion*

- 102 The application has been accompanied by a Daylight and Sunlight Assessment (prepared by Waldrams, dated 19 April 2022).
- 103 The report sets out that of the 136 rooms that have been analysed, 117 (86%) meet the minimum ADF target value for their room use and 123 (90%) meet for daylight distribution. Of the 19 rooms that do not meet the target for ADF, seven of these are bedrooms, 11 are kitchen/ diners and one is living/kitchen/dining area. Of the 13 rooms which do not meet the target for daylight distribution, seven are kitchen/diners, two are living/kitchen/diners and four are bedrooms.
- 104 The report also sets out that in terms of sunlight, of the 36 living rooms analysed, 15 meet the APSH target both across the whole year and during the winter months. two meet for APSH across the whole year but not during the winter months and one meets during the winter months but not across the whole year. Of the 21 which do not meet, 18 do not have any south facing windows.
- 105 The submitted Daylight and Sunlight sets out the opinion of the author, that the significant majority of rooms meet their target daylight values with most of the remaining rooms coming close to targets and around half of the living rooms meet the target values for annual sunlight and private and communal gardens with the scheme provide alternative sources of sunlight amenity.

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106 On balance, whilst officers acknowledge that some rooms do not comply with the BRE guidance, however, given that all units are at least dual aspect and the conclusions of the report, and that BRE guidance is not planning policy, the proposed units within the development are considered to be provided with acceptable levels of daylight and sunlight.

### **Noise & Disturbance**

#### *Policy*

107 Paragraph 174 of the NPPF states decisions should amongst other things prevent new and existing developments from contributing to, being put at an unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Paragraphs 186 states decisions should mitigate to reduce a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts to quality of life.

#### *Discussion*

108 The site's noise environment is that of a low-density residential area. The application proposes ASHP and a substation on the site. The application has been accompanied by a Plant Noise & Vibration Assessment (prepared by ALN Acoustic Design, dated 15th July 2021). This assessment was reviewed by Environmental Protection officers who set out the details of acoustic enclosures should be secured by condition. Subject to details being secured by condition, the proposed development is not considered to be unduly affected by noise.

### **Accessibility and inclusivity**

#### *Policy*

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

#### *Discussion*

110 The application proposes four M4(3) 'wheelchair user dwellings' on the ground floors; which equates to 11%. It is noted that a two further ground floor units internally would be designed to be M4(3) dwellings, however, these units are considered to be M4(2) due to not being provided with a wheelchair accessible parking space they cannot be considered to be M4(3) dwellings. As 11% of dwellings would be wheelchair user dwellings, this would comply with this part of Policy D7.

111 Policy D7 requires the remaining 90% of units to be M4(2) 'accessible and adaptable'. 20 units would be M4(2) compliant and 12 units would be M(4) 1 compliant. This is not compliant with Policy D7. It is noted that the 12 units which are M4(1) compliant are located above ground floor level and are walk-up units as no lift is proposed.

112 Confirmation from an appointed Building Control Body that the units comply with M4(2) and M4(3) would be secured by condition.

113 12 units not complying with M4(2) or M4(3) is a weakness of the scheme. However, officers consider that the significant merits of the scheme being 100% affordable with

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55.5% of units being family sized units and the high quality of design proposed, outweigh this modest planning harm.

### **External space standards**

#### *Policy*

- 114 Policy 4.10.1 of the Mayors Housing SPG states that a 'minimum of 5sqm of private outdoor amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant'. This is also set out in London Plan Policy D6, which also emphasises the minimum dimensions and states that private open amenity space must achieve a minimum depth and width of 1.5m.

#### *Discussion*

- 115 Table 5 sets out the private amenity space for each dwelling against the required size. All of the dwellings would meet or exceed the minimum requirements. It is noted that all of the dwellinghouses would considerably exceed the minimum requirements.

### **Children's play space**

#### *Policy*

- 116 London Plan Policy S4 Play and informal recreation states housing proposals should make appropriate provision for play and informal recreation. The Mayor's Shaping Neighbourhood: Children and Young People's Play and Informal Recreation SPG recommends 10sqm of play space per child. The GLA divides the requirements of children's play space into three categories: (i) under 5s, described as door step play and generally considered as part of the plot; (ii) ages 5 -11; and (iii) children 12 plus.

#### *Discussion*

- 117 The child occupant and play space requirement for the proposed dwelling and tenure has been calculated using the Mayor's Play Space Calculator Tool. Based on this tool, the development would generate a child yield of 44.1 children; of which 15.8 would be under 5, 14.2 between the ages of 5 to 11 and 14.2 children over 12. This equates to 441.4sqm of play space in total; with 142m<sup>2</sup> being required for both over 12's and children under 11.
- 118 The applicant seek to address the requirement for 0-4 year olds through the use of private gardens.
- 119 The submitted Design and Access Statement sets out that dedicated play space for 5-11 years and over 12's would be provided on site, the dedicated play space has an area of 400m<sup>2</sup>. These areas would be car free and would be provided with play equipment. A condition will be added requiring details of and the implementation of the play equipment prior to occupation.
- 120 Due to the shortfall (41.4sqm at £300 per sqm) in on-site provision of play space, a financial contribution of £12,420 is required for children's play space. This will be secured by way of a S106 agreement.

### **Summary of Residential Quality**

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121 Overall, the scheme is considered to provide a good standard of residential accommodation.

#### **6.2.4 Housing conclusion**

122 The proposal would provide 36 residential units, all of which would be affordable units, with 55.5% being family sized units, which contribute to meeting the Boroughs identified housing needs. All of the units would be provided with a good standard of accommodation. Significant weight is given to these matters as material planning considerations.

### **6.3 URBAN DESIGN**

#### *General Policy*

123 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.

124 Policies D4 and D6 of the London Plan emphasise that the 'scrutiny of a proposed development should cover its layout, scale, height, density, land uses, materials, architectural treatment, detailing and landscaping'.

125 Core Strategy Policy 15 outlines how the Council will apply national and regional planning policy and guidance to ensure the highest quality design, and the protection and enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of the site, is sensitive to local context, and responds to local character.

126 DM Policy 30 requires planning applications to demonstrate site specific response, which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.

127 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 quality and relates successfully to the existing design quality of the streetscape.

#### **6.3.1 Appearance and character**

##### *Policy*

128 In terms of architectural style, the NPPF encourages development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 130).

129 London Plan Policy D3 states that development should enhance local context by delivering buildings and spaces that positively responds to local distinctiveness through their layout, orientation, scale, appearance and shape with due regard to existing and emerging street hierarchy, building types, forms and proportions. Proposals should be of high quality design, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety, building lifespan through appropriate construction methods and use of attractive, robust materials which weather and mature well.

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130 DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby height, scale and mass of the proposed development relates to the urban typology of the area.

131 DM Policy 33 relates to sites with infill and backland characteristics, and sets out a number of site specific requirements for development on these sites.

*Discussion*

132 The application site is within the Downham Estate. The application proposes a modern development which has taken cues from the architectural styles of the Downham Estate. The development would consist of three terraces situated to the west, north and south with a T-shaped access road. The use of terraces is considered to respond positively to the character and appearance of the Downham Estate.

133 The immediately surrounding properties are all two storey in height, with purpose built flatted blocks being situated further away to the east, south and west. Officers acknowledge that the development would introduce three storey elements in an area characterised by two storey buildings; however, the scale and articulation of the massing, combined with the high quality detail and materiality (as set out below) would ensure the development would sit comfortably within the existing built context.

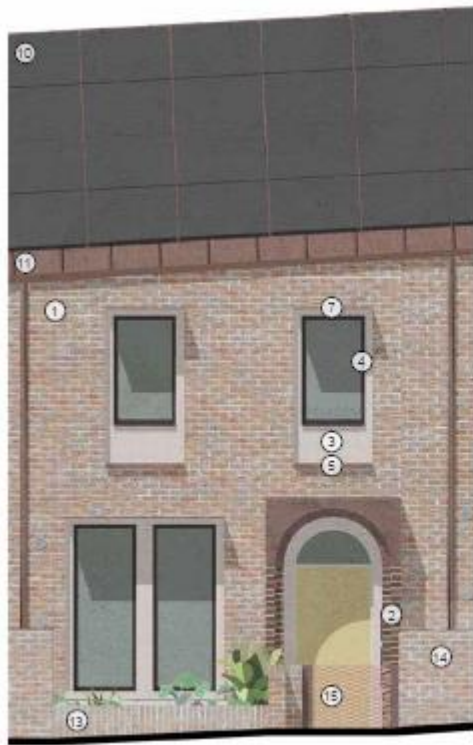
134 In terms of material palette and details design cues have been taken from the Downham Estate. The Downham Estate is predominately characterised by brown/red bricks. All three terraces are proposed to be constructed in brickwork with red tones and silver/blue hues, with darker brick plinths. The roofs of the dwellinghouses would have a zinc roof covering, with PVs covering the main extent of the south and east facing roofs. The window openings would aluminium framed developed in line with PassivHaus performance requirements. The material palette is shown in sections 4.12 and 4.13 of the Design and Access Statement. Figure 3 is an extract from the Design and Access Statement demonstrating the proposed materiality of the proposed dwellings.

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House Type A - Terrace 2 - South Elevation



House Type B - Terrace 3 - North Elevation

**Figure 3 Proposed Materiality**

- 135 The proposed materiality and detailing are considered to result in high quality buildings that respond to their context and respect the character and appearance of the area. The final details of the materials would be secured by condition as to ensure their quality.
- 136 Full details of the front boundary treatment of the proposed dwellinghouses, boundary treatment between the proposed units and boundary treatment with neighbouring sites would be secured by condition.

### 6.3.2 Layout and Landscaping

#### *Policy*

- 137 DM Policy 25 requires the submission of a landscape scheme, including 5 years of management and maintenance of high quality hard and soft landscaping.
- 138 DM Policy 32 requires the siting and layout of new residential development to respond positively to site specific constraints and opportunities as well as the existing context of the surrounding area. They must also meet the functional needs to future residents.

#### *Discussion*

- 139 A new access to the site is proposed on Chingley Close, this would provide vehicular and pedestrian access; the road would be T-shaped with the proposed terraces arranged around the access. Further to this, a pedestrian access is proposed from Arcus Road; this utilises the access to the existing garages on the site. The car parking proposed on site would on street on the T-shaped road. Three bin store are also

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proposed across the site. Figure 4, which is extracted from the Design and Access Statement shows the proposed site layout.



**Figure 4 Proposed Site Layout**

- 140 To the rear of Terrace 3 and between Terraces 1 and 2, informal play areas are proposed (Nos. 10 and 13 in Figure 4).
- 141 All of the dwellings would have individual entrances at street level, with the majority of entrances being in the front elevations, and some being the side elevations.
- 142 An indicative landscape strategy has been submitted; final details of hard landscaping and soft landscaping (including details of maintenance and management for 5 years) would be secured by condition. Such details shall include coordination with other relevant details such as Urban Greening Factor, Sustainable Urban Drainage and biodiversity/ecological matters.
- 143 Overall, the proposed layout is considered to make good use of the site and the proposed landscape scheme is considered to be acceptable subject to details being secured by condition.

### **6.3.3 Urban design conclusion**

- 144 In summary, the proposed development is considered to be a high quality proposal. It is of an appropriate height and scale and would use suitable materials. The design of proposal is acceptable and in line with the aforementioned policy.

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## 6.4 TRANSPORT IMPACT

### *General policy*

- 145 The NPPF at paragraph 110 states that planning decisions should ensure safe and suitable access to the site for all users, and that any significant impacts from the development on the transport network, or on highways safety, can be cost effectively mitigated to an acceptable degree.
- 146 Paragraph 111 of the NPPF 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'.

### 6.4.1 Access

#### *Policy*

- 147 Paragraph 110 of the NPPF states amongst other things that safe and suitable access to the site can be achieved for all users.
- 148 Core Strategy Policy 14 states that access and safety of pedestrians and cyclists will be promoted and prioritised.

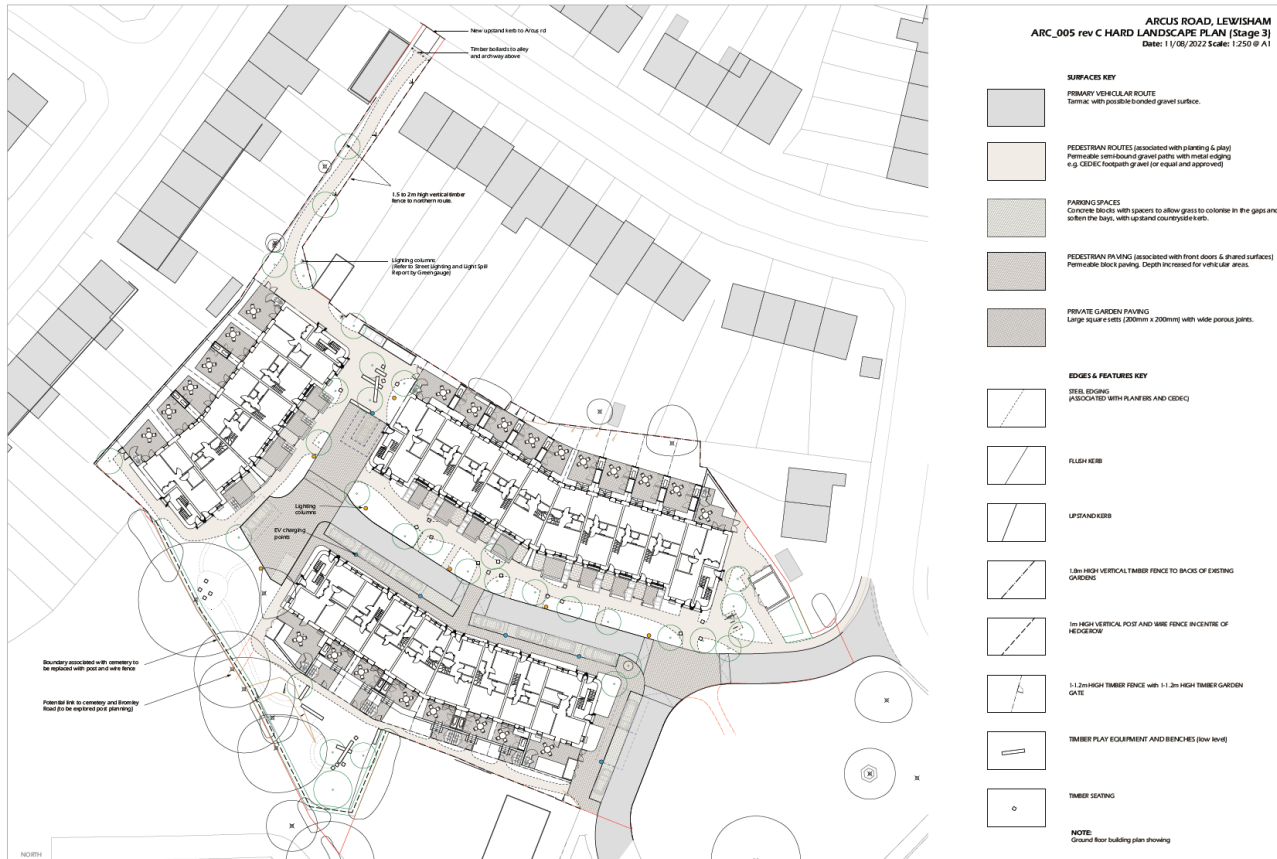
#### *Discussion*

- 149 A new vehicle and pedestrian access are proposed onto the site from Chingley Close.
- 150 The proposed vehicular access proposes a typical T-shaped cul-de-sac accessed off Chingley Close. Highways Officers highlight that whilst the development and access provide adequate room to accommodate the manoeuvres of a large service vehicle, the applicant will need to demonstrate within the Parking Management Plan appropriate measures to prohibit vehicles parking in this area as to present lengthy reversing movements by large service vehicles.
- 151 The existing vehicular access would be stopped up, lit and reconfigured for pedestrian use. Vehicular access to the site would be derived from Chingley Close and originally included footpaths with widths of 1.2m and 1.5m to the north and south. Highways Officers raised objection to the width of the footpaths as they need to be a minimum of 1.8m wide. Subsequently, the applicants revised the proposal to increase the width of the pedestrian routes to 1.8m as per the Highway Officer's request. Figure 5 shows the proposed site layout include the pedestrian routes and pedestrian paving. Full details of the footpaths including their widths would be required to be submitted as part of the hard landscaping condition.

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**Figure 5 Proposed Site Layout showing pedestrian routes**

152 A Section 278 agreement is required in respect of the highways works for the implementation of the proposed access, with the appropriate detailed drawings and licenses needing to be sought from the highways team.

## 6.4.2 Local Transport Network

### *Policy*

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

### *Discussion*

154 The application site has a PTAL of 2. The closest bus stops to the application site are on Bromley Road.

155 The provision of 36 additional units is not considered to have a significant impact of the local transport network in terms of capacity of the road network or on public transport; this was confirmed by Highways Officers.

156 A Construction Management Plan would be secured by condition as to ensure the short-term impacts of construction vehicles on the local highways network are acceptable.

## 6.4.3 Servicing and refuse

### *Policy*

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157 DMP 31 requires new development to have appropriate regard for servicing of residential units including refuse.

*Discussion*

158 In terms of refuse, the proposed arrangement on site is a combination of individual and communal waste and recycling storage. Four communal bin stores are proposed, A, B, C and D as shown in Figure 5. The Refuse stores at Point A and B would serve nine properties each, Point C would serve 7 properties and Point D would serve 3 properties. The dwellinghouses in Terrace 2 would have individual refuse stores.

159 The submitted Transport Statement includes a section in Delivery and Servicing including Refuse in draft. This has been reviewed by Highways Officers and raise no objection subject to a full Delivery and Servicing Plan being secured by way of a pre-commencement condition.

#### **6.4.4 Transport modes**

##### ***Walking and cycling***

*Policy*

160 LPP T5 states that development plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

161 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised

*Discussion*

162 In respect of cycle parking, the proposed number of long stay places and short stay spaces required is 65 and 2 respectively. The submitted Transport Statement sets out that 72 long stay and 6 short stay spaces are proposed, the quantum of the proposed cycle parking is supported. Whilst officers support the quantum of the proposed cycle parking, the design of the cycle parking is not supported as it does not comply with the London Cycling Design Standards as such full details of revised cycle parking would be secured by condition.

##### ***Car parking***

*Policy*

163 LP Policy T6 states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. Car-free development should be the starting point for all development proposals in places that are (or planned to be) well connected by public transport, with developments elsewhere designed to provide the minimum necessary parking (car-lite).

164 Table 10.3 of the London Plan states in areas of Inner London with a PTAL of 2, the maximum provision of car parking is 0.5 spaces per dwelling.

165 CSP 14 states that the Council will take a restrained approach to parking provision.

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166 DMP 29 requires wheelchair parking to be provided in accordance with best practice standards.

*Discussion*

167 The application proposes 14 car parking spaces, of which four would be designated for blue badge holders, and one would be a dedicated bay for a rental car club. 11 of the proposed car parking spaces would be provided with electric charging facilities (six charging points).

168 Local residents have raised objection to the proposed development on the basis of insufficient on-site parking and consequential impacts on on-street parking in the area. As the application site is not within a Controlled Parking Zone, the applicants have submitted parking stress surveys. The results of the parking stress surveys are that there is capacity within area to accommodate any overspill parking generated by the development. The survey results show that parking on the surrounding streets is at 67% of capacity which is below 85% which is accepted as practical capacity. The results of the parking stress survey confirm that any overspill car parking generated by the development can be accommodated without causing harmful parking stress in the vicinity of the site. Highways have raised no objection in respect of the proposed quantum of parking.

169 Highways Officers have requested a contribution to provide appropriate measures (i.e. double yellow lines) to deter drivers from parking indiscriminately in the surrounding area, especially at junctions. It is noted by that this is an existing issue in the area and not an issue which would be as of a direct result of the proposed development. Officers note that the submitted Transport Statement states that there is capacity on street to accommodate any additional car parking. However it is considered that a S278 agreement for improved road and pedestrian conditions on the corners Glenbow/Arcus Road and Arcus Road and Swiftsden Way be secured

170 The proposed 11 spaces provided with electric charging facilities would be secured by condition. The proposed car club rental space would also be secured by way of a S106 agreement.

171 The submitted Transport Statement sets out that the car parking spaces on site will be managed by Phoenix Community Housing. A Parking Management Plan which sets out how the off-street spaces would be allocated, managed and enforced would be secured by condition. As set out above in section 6.4.1, the Parking Management Plan will also need to include details of how it will be enforced that vehicles will not be parked in the area required for refuse vehicles to manoeuvre.

#### **6.4.5 Transport impact conclusion**

172 The proposal would have an acceptable impact on transport in term of parking, encouraging sustainable modes of transport and accommodating the site's servicing needs subject to planning conditions, S106 obligations and a S278 agreement.

### **6.5 LIVING CONDITIONS OF NEIGHBOURS**

*General Policy*

173 NPPF paragraph 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

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and future users. This is reflected in relevant policies of the London Plan (LPP D3, D6 and D14) and in the Development Management Local Plan (DMP 30, 32 and 33).

174 DMP 31 (1) (b) expects new development to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.

175 The main impacts on amenity arise from: (i) overbearing sense of enclosure/ loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas; and (iv) noise and disturbance.

### **6.5.1 Enclosure and Outlook**

#### *Policy*

176 DMP 32 expects new residential development to result in no harmful increased sense of enclosure and no significant loss of outlook to neighbouring dwellings.

177 Whilst not directly applicable as the site has an area of 0.58 ha, the Small Site SPD in subsection 12.3 provides guidance in respect of separation distances.

#### *Discussion*

178 Neighbours have raised concerns with the impact the scheme would have on their sense of enclosure and outlook. These concerns are addressed below.

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**Figure 6 Roof Plan showing relationship with neighbouring properties**

### ***Arcus Road***

- 180 The main properties on Arcus Road on which the impacts need to be considered on are Nos. 2 to 28 Arcus Road, the garden boundary of these properties adjoin the site. The properties on Arcus Road benefit from long rear gardens.
- 181 The side elevation of Terrace 1 is situated over 30m from the rear elevations of the nearest properties on Arcus Road. Considering the separation distance between the properties on Arcus Road, and the size of their rear gardens, Terrace 1 would not have an unacceptable impact on Arcus Road properties in terms of an increased sense of enclosure or an unacceptable loss of outlook.
- 182 The rear elevation of Terrace 2 would be situated a minimum of 4.8m from boundaries with properties on Arcus Road; it is noted that the separation distance from the boundary at its largest is 12m. Terrace 2 would be situated approximately 30m from the rear elevations of the properties on Arcus Road. Due to the separation distance between rear

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elevations, Terrace 2 would not have an unacceptable impact on Arcus Road properties in terms of an increased sense of enclosure or an unacceptable loss of outlook.

183 Due to the siting of Terrace 3 it would not have an impact on the properties on Arcus Road.

### ***Chingley Close***

184 The main properties on Chingley Close on which the impacts need to be considered are on Nos.11 and 12. These properties are single dwellinghouses situated to the south of the application site. Google Earth shows that there are no windows in the side elevation of No.11 facing towards the application site.

185 Terrace 3 would extend beyond the side elevation of No. 11 and extend beyond the depth of the rear garden of No. 11. Terrace 3 would be set a minimum of 6.9m from the side garden boundary of No. 11. The three storey elements of Terrace 3 would either extend marginally beyond the rear elevation of No. 11 or set back over 35m from the rear elevation of No.11. Whilst officers note that Terrace 3 would only be set 6.9m from the side boundary, considering the siting of Terrace 3 and arrangement of the heights in Terrace 3, it is not considered to result in an unacceptable impact on No.11 in terms of an increased sense of enclosure or loss of outlook. No. 12 is situated further from Terrace 3 than No. 11 and as such there is not considered to be an unacceptable impact in terms of an increased sense of enclosure or loss of outlook.

186 Due to the siting of Terraces 1 and 2, they would not have impact on the properties on Chingley Close.

### ***Glenbow Road***

187 The properties on Glenbow Road on which the impacts need to be considered are Nos. 149 to 161, the garden boundaries of these properties adjoin the site. It is noted that some of the properties benefit from single storey rear extensions.

188 Terrace 1 would be situated a minimum of 6.1m from the rear garden boundaries of the properties on Glenbow Road, it is noted that the separation distance at its widest is 8.25m. Terrace 1 would be situated a minimum of 15.5m from the rear elevations of the properties on Glenbow Road. Taking into account the separation distance between rear elevations and the arrangement of the height in Terrace 1, Terrace 1 is not considered to have an unacceptable impact on Glenbow Road in terms of an increased sense of enclosure or loss of outlook.

189 Due to the siting of Terraces 2 and 3, they would not have an impact on the properties on Glenbow Road.

### ***Swiftsden Way***

190 The main properties on Swiftsden Way on which the impacts need to be considered are Nos. 2 and 4. These properties are single family dwellinghouses.

191 Terrace 2 would be situated 7.4m from the rear elevation of No. 4. Whilst officers note the separation, however, considering the siting of Terrace 2 in relation to No.4, Terrace 2 is not considered to have an unacceptable impact in terms of an increased sense of enclosure or outlook. No.2 is situated further from Terrace 2 than No. 4 and as such

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there is not considered to be an unacceptable impact in terms of an increased sense of enclosure or loss of outlook.

192 Due to the siting of Terraces 1 and 3, they would not have an impact on the properties on Glenbow Road.

193 The substation would be situated adjacent to the shared boundary with No. 4. The height of the substation enclosure would be 2.75m as such it would not have an unacceptable impact in terms of an increased sense of enclosure or loss of outlook.

## 6.5.2 Privacy

### *Policy*

194 Privacy are distances between directly facing windows and the habitable windows and from shared boundaries where overlooking of an amenity space might arise.

195 DM Policy 32 states that adequate privacy is an essential element in ensuring a high level of residential amenity. Unless it can be demonstrated that privacy can be maintained through design, there should be a minimum of separation distance of 21m between directly facing habitable windows on main rear elevations. This separation distance will be maintained as a general rule but will be applied flexibly dependent on the context of the development

196 The Small Sites SPD sets out in section 12.4 that in general times the privacy of the first 10m of a rear garden (defined as the area of the rear garden extending 10 beyond the furthest part of the rear dwelling, for main width of the dwelling) should be protected from direct overlooking from habitable windows of new dwellings. To protect these areas, conventional windows (vertically aligned with clear glass) should be located more than 6m from the rear edge of the 10m privacy area. It is noted that the site is not considered a small site as it has a site area of 0.58ha whereas small sites are 0.25ha or below, however the guidance is still useful in this instance.

### *Discussion*

#### ***Arcus Road***

197 All of the windows at ground floor level in the development would face into the site and onto the boundary treatment between the application site and neighbouring properties, therefore would not have an impact in terms overlooking and loss of privacy.

198 In the side elevation of Terrace 1, five window openings are proposed across first and second floor levels. These window openings would be situated be situated over 20m from the 10m privacy zone and as such would not result in an unacceptable impact in terms of overlooking and loss of privacy.

199 The rear elevation of Terrace 2 faces towards the properties on Arcus Road. All of the windows on the rear elevation serve habitable rooms. The window openings would be situated at least 19m from the 10m privacy zones for each dwelling and as such would not result in an unacceptable impact in terms of overlooking or loss of privacy.

#### ***Chingley Close***

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- 200 All of the windows at ground floor level in the development would face into the site and onto the boundary treatment between the application site and neighbouring properties, therefore would not have an impact in terms overlooking and loss of privacy.
- 201 The rear elevation of Terrace 3 would face towards the side elevation of No. 11 and the garden of No.11. All of the windows on the rear elevation would serve habitable rooms.
- 202 There are no windows in the side elevation of No.11 as such the windows in Terrace 3 would not result in an impact on the dwelling at No.11 in terms of overlooking and loss of privacy. Terrace 3 would be setback a minimum of 6.9m from side garden boundary of No. 11, given that Terrace 3 would be situated a minimum of 6.9m from the 10m privacy zone, the windows in Terrace 3 would not have an unacceptable impact in terms of overlooking and loss of privacy. No. 12 is situated further from Terrace 3 than No. 11 and as such there is not considered to be an unacceptable impact in terms of overlooking and loss of privacy.
- 203 The balconies serving Units T3 0.01 T3 0.02 face onto the side elevation of No.11. This elevation has no window openings as such the balconies would not result in overlooking and loss of privacy to No. 11 The balconies serving Units T3 0.11 and T3 0.12 would be situated approximately 30m from the 10m privacy zone and as such there would not be an unacceptable impact in terms of overlooking and loss of privacy. No.12 would be situated further from balconies on Terrace 3 than No.11 and as such there would not be an unacceptable impact in terms of overlooking and loss of privacy.

#### ***Glenbow Road***

- 204 All of the windows at ground floor level in the development would face into the site and onto the boundary treatment between the application site and neighbouring properties, therefore would not have an impact in terms overlooking and loss of privacy.
- 205 The rear elevation of Terrace 1 faces towards the properties on Glenbow Road. All of windows would serve habitable rooms. The gardens of the properties on Glenbow Road are approximately 10m in depth, as the Terrace 1 would be set back a minimum of 6.1m from the garden boundary, they would comply with the set back from the 10m privacy zone and as such it is not considered that there would be unacceptable impact in terms of overlooking and loss of privacy.

#### ***Swiftsden Way***

- 206 All of the windows at ground floor level in the development would face into the site and onto the boundary treatment between the application site and neighbouring properties, therefore would not have an impact in terms overlooking and loss of privacy.
- 207 The side elevation of Terrace 2 would incorporate four window openings at first and second floor level. Two of these windows would be secondary windows for the rooms they serve. It is proposed for the windows closest to No. 4 would be obscure glazed. The other two windows would not be obscure glazed, and these would be situated at an oblique angle to the side elevation of No. 4. Given that two of the windows would be obscure glazed and the siting of the side elevation and No.4, the proposed windows in the side elevation of No. 4 are not considered to result in an unacceptable impact in terms of overlooking and loss of privacy.
- 208 The windows in the rear elevation of Terrace would face towards the rear gardens of Nos. 2 and 4 Swiftsden Way. Terrace 2 would be setback a minimum of 6m from side

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garden boundary of No. 11, given that Terrace 2 would be situated 6m from the 10m privacy zone, the windows in Terrace 32 would not have an unacceptable impact in terms of overlooking and loss of privacy to No. 2 and 4.

### **6.5.3 Daylight and Sunlight and Overshadowing**

#### *Policy*

- 209 London Plan Policy 6 states that the design of new development should provide sufficient daylight and sunlight to surrounding housing appropriate to its context. DMP 32 is in line with this.
- 210 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.

#### *Discussion*

- 211 The application has been accompanied by a Daylight and Sunlight Report (prepared by Waldrams, dated 19 April 2021).
- 212 In the first instance, BRE guidance states that if any part of the new development, the angle from the centre of the lowest affected window to the head of the new development is more than 25-degree, then a more detailed check is need to find the loss of the skylight to existing buildings.
- 213 The submitted report sets out that only two properties do not comply with the 25 degree test and require further testing; these are 4 Swiftsden Way and 149 Glenbow Road. The report goes onto set out that the tested windows in this properties comply with the BRE guidance in terms of daylight and sunlight, and concludes that the proposed development would not have a noticeable impact on the daylight and sunlight to surrounding properties.
- 214 The impact on the amenity space of neighbouring amenity spaces also needs to be considered. The BRE guidance suggest that sun hours on ground assessment should be undertaken on the equinox (21st March or 21st September). It is recommended that at least half of a garden or an 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).
- 215 The report concludes that all of the tested gardens would retain in excess of 80% of the existing levels of sunlight and therefore comply with the BRE guidance. The proposed development is considered to be acceptable in terms of overshadowing impacts.

### **6.5.4 Noise and disturbance**

#### *Policy*

- 216 DMP 32 requires new development to be neighbourly, and development in residential areas should not result in harm to existing residents through unsociable noise and disturbance.

#### *Discussion*

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- 217 The site currently hosts 10 dwellings and 31 disused garages; whilst officers acknowledge that 36 dwellings are likely to generate more noise and comings and goings compared to the 10 dwellings and disused garages. However, as this proposal is a well-designed residential proposal of a suitable density, the levels of domestic noise generated are unlikely to be harmful to neighbouring amenity.
- 218 A substation and ASHPs are proposed on site. Neighbours have raised concerns about the impact of noise from these. The rating of fixed noise and details of acoustic enclosures would be secured by condition.
- 219 Neighbours have also raised concern about odours from the proposed bin stores. Details of the refuse stores would be secured by condition as to ensure the enclosures are secure and well designed to prevent odour impacts between collections.

### **6.5.5 Impact on neighbours conclusion**

- 220 The impact on neighbouring residential amenity has been assessed against the relevant policies and guidance, and no significant harm has been identified to neighbouring occupiers' residential amenity.

## **6.6 SUSTAINABLE DEVELOPMENT**

### *General Policy*

- 221 Para 153 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.
- 222 CS Objective 5 reflects the principles of the NPPF and sets out Lewisham's approach to climate change and adapting to its effects. CSP 7, CSP 8 and DM Policy 22 support this. Small Sites SPD section 11 and 21 provides guidance on sustainability.

### **6.6.1 Energy and carbon emissions reduction**

#### *Policy*

- 223 London Plan Policy SI 2 states that major developments should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following hierarchy: (1) be lean; use less energy and manage demand during operation; (2) be clean; exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly; (3) be green; maximise opportunities for renewable energy by producing, storing and using renewable energy.
- 224 CSP 8 seeks to minimise carbon dioxide (CO<sub>2</sub>) emissions of all new development and encourages sustainable design and construction to meet the highest feasible environmental standards.
- 225 DMP22 requires all development to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy.

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### *Discussion*

- 226 The application has been accompanied by an Energy and Sustainability Statement Rev A (prepared by Etude, dated April 2021). As set out in Section 4.3 of this report, the Council's Sustainability Manager raises no objection to the proposals. The measures proposed within the Energy and Sustainability Statement are set out below. Overall, the measures within the Statement would result in a 97% improvement Part L1A 2013, which is in excess of the 35% requirement.

#### ***Be Lean***

- 227 The statement sets out that the proposed fabric specification ensures that the development would exceed the minimum requirements of Part L through energy efficiency and passive design measures.

#### ***Be Clean***

- 228 The statement sets out that the mid terraces houses would be served by ASHPs, with the flatted units will be served by direct electric heating and hot water to the units.

#### ***Be Green***

- 229 Solar panels are proposed on the roofs with south east and south west orientations, 418 panels are proposed in total. The report sets out that the solar panels are estimated to generate 40kWh/m<sup>2</sup>/yr, and therefore would be likely to achieve net zero carbon. The details of the solar panels would be secured by condition.

#### ***Be Seen***

- 230 The applicant's submitted Energy and Sustainability Statement does not include any 'Be Seen' measures. London Plan Policy SI 2 requires energy performance to be monitored, verified and reported.
- 231 The London Plan 'Be Seen' energy monitoring guidance (September 2021) guidance document sets out the process that needs to be followed to comply with the 'be seen' monitoring requirement of Policy SI 2. A condition is proposed that requires the 'be seen' energy monitoring to be undertaken in accordance with the London Plan guidance.

#### ***Carbon Offset***

- 232 The applicant is required to offset 2.5 Tonnes CO<sup>2</sup>/year. In accordance with the Council's Planning Obligations SPD, the applicant is required to make a payment of £7,800 towards carbon offsetting. This obligation will be secured by way of a S106 agreement.

### **6.6.2 Overheating**

#### *Policy*

- 233 LPP SI 4 requires development proposals to demonstrate through an energy strategy, how they will reduce the potential for internal overheating and reliance on airconditioning systems in accordance with the following cooling hierarchy. DMP 22 reflects the London Plan.

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- 234 The Chartered Institution of Building Services Engineers (CIBSE) has produced TM 59 guidance on assessing and mitigating overheating risks in new developments.
- 235 To meet the GLA Energy Planning Guidance the CIBSE compliance criteria must be met for Design Summer Year (DSY) 1 and additional testing must be undertaken for the more extreme DSY 2 and DSY 3.

*Discussion*

- 236 The submitted Energy and Sustainability Statement Rev A (prepared by Etude, dated April 2021) includes an overheating risk assessment against TM59. The assessment has been carried out on a sample of four dwellings. As per the assessment, all of the tested rooms are expected to achieve compliance with TM59.
- 237 It is noted that when tested against DSY 2 and DSY 3, 9 rooms in the tested units fail to comply with DSY 2 and 12 rooms in the tested units fail to comply with DSY 3.

### **6.6.3 Urban Greening**

*Policy*

- 238 LPP G5 requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high quality landscaping (including trees), green roofs greens walls and nature-based urban drainage.
- 239 In LPP G5 the Mayor recommends an Urban Greening Factor (UGF) target score of 0.4 for developments that are predominately residential. It is noted that existing green cover that is retained counts towards the UGF score.

*Discussion*

**Urban greening factor**

- 240 The submission sets out that the proposed development would achieve a UGF of 0.42, which is 0.2 above the target score in the London Plan. The UGF of 0.42 will be secured by way of condition. Components of the proposal that contribute to the UGF score are green roofs, tree planting, flower rich perennial planting, hedges, ground cover planting, amenity grassland and permeable paving.

**Living roofs**

- 241 No living roofs are proposed to the roofs of the terraces, however, living roofs are proposed to the roofs of the bin and bike store and substation. The living roofs will be a mix of extensive roofs and biodiverse roofs and in total would have an area of 147m<sup>2</sup>.
- 242 Full details of the living roofs would be secured by condition.

### **6.6.4 Flood Risk**

*Policy*

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

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### *Discussion*

- 244 The Environment Agency Flood Risk map shows that the application site is within Flood Risk Zone 1 meaning it has a low probability of flooding from rivers and it at low risk from surface water flooding.

## **6.6.5 Sustainable Urban Drainage**

### *Policy*

- 245 Policy G4 of the London Plan requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy's drainage hierarchy. The supporting text to the policy recognises the contribution that green roofs can make to SUDS. The hierarchy within the policy establishes that development proposals should include green roofs.

### *Discussion*

- 246 The application has been reviewed by the Council's Flood Risk Manager who has raised no objection subject to a condition in respect of drainage.

## **6.6.6 Sustainable Infrastructure conclusion**

- 247 The proposed development is considered to be acceptable in terms of sustainable development subject to the imposition of conditions and a financial contribution secured via a S106 agreement.

## **6.7 NATURAL ENVIRONMENT**

### *General Policy*

- 248 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle of planning.
- 249 The NPPF and NPPG promote the conservation and enhancement of the natural environment (Chapter 15) and set out several principles to support those objectives.
- 250 The NPPF at paragraph 185 states that decisions should ensure that new development is appropriate for its location taking 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 that could arise from the development.
- 251 LPP G1 sets out the Mayor of London's vision for Green Infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

## **6.7.1 Ecology and biodiversity**

### *Policy*

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- 252 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.
- 253 NPPF para 14 states that 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 180 sets out the principles which LPAs should apply when determining applications in respect of biodiversity. Paras 174 and 180 seek biodiversity net gain.
- 254 Policy D6 of the London Plan states that development proposals should manage impacts on biodiversity and aim to secure biodiversity net gain.
- 255 CSP 12 seeks to preserve or enhance local biodiversity.
- 256 DMP 24 requires all new development to take full account of biodiversity in development, design, ensuring the delivery of benefits and minimising the impacts on biodiversity.

#### *Discussion*

- 257 The applicant's submission has indicated a 21% loss (previously 35% further to amendments and recalculation) in biodiversity, a matter which raised objection from the Council's Ecological Regeneration Manager. Following negotiation with the applicant, it was agreed that off-site mitigation would be provided nearby the site (preferably Chingley Close directly adjacent to the site) in order to achieve a biodiversity net gain. This approach was agreed and supported by the Council's Ecological Regeneration Manager.
- 258 The following conditions were also requested by the Ecological Regeneration Manager:
- Construction Environmental Management Plan
  - Biodiversity Enhancement and Management Plan
  - Biodiverse living roofs on bin stores
  - Wildlife sensitive lighting
  - Urban greening factor
  - Soft landscaping

- 259 Subject to the above, no objection is raised with regard to ecology or biodiversity.

### **6.7.2 Green spaces and trees**

#### *Policy*

- 260 Section 197 of the Town and Country Planning Act 1990 gives LPAs specific duties in respect of trees.
- 261 Paragraph 131 of the NPPF (2021) states trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that opportunities are

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taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure long term maintenance of newly planted trees, and that existing trees are retained where possible. Applicants and local planning authorities should work with highways and tree officers to ensure the right trees are planted in the right places and solutions are found that are compatible with highways standards and needs of different users.

262 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.

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

264 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

265 The proposals include the clearance of some trees on the existing site, indicated on the image below:



Figure 7: Tree Retention Plan (trees to be removed hatched)

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An indicative proposed planting plan is shown below:



**Figure 8: Proposed tree planting**

- 267 A total of 14 trees are to be removed from the site including 1 category B, 11 category C and two category U trees. A total of 33 trees would be planted as part of replacement planting and a wider scheme of soft landscaping associated with the proposed development.
- 268 Following amendments to the scheme which included increasing the UGF from 0.2 to 0.42 the Council's Tree and Landscape Officer confirmed that the proposals are acceptable from a landscaping and tree perspective, subject to conditions controlling the UGF score as well as landscape management and revised soft and hard landscaping plans.

### 6.7.3 Ground pollution

#### *Policy*

- 269 The NPPF at para 174 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil pollution. Development should help to improve local environmental conditions.

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270 DMP 28 advises the Council will use appropriate measures to ensure that contaminated land is fully investigated.

*Discussion*

271 The application is accompanied by a Phase 1 Desk Top Study. This report was reviewed by Environmental Protection Officers, who stated the report was generally accepted and condition should be secured in respect of site contamination.

#### **6.7.4 Air pollution**

*Policy*

272 NPPF para 174 states that decisions should among other things prevent new and existing development from contributing to, being put at an unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality. Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality. Poor air quality affects people's living conditions in terms of health and well-being.

*Discussion*

273 The application site is not located within Air Quality Management Area and it is situated over 100m from the nearest major road (A21 Bromley Hill to the southwest). However, the site is situated in close? the London Borough of Bromley's borough wide Air Quality Management Area and within close proximity to Bromley Road (280m to the northwest). The application has been reviewed by Environmental Protection Officers who state that the heating demands of the scheme are to be using a fully electric system which will not generate emissions of NOx or PM10 and that the scheme can be considered to be air quality neutral with reference to transport related emissions and that no further action is required to tackle emissions.

274 Environmental Protection Officers raised no objection subject to conditions in respect of a Dust Management Plan (which can be integrated within a Construction Environmental Management Plan), Air Pollution Mitigation Measures and Non Road Mobile Machinery.

#### **6.7.5 Natural Environment conclusion**

275 The proposed development is acceptable from a natural environment perspective subject to the S106 obligation and conditions as outlined above.

### **6.8 PUBLIC HEALTH, WELL-BEING AND SAFETY**

*Policy*

276 The NPPF and NPPG promote healthy communities. Decisions should take into account and support the health and well-being of all sections of the community. The NPPG recognises the built and natural environments are major determinants of health and wellbeing. Further links to planning and health are found throughout the whole of the NPPF. Key areas include the core planning principles (para 15) and the policies on transport (chapter 9), high quality homes (chapter 5), good design (chapter 12), climate change (chapter 14) and the natural environment (chapter 15).

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- 277 The NPPG sets out a range of issues that could in respect of health and healthcare infrastructure, include how development proposals can support strong, vibrant and healthy communities. Development, where appropriate, should encourage active healthy lifestyles that are made easy through the pattern of development, good urban design, good access to local services and facilities; green open space and safe places for active play and food growing and is accessible by walking and cycling and public transport. The creation of healthy living environments for people of all ages can support social interaction.
- 278 Para 127 Good design create places that are safe, inclusive and accessible and which promote health and well-being, with a 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
- 279 Chapter 1 of the London Plan (Good Growth) seeks to ensure development is designed, constructed and managed in ways that improve health and promote healthy lifestyles to help reduce inequalities.
- 280 London Plan policy D11 states development should include measures to design out crime taking into account the principles of the Secured by Design scheme. Development should maintain a safe and secure environment and reduce the fear of crime.
- 281 Policy D12 of the London Plan states that in the interests of fire safety and to ensure the fire safety, all development proposals must achieve the highest standards of fire safety. Part B of this policy goes onto state that all major development should be submitted with a Fire Statement, which is produced by a third party, suitably qualified assessor.
- 282 CSP 15 requires development to minimise crime and the fear of crime.
- 283 Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.

#### *Discussion*

- 284 The proposal has been assessed by the Metropolitan Police Designing Out Crime Officers who sets out that the scheme has many positives but made some suggestions for the Secure by Design accreditation to be achieved. Given the scale of the scheme, Secure by Design will be added as an informative rather than a condition.
- 285 A Fire Safety Statement will be secured by condition

## **7 LOCAL FINANCE CONSIDERATIONS**

- 286 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).

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- 287 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 288 The CIL is therefore a material consideration.
- 289 The application is CIL liable, 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. Having said that, the development is eligible for full relief from CIL as it is 100% affordable housing, so the likely CIL receipt would be zero.

## 8 EQUALITIES CONSIDERATIONS

- 290 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.
- 291 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.
- 292 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.
- 293 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>
- 294 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

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- Equality information and the equality duty

295 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>

296 The provision of 12 units at M4(1), rather than M4(2) has been considered by officers but has been found to be acceptable on balance given the planning benefits of the scheme in the provision of 100% affordable housing and 4 units (11%) being provided at M4(3) with the remaining being provided as M4(2).

## 9 HUMAN RIGHTS IMPLICATIONS

297 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

298 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.

299 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.

300 This application has the legitimate aim of providing 36 residential units. The rights potentially engaged by this application, including respect for your private and family life, home and correspondence and the freedom to enjoy one's home are not considered unlawfully interfered with by this proposal.

## 10 LEGAL AGREEMENT

301 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

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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

302 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.

303 It is recommended that the following items are secured by way of a legal agreement:

*Housing*

- A minimum of 25 London Affordable Rent with the following unit mix

Unit Mix	No. of London Affordable Rent
1B2P	7
3B5P	10
3B6P	6
4B7P	2

- Not more than 11 units at Shared Ownership with the following unit mix

Unit Mix	No. of Shared Ownership
1B2P	7
2B3P	2
2B4P	2

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#### *Carbon Offset Payment*

- Financial contribution of £7,800

#### *Offsite Play Space*

- Financial contribution of £12,420

#### *Transport and Public Realm*

- Car Club Bay
- Enter into a Section 278 agreement for highways works, the cost of which will be covered by the applicant, such works to include:
  - The proposed new vehicular access and all associated works
  - Improved road and pedestrian conditions on the corners Glenbow/Arcus Road and Arcus Road and Swiftsden Way.

#### *Biodiversity Net Gain*

- Submission of a scheme demonstrating Biodiversity Net Gain off-site (preferably at Chingley Close)

#### *Employment*

- Local Labour and Business Strategy

#### *Monitoring and Costs*

- Meeting the Council's reasonable costs in preparing and monitoring the legal obligations

304 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**

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

306 The principle of the proposed development is supported as it would provide 36 residential units all of which would be affordable units on an underutilised site. All of the dwellings are considered to provide a good standard of residential accommodation to future occupiers. Substantial weight is given to these planning matters.

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- 307 In urban design terms, the proposed development is considered to be high quality design. The modest increase in density would represent the optimal use of the land. It is of an appropriate height and scale and would use suitable materials. The development is considered to have an acceptable impact on the character and appearance of the area.
- 308 The impacts to the local transport network including parking capacity in the surrounding streets have been assessed and are considered to be acceptable.
- 309 No adverse impacts have been identified to the living conditions of the neighbouring properties and the proposals are acceptable from an ecology and biodiversity, and trees and landscaping perspective.
- 310 The officer assessment has identified that 12 of the proposed units would only be M4(1) compliant and would not comply with London Plan Policy D7. 12 units not complying with M4(2) or M4(3) is a weakness of the scheme. However, officers consider in respect of the scheme being 100% affordable, with 55% of units being family sized dwellings and the high design quality proposed, this non-compliance is considered to be acceptable in this instance.

## 12 RECOMMENDATION

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

### 12.1 CONDITIONS

#### 1) FULL PLANNING PERMISSION TIME LIMIT

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

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

#### 2) APPROVED PLANS

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

Received 7 December 2021

(00) 001 Rev P01; (00) 002 Rev P01; (00) 020 Re P01; (00) 100 Rev P01; (00) 101 Rev P01; (00) 102 Rev P01; (00) 103 Rev P01; (00) 104 Rev P01; (00) 107 Rev P01; (00) 108 Rev P01; (00) 109 Rev P01; (00) 110 Rev P01; (00) 111 Rev P01; (00) 200 Rev P01; (00) 202 Rev P01; (00) 300 Rev P01; (31) 400 Rev P01; (31) 401 Rev P01; (80) 403 Rev P01; (EX) 001 Rev P01; (EX) 002 Rev P01; (EX) 003 Rev P01; (EX) 300 Rev P01; A (00) 100 Rev P01; A (00) 200 Rev P01; ARC\_008 Rev A; ARC\_011; B (00) 100 Rev P01; B (00) 200 Rev P01; C (00) 100 Rev P01; C (00) 200 Rev P01; D (00) 100 Rev P01; D (00) 200 Rev P01; E (00) 100 Rev P01; E (00) 200 Rev P01; F (00) 100 Rev P01; F (00) 101 Rev P01; F (00) 200 Rev

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P01; G (00) 100 Rev P01; G (00) 101 Rev P01; G (00) 200 Rev P01; G (00) 300 Rev P01

Received 5 September 2022

(00) 105 Rev P02; (00) 106 Rev P02; (00) 201 Rev P02; (80) 400 Rev P02; (80) 406 Rev P02; ARC\_005 Rev C; ARC\_006 Rev D

**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) **QUANTUM OF DEVELOPMENT**

The development shall be implemented in accordance with the following approved details:

- 36 residential units (Use Class C3)
- 3no. buildings: Part two/ part three storeys in height

**Reason:** To ensure the development is implemented as approved and is acceptable to the local planning authority.

### 4) **CAR PARKING**

The car parking shall be implemented in accordance with the following approved details:

- 14No. car parking bays of which 4 are disabled bays and 1 is a Car Club bay
- 11No. bays with electric charging facilities

**Reason:** To ensure the development is implemented as approved and is acceptable to the local planning authority

### 5) **CONSTRUCTION MANAGEMENT PLAN**

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

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process

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- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
  - (i) Rationalise travel and traffic routes to and from the site.
  - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
  - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).
- (g) Details of the construction hours and activity

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

**Reason:** In order 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).

## 6) **SITE 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 desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
  - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
  - (iii) The required remediation scheme implemented in full.
- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.

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

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

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

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

7) **OPERATIONAL UNEXPLODED ORDNANCE (UXO) EMERGENCY RESPONSE PLAN**

No demolition of structural elements of the existing buildings shall be carried out until an Unexploded Ordnance Threat Assessment has been completed, and (in the event that the Threat Assessment makes recommendations for further surveys and/or measures to protect the safety of the public, of future occupiers of the land and of workers on the site) then structural demolition shall be carried out fully in accordance with the recommendations of the Assessment(s). A copy of the assessment(s) shall be sent to the Local Planning Authority for their records

**Reason:** To protect the safety of the public, of future occupiers of the land and of workers on the site

8) **AIR POLLUTION MITIGATION MEASURES**

No development shall take place until a scheme of proposed air quality mitigation measures to protect the future occupiers from air pollution exposure shall be submitted to and approved in writing by the local planning authority. The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and shall be retained as such thereafter.

**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 Development Management Local Plan (November 2014) Policy 23 Air quality.

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## 9) NON-ROAD MOBILE MACHINERY

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

**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 T4 Assessing and mitigating transport impacts, Policy T7 Deliveries, servicing and construction and Policy SI 1 Improving air quality of the London Plan (2021).

## 10) REMEDIATION STRATEGY – ENVIRONMENT AGENCY

No development approved by this planning permission shall commence until a remediation strategy based on the submitted 'phase 1 desk study report' by Ground & Water Ltd (dated 01 May 2021 with reference GWPR3935/DS/May 2021) and the submitted 'ground investigation report' by Ground & Water Ltd (dated 01 May 2021 with reference GWPR3935/GIR/May 2021) that also includes the following component of a scheme to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority:

- a verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to this component require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

**Reason:** To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution, in line with the National Planning Policy Framework (NPPF) (Paragraph 174).

## 11) VERIFICATION REPORT – ENVIRONMENT AGENCY

Prior to any part of the permitted development being occupied, a verification report demonstrating completion of the works set out in the approved remediation

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strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

**Reason:** To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete, in line with the National Planning Policy Framework (NPPF) (Paragraph 174).

## 12) **CONTAMINATION – ENVIRONMENT AGENCY**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

**Reason:** To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site, in line with the National Planning Policy Framework (NPPF) (Paragraph 174).

## 13) **PILING – ENVIRONMENT AGENCY**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants, in line with the National Planning Policy Framework (NPPF) (Paragraph 174). Piling and investigation boreholes using penetrative methods can result in risks to potable supplies, such as from pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

## 14) **MATERIALS**

No development above ground shall commence on site until a detailed schedule and specification and sample board of all external materials and finishes/windows and external doors/roof coverings/other site specific features to be used on the building(s) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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**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

15) **ARCHITECTURAL DETAILS**

(a) Notwithstanding the details hereby approved, no development above ground level shall commence until detailed plans at a scale of 1:5 and 1:10 showing architectural details including windows, doors, balconies and entrances reveals, junctions of different materials and decorative brickworks have been submitted to and approved in writing by the local planning authority.

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

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

16) **REVISED CYCLE PARKING**

(a) Prior to above ground development, full details of the revised cycle parking facilities shall be submitted to and approved in writing by the local planning authority. Such details shall demonstrate compliance with the relevant London Cycling Design Standards.

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

**Reason:** In order to ensure adequate provision for cycle parking for family sized units in an area with a low PTAL 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).

17) **REFUSE STORAGE**

(a) Details for the on-site storage, disposal and collection of refuse and recycling facilities shall be submitted to and approved in writing by the local planning authority prior the completion of above ground works of each phase of development hereby approved. Such details shall include the volumes of storage to be provided for dry recycling, general waste, food waste and garden waste.

(b) The approved details shall be carried out in full prior to occupation of each phase of development and retained thereafter.

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**Reason:** In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal, storage and collection, 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).

#### 18) **LIVING ROOFS**

- (a) Details of the extensive roofs and biodiverse roofs to the cycle and bin stores and substation shall be submitted and approved in writing by the Local Planning Authority and maintained thereafter.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

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

#### 19) **FIRE SAFETY STRATEGY**

(a) No works whatsoever shall commence until a Planning Fire Safety Strategy has been submitted to and approved in writing by the local planning authority. The Planning Fire Safety Strategy should include:

- Details on space provisions for fire appliances and assembly points
- Details of passive and active safety measures
- Details of means of escape and evacuation
- Details of access and equipment for firefighting

(b) The development must be carried out in accordance with the provisions of the Planning Fire Safety Strategy and retained as such for the lifetime of the development.

**Reason:** To ensure that the development incorporates the necessary fire safety measures in accordance with Policy D12 of the London Plan (2021) and the provisions of the Small Sites SPD in light of the access arrangements from the public highway.

#### 20) **PLUMBING AND PIPES**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that

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Order), no plumbing or pipes, including other than rainwater pipes, shall be fixed on the external faces of the building(s).

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

21) **SATELLITE DISHES AND ANTENNA**

Details of the shared satellite dishes and antenna shall be submitted to and approved in writing by the Local Planning Authority. The shared satellite dishes and antennas shall be retained in accordance with the approved details.

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

22) **HARD LANDSCAPING**

(a) Prior to above ground works drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces and the widths of footpaths) shall be submitted and approved in writing by the local planning authority. Such details shall include reference to compliance with SUDs objectives.

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

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 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.

23) **SOFT LANDSCAPING**

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

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

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**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).

24) **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 the above ground works.

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

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

25) **TREE PROTECTION PLAN**

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

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

26) **CONSTRUCTION HOURS**

No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 9 am and 5 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

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

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to avoid peak school hour and to comply with Paragraph 170 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, and

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27) **WHEELCHAIR UNITS**

(a) Four (4) M4(3) Wheelchair accessible dwellings and eighteen (20) M4(2) accessible and adaptable dwellings shall be provided within the approved scheme.

(b) Prior to commencement of above ground works, written confirmation from the appointed Building Control Body shall be submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with (a).

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

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

28) **RETENTION OF AMENITY SPACE**

The whole of the communal and private amenity spaces as shown in (00) 100 Rev P01; (00) 101 Rev P01; (00) 102 Rev P01; (00) 104 Rev P01; (00) 105 Rev P02; (00) 106 Rev P02; (00) 108 Rev P01; (00) 109 Rev P01; (00) 110 Rev P01 hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

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

29) **DELIVERY AND SERVICING PLAN**

(a) Prior to commencement a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.

(b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.

(c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

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

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30) **CAR PARKING MANAGEMENT PLAN**

(a) Prior to first occupation, a car parking management plan shall be submitted for approval in writing by the Local Planning Authority. The plan shall include details of the allocation and enforcement of off street parking provision, allocated EV enabled parking bays and should include a strategy for enforcing informal parking within the hard landscaped areas.

(b) The parking should be managed in accordance with the approved plan in perpetuity.

**Reason:** To ensure suitable arrangements for car parking as part of the development in accordance with Policy T6.1: Residential Parking of the London Plan (March 2021), Policy 14: Sustainable movement and transport of the Core Strategy (June 2011).

31) **FIXED PLANT NOISE CONTROL**

(a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.

(b) No development above ground level shall commence until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.

(c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

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

32) **ACOUSTIC SCREENING FOR ASHP AND SUBSTATION**

(a) Details of the acoustic screening to be installed to around the ASHPs and the Substation shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved.

(b) The approved acoustic screening shall be installed prior to occupation of any residential unit and retained in perpetuity.

**Reason:** To protect the amenities of the occupiers and to comply DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

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33) **SuDS**

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

**Reason:** To prevent the increased risk of flooding and to improve water quality in accordance with Policy SI 12 Flood risk management in the London Plan (March 2021) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10 Managing and reducing the risk of flooding (2011).

34) **SOLAR PANELS**

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

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

35) **TRAVEL PLAN**

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

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

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36) **EXTERNAL LIGHTING**

(a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.

(b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

(c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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

37) **PLAY EQUIPMENT**

(a) Prior to occupation details of the play equipment shall be submitted to and approved in writing by the Local Planning Authority.

(b) The play equipment approved under part (a) shall be maintained and retained in perpetuity.

**Reason:** In order that the local planning authority may be satisfied with the quality of the play equipment and to comply with Policy S4 Play and informal recreation of the London Plan (2021).

38) **PROVISIONS OF ENERGY AND SUSTAINABILITY STATEMENT**

The proposed development shall be constructed, operated and maintained in accordance with the recommendations within the submitted Energy and Sustainability Statement Rev A (prepared by Etude, dated April 2021).

**Reason:** To comply with Policy S12 Minimising greenhouse gas emissions of the London Plan (2021) and Lewisham Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

39) **OBSCURE GLAZING**

The windows in Terrace 2 as annotated on drawings (00) 105 Rev P02; (00) 106 Rev P02; (00) 201 Rev P02 shall be fitted as obscure glazed to a minimum Level of 3 on the Pilkington Scale and retained in perpetuity.

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

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Plan (November 2014).

40) **BE SEEN MEASURES**

The 'Be Seen' energy monitoring for the development hereby approved shall be undertaken in accordance with the measures set out in the London Plan 'Be Seen' energy monitoring guidance document (September 2021).

**Reason:** As to ensure that monitoring is done in accordance with the London Plan 'Be Seen' energy monitoring guidance document (September 2021) and to comply with Policy SI 2 Minimising greenhouse gas emissions of the London Plan (2021).

41) **REMOVAL OF PERMITTED DEVELOPMENT RIGHTS – DWELLINGHOUSES**

No extensions or alterations to the new and the existing buildings hereby approved, whether or not permitted under Classes A-H of Article 3 to Schedule 2, Part 1 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).

42) **CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)**

Prior to the commencement of development a Construction Environmental Management Plan (CEMP:Biodiversity) shall be submitted to and approved in writing by the LPA. The CEMP (Biodiversity) shall put in place measures to retain and protect the retained Habitat Biodiversity Unit and include the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of "biodiversity protection zones"
- c) Measures to avoid or reduce impacts during construction
- d) Location and timings of sensitive works to avoid harm to biodiversity features, including but not limited to trees, nesting birds, bats and small mammals
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) The role of a responsible person (Ecological Clerk of Works) and lines of communication
- g) Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the LPA.

**Reason:** To ensure the protection of existing biodiversity features in accordance with Core Strategy Policy G8, the NPPF, and BS 42020:2013

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#### 43) **BIODIVERSITY ENHANCEMENT & MANAGEMENT PLAN (BEMP)**

Prior to the commencement of development a Biodiversity Enhancement & Management Plan (BEMP) shall be submitted to and approved in writing by the LPA. The Plan shall include the following:

- a) Description and evaluation of features to be enhanced, created and managed (including but not limited to 6 integrated swift and 4 other bird bricks, 5 integrated bat bricks, 3 bee/bug hotels or log piles/loggeries and hedgehog highways)
- b) Extent and location/area of proposed enhancement works on appropriate scale maps and plans
- c) Ecological trends and constraints on site that might influence management
- d) Aims and Objectives of management
- e) Appropriate management Actions for achieving Aims and Objectives
- f) An annual work programme (to cover an initial 5 year period)
- g) Ongoing monitoring and remedial measures.
- h) Details of the specialist ecological management body or organisation responsible for implementation of the Plan
- i) For each of the first 5 years of the Plan, a progress report sent to the LPA reporting on progress of the annual work programme and confirmation of required Actions for the next 12 month period
- j) The Plan will be reviewed and updated every 5 years and implemented for perpetuity
- k)

The Plan shall include details of the legal and funding mechanisms by which the long-term implementation of the Plan will be secured by the developer with the specialist ecological management body or organisation responsible for its delivery. The Plan shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the Objectives of the originally approved Plan. The approved Plan will be implemented in accordance with the approved details.

**Reason:** to ensure the long-term protection and enhancement of biodiversity in accordance with Core Strategy Policy G8 and G9, NPPF and BS 42020:2013.

#### 44) **EXTERNAL LIGHTING STRATEGY – BIODIVERSITY**

Prior to occupation, a “lighting design strategy for biodiversity” shall be submitted to and approved in writing by the local planning authority. The strategy shall: show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the bat species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

**Reason:** to ensure the long-term protection and enhancement of biodiversity in accordance with Core Strategy Policy G8 and G9, NPPF and BS 42020:2013.

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#### 45) **URBAN GREENING FACTOR**

Prior to completion of building works, the applicant shall submit for approval a detailed Urban Green Factor masterplan (including details of ongoing maintenance) to the Local Planning Authority for approval, demonstrating a UGF score of at least 0.42.

The approved masterplan shall be implemented prior to occupation of the residential units and retained thereafter.

**Reason:** To ensure compliance with London Plan Policy G5

## 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.
- 2) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An 'assumption of liability form' must be completed and before development commences you must submit a 'CIL Commencement Notice form' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planningpermission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- 3) You are advised that the approved development is subject to a Section 106 agreement. Please ensure that the obligations under the Section 106 agreement are addressed in accordance with the details and timeframes set out in the agreement. If you have any questions regarding the agreement or how to make a payment or submission required under the agreement, please contact the S106/CIL team on [CII@lewisham.gov.uk](mailto:CII@lewisham.gov.uk).
- 4) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- 5) The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- 6) Thames Water advises the following:  
Waste Comments

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We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [https://urldefense.com/v3/http://www.thameswater.co.uk/!CVb4j\\_0G!DF4qyb01E88p3ye65irCSjGA-Z47vZ123dpgUZ5fLTUTMIYNNaDwVfFpoBwYsjQ1hIbzxw\\$](https://urldefense.com/v3/http://www.thameswater.co.uk/!CVb4j_0G!DF4qyb01E88p3ye65irCSjGA-Z47vZ123dpgUZ5fLTUTMIYNNaDwVfFpoBwYsjQ1hIbzxw$). Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. 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. Should you require further information please refer to our website. [https://urldefense.com/v3/https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services/!CVb4j\\_0G!DF4qybo1E88p3ye65irCSjGA-Z47vZ123dpgUZ5fLTUTMIYNNaDwVfFpoBwYsjS6Z51Dqg\\$](https://urldefense.com/v3/https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services/!CVb4j_0G!DF4qybo1E88p3ye65irCSjGA-Z47vZ123dpgUZ5fLTUTMIYNNaDwVfFpoBwYsjS6Z51Dqg$).

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. [https://urldefense.com/v3/https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes/!CVb4j\\_0G!DF4qybo1E88p3ye65irCSjGA-Z47vZ123dpgUZ5fLTUTMIYNNaDwVfFpoBwYsjR-C0XtIA\\$](https://urldefense.com/v3/https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes/!CVb4j_0G!DF4qybo1E88p3ye65irCSjGA-Z47vZ123dpgUZ5fLTUTMIYNNaDwVfFpoBwYsjR-C0XtIA$). Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The

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applicant is advised to read our guide working near or diverting our pipes.  
[https://urldefense.com/v3/ https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes ;!!CVb4j\\_0G!DF4qybo1E88p3ye65irCSiGA-Z47vZ123dpqUZ5fLTUTMIYNNaDwVfFpoBwYsjR-C0XtIA\\$](https://urldefense.com/v3/https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes) .

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

#### Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.  
[https://urldefense.com/v3/ https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes ;!!CVb4j\\_0G!DF4qybo1E88p3ye65irCSiGA-Z47vZ123dpqUZ5fLTUTMIYNNaDwVfFpoBwYsjR-C0XtIA\\$](https://urldefense.com/v3/https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes)

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at [https://urldefense.com/v3/ https://www.gov.uk/government/publications/groundwater-protection-position-statements ;!!CVb4j\\_0G!DF4qybo1E88p3ye65irCSiGA-Z47vZ123dpqUZ5fLTUTMIYNNaDwVfFpoBwYsjTDUNozfA\\$](https://urldefense.com/v3/https://www.gov.uk/government/publications/groundwater-protection-position-statements) ) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

- 7) The Metropolitan Police advise that the scheme comply with the Secure by Design Principles.

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## **13 BACKGROUND PAPERS**

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

## **14 REPORT AUTHOR AND CONTACT**

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313 Email: [david.robinson@lewisham.gov.uk](mailto:david.robinson@lewisham.gov.uk)

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