



Planning Committee C

Report title:

LAND N/T, 81 BURNT ASH ROAD, LONDON, SE12 8RF

Date: 01 December 2022

Key decision: No.

Class: Part 1

Ward(s) affected: Lee Green

Contributors: Thomas Simnett

Outline and recommendations

This report sets out the Officer's recommendation of approval for the above proposal. The report has been brought before Committee for a decision as the application received 15 objections from local residents and 1 objection from Lee Manor Society.

Application details

Application reference number(s): DC/22/127810

Application Date: 01 August 2022

Applicant: Mr Adam Johnston

Proposal: The construction of a three-storey, four-bedroom dwelling house on land at the corner of Burnt Ash Road and Dorville Road, SE12, together with bin and bike shed, replacement street trees and associated landscaping.

Background Papers: (1) Submission drawings
(2) Submission technical reports and documents
(3) Statutory consultee responses

Designation: PTAL 3
Lee Neighbourhood Forum
Air Quality
Adjacent/Affecting Conservation Area
Not a Listed Building
A Road

Screening: N/A

1 SITE AND CONTEXT

Site description and current use

- 1 The application site is an open grassed area to the side of Nos. 77-81 Burnt Ash Road, bisected by a path that runs along the front of that building, with the only other features being a mature Walnut tree, a hedge, and a low boundary wall to 1A Dorville Road (the wall being the only structure on the site). The site is 240sq m (0.024ha) in area.

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Figure 1 – Site Location Plan

Character of area

- 2 The area surrounding the property is predominantly residential and is largely characterised by traditional semi-detached and detached Victorian properties constructed of London stock brick with slate roofs on the western side of Burnt Ash Road which is located within Lee Manor Conservation Area.
- 3 While the eastern side of Burnt Ash Road are characterised by 1960s development of terraced and semi-detached properties of a similar style. The application site is adjacent to a group of 1960s terraced three-storey properties.

Heritage/archaeology

- 4 The application site is not located within a conservation area and is not subject to an Article 4 Direction, however it is adjacent to the Lee Manor Conservation Area. It is not a listed building nor located in the vicinity of one.

Surrounding area

- 5 Colfe's Junior and Secondary School is located 0.3 mi to the south-east of the application site. There are a number of shops, takeaways and public houses within a 500m radius.

Local environment

- 6 The application site is located within an Air Quality Monitoring Zone.

Transport

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- 7 The site has a Public Transport Accessibility Level (PTAL) score of 3 on a scale of 1-6b, 1 being lowest and 6b the highest.
- 8 Lee Railway Station is located approximately 0.2 mi to the south of the application site.

2 RELEVANT PLANNING HISTORY

- 9 PRE/22/125737: Pre-planning (concept) application to discuss the construction of a three-storey 4no bedroom/ 8no person net-zero passive house at land next to 81 Burnt Ash Road, SE12.
- 10 PRE/22/126218: Follow-up from concept meeting to discuss the construction of a three-storey 4no bedroom/ 8no person net-zero passive house at land next to 81 Burnt Ash Road, SE12.

3 CURRENT PLANNING APPLICATION

3.1 THE PROPOSALS

- 11 This application relates to the construction of a three-storey, four-bedroom dwelling house on land at the corner of Burnt Ash Road and Dorville Road, SE12, together with bin and bike shed, replacement street trees and associated landscaping.
- 12 During the lifespan of the current application Officers advised the applicant that the fourth-storey is problematic (as shown in Figure 2) and would require further revisions in order for the Council to support the scheme. As a result of those discussions the applicant has removed the entire forth-storey from the proposal.



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Figure 2 – The submitted scheme with the 4th-storey which has been subsequently removed

4 CONSULTATION

4.1 PRE-APPLICATION ENGAGEMENT

13 In addition to the two pre-application meetings with the Lewisham Case Officer, consultation was also undertaken with residents of Burnt Ash Road and Dorville Road. Residents within a 50m radius of the site were sent a letter inviting them to an online or in-person meeting to discuss the emerging proposals in May 2022.

14 Owners of the flats in the neighbouring 77-81 Burnt Ash Road were also sent letters. According to the submission, of the approximately 60 letters issued, there were 6 responses, and presentations given to 3 of the neighbouring owners or residents. In addition to the letterers, a door-knocking campaign took place, with short informal discussions with 3 more neighbouring residents.

4.2 APPLICATION PUBLICITY

15 Site notices were displayed on 26 August 2022 and a press notice was published on 28 August 2022.

16 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 22 August 2022. Letters were also sent out the Lee Neighbourhood Forum and Lee manor Society.

17 16 number responses received, comprising 16 objections.

4.2.1 Comments in objection

Comment	Para where addressed
Principle of Development	
The proposal would set a precedent for developing on small green sites in already densely built up areas	Para 53
Planning statement inaccurately states the site is used for storage	Para 50
Site not identified as a site allocation	Para 54
Housing	
Size of proposed dwelling suggests it could be turned into a HMO	Para 65
Urban Design and Heritage	
Proposed dwelling is too big and over-scaled for its context	Para 97
Application has not considered how the existing downpipe on the side of 81 Burnt Ash Road would be dealt with	Para 96

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Unnecessary south elevation windows	Para 91
Not contextually appropriate to its surroundings	Para 90
Proposed dwelling would protrude the established building line	Para 93
Over development of the site	Para 90
Impact on Adjoining Properties	
Loss of daylight and sunlight	Paras 140 and 141
1.0 m step out will cause imposing view from adjacent property and reduce light	Para 140
Increase of overlooking	Paras 134 and 137
Loss of privacy – 21m distance is not maintained as required by DMP32	Paras 134 and 137
Increase in noise disturbance	Paras 140 and 141
Increase in light pollution	Para 143
Transport	
Impact on car parking in the area	Para 123
Impact on pedestrian route over the grassed area	Para 121
Access to the rear of properties of Burnt Ash Road	Para 116
Insufficient sightlines out of Dorville Road, frequent accidents	Para 117
Sustainable development	
Loss of tree and greened area will reduce the mitigating effects in terms of exhaust fumes and traffic noise.	Para 164
Natural Environment	
Loss of green space	Paras 183 and 184
Loss of mature tree	Paras 183 and 184
Insufficient setback from the street	Para 188
Nothing compels applicant to replace the lost tree	Para 186

4.2.2 Neutral comments

- 18 A number of comments relating to non-material planning considerations were also raised as follows:
- 19 A number of comments were received which were concerned with the removal of the tree and its roots on the neighbouring properties in terms of structural issues. Officers

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are satisfied that this is not a planning consideration and would be controlled by Building Control should any issues arise.

- 20 A number of comments were concerned with the proposed works to the Leegate Shopping Centre and how those proposals together with this scheme would cause significant disruption. Officers are satisfied that proposals to Leegate Shopping Centre are at an early stage and are unlikely to coincide with the proposed development.
- 21 A number of comments were received which objected to the proposal as it would block views, it is noted that the right to a view is not a material planning consideration in determining this application.
- 22 A number of comments were received regarding the impact on house prices from the loss of green space. The impact of proposed developments on house prices is not a material planning consideration and as such forms no part in this recommendation.
- 23 A number of comments were received which discusses Lewisham's draft Local Plan and that the proposed site would not be in accordance with this. Officers advise that the draft Local Plan has yet to go through Regulation 19 consultation, as such the draft plans are not afforded any weight in making planning decisions at this present moment.

4.3 LOCAL MEETING

- 24 Due to the number of submissions received, a virtual Local Meeting was held on Wednesday 12 October 2022. The meeting was chaired by Councillor James Rathbone and attended by ten people. Notes from the Local Meeting are contained in Appendix 1 of this report.

4.4 INTERNAL CONSULTATION

- 25 The following internal consultees were notified on 18 August 2022.
- 26 Highways: raised no objections. Subject to condition on front pavement being reinstated. See para 111 for further details.
- 27 Conservation: raised concerns. See paras 59, 92, 93 and 99 for further details.
- 28 Net Zero: raised no objections and praised the scheme. See para 163 for further details.
- 29 Ecological Regeneration: commended the biodiversity improvements. See para 176 for further details.
- 30 Building Control: no comments received.
- 31 Tree and Landscaping: raised concerns over the CAVAT value. See paras 184, 188 and 189 for further details.

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5 POLICY CONTEXT

5.1 LEGISLATION

32 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).

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

5.2 MATERIAL CONSIDERATIONS

34 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.

35 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.

36 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

37 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

38 Lewisham SPD:

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- Alterations and Extensions Supplementary Planning Document (April 2019)
- Small Sites Supplementary Planning Document (2021)

39 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- Character and Context (June 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Housing (March 2016)

6 PLANNING CONSIDERATIONS

40 The main issues are:

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

6.1 PRINCIPLE OF DEVELOPMENT

General policy

41 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.

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

Policy

43 National, regional and local planning policies all indicate that development should aim to make the most effective use of land. Indeed, the London Plan makes housing a priority.

44 The Core Strategy (CSP) recognises the Borough's need for housing and outlines the objectives to achieve 18,165 new dwellings between 2009/2010 and 2025. The London Plan (LPP) at Policy H1 increases Lewisham's ten-year (2019/20 - 2028/29) housing target at 16,670, or 1,667 as an annualised average. Lewisham Core Strategy Spatial

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Policy 1 'Lewisham Spatial Strategy' that links to Core Strategy Objective 2 'Housing Provision and Distribution' supports the delivery of new housing to meet local need.

- 45 LPP H2 states that boroughs should increase the contribution of small sites (below 0.25 hectares) to meeting London's housing needs and sets a ten year target for Lewisham of 3,790 new homes.
- 46 DMP 33 sets out the requirements for a variety of sites within residential areas that may come forward for development. Development on these sites require careful consideration due to the need to preserve the quality and amenity of residential areas. The main types of sites are infill sites, backland sites, back gardens and amenity areas.
- 47 The Small Sites SPD (2021) states that any new development on street corners must achieve a high degree of design quality. These are typically locations suitable for distinctive buildings which are marginally taller than their neighbours.

Discussion

- 48 This area of Lee Green area is characterised by urban complex block typologies these areas feature a mix of flats and houses and tend to follow the traditional street grid system. New development on amenity areas, and non-garden areas within this typology should not seek to replicate this layout but should aim to re-introduce the positive elements of the urban terrace typology in ensuring clear legible routes, and well defined private and public spaces. The Characterisation Study states that there may be opportunities to redevelop the ends of blocks where these blocks face onto more significant corridors through the borough, which Officers believe the application site does.
- 49 While some sites do not always conform to one classification, the surrounding estate for this particular site also has characteristics of the low-rise free-form slab typology, and, as the Characterisation Study acknowledges, these areas provide opportunities for densification because their irregular block patterns often leave poorly defined spaces with areas of landscape and car parking.
- 50 Officers recognise that the application site is classified as amenity land according to DM Policy 33, it is worth noting that amenity land provides an important role in the borough and therefore should be considered carefully before putting it forward for development. The Small Sites SPD states that in order to develop these sites applicants will need to prove that the amenity function of the site is either no longer required or is oversupplied in the area and therefore not needed. The applicant has suggested in their submission that the land is not in regular use, while objections were received that questioned this assessment, Officers recognise that the application site is privately owned, is located on a street corner and has no public realm furniture on it which suggests this is not a space that it is regularly used as amenity space, however it does have some visual amenity. It should be highlighted that the application site is not the communal garden to Nos. 77-81 Burnt Ash Road, those dwellings have fairly large front and private rear gardens.
- 51 The site and surrounding neighbourhood are well served by recognised green spaces, small parks and local parks. The site is only 187m (a three minute walk) from Edith Nesbitt Gardens, a small local park with a playground. Other nearby parks are Manor House Gardens and the Bowring Sports Centre / Weigall Road Sports Ground, and the site is also within the catchment area of Blackheath Common. In the Open Spaces Assessment 2020 Mapping the site is within Metropolitan Park, Local Park, SBINC, SINC, and LEAP catchment areas. Officers consider that there is sufficient local amenity

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space which would offset the loss of this corner site and complies with policy in terms of the loss of amenity land.

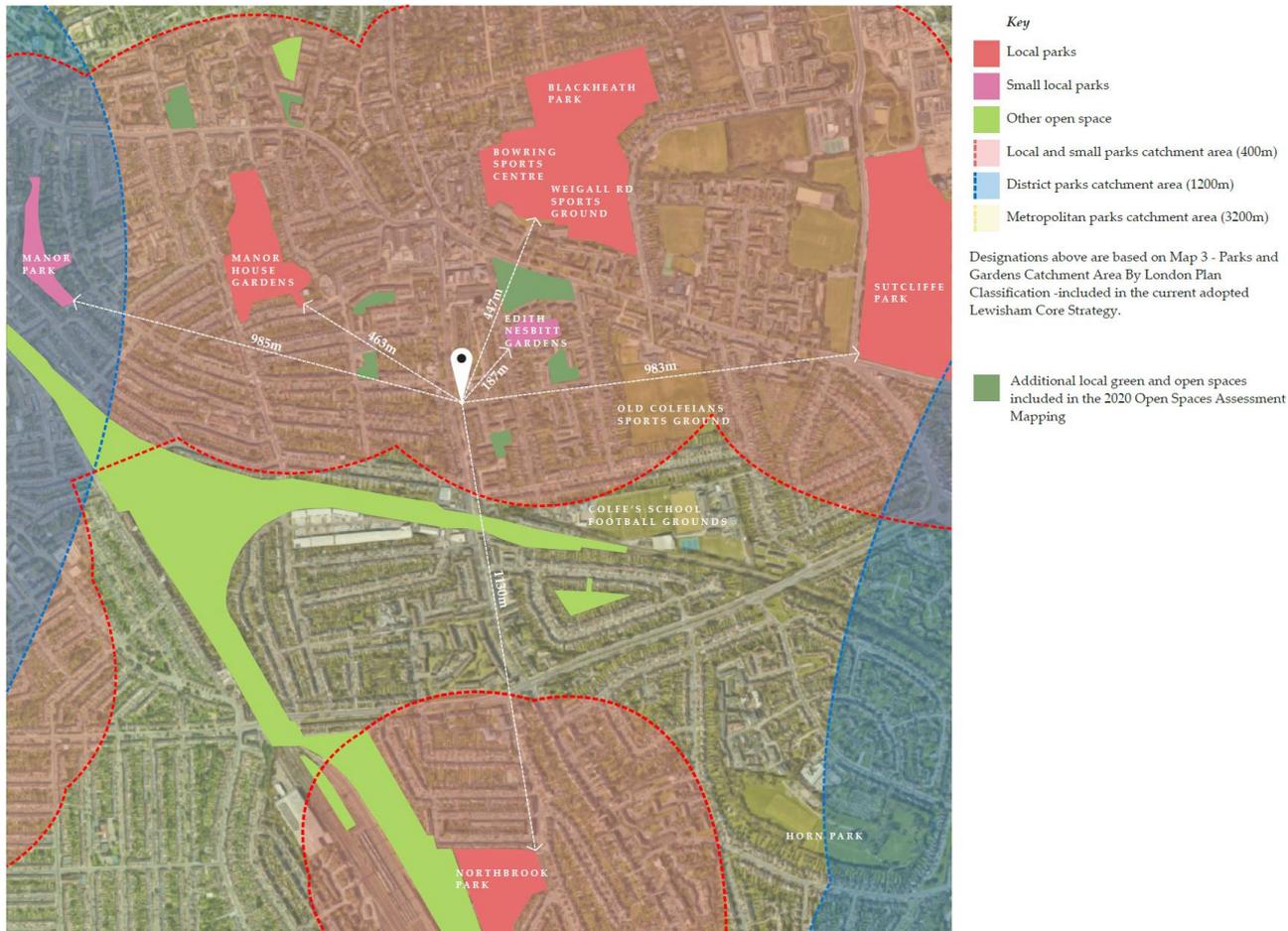


Figure 3 - Map of local green space and amenity space

- 52 It would appear that the application site is amenity space that is the result of leftover space from the development of the 1960s estate to which No 81 belongs. The DMLP seeks to avoid new development leaving these spaces and considers them to be ambiguous spaces that are not well used, and in many cases are neglected unless they have been enclosed and privatised by residents.
- 53 While this does not mean that development on ambiguous amenity land is inevitably considered acceptable, nor would it create a precedent for future development. DM Policy 33 part D provides a basis for when development on amenity land would be acceptable; Officers do recognise that there are policy issues with this site being redeveloped with regards to the loss of amenity land.
- 54 Objections were also received which raised concerns that this land is not an allocated site and hence should not be developed on, while Officers note that this land is not allocated within the Council's adopted Local Plan this does not necessarily mean that non-site allocated land cannot be developed. The adoption of the Small Sites SPD was a direct result to London Plan Policy H2 which states that boroughs should increase the contribution of small sites in order to meet their housing targets.

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- 55 However, there is not an entirely strong argument for the retention of the site as amenity land given that the blank flank wall detracts from its utility as amenity land that contributes to the urban landscape.
- 56 The Small Sites SPD states where amenity function can be proven to be redundant – as demonstrated by Figure 3 - then applicants should identify the other characteristics of the site as most amenity sites will have characteristics of either infill or backland sites. Officers consider the proposed site has characteristics of corner infill development.
- 57 In February 2019 the Council declared a climate emergency and committed to make the borough carbon neutral by 2030. According to the carbon emissions baseline for Lewisham from the Department of Business Energy and Industrial Strategy published in 2019, domestic natural gas is the biggest cause of CO2 emissions in the borough. Officers therefore consider this proposal for a single family dwelling house which is net-zero and follows the passive-house principles, would be a clear planning merit, given the climate emergency we face. The proposals would include the appropriate measures to ensure it is a truly net-zero home and achieves passive-house standards and these would be secured by condition.
- 58 Having considered the material which has been provided Officers do not consider there to be one sole reason why development on the application site would be considered acceptable. Although, cumulatively it is believed that the package of measures provided would overcome the harm as a result of the loss of amenity land. This includes the provision of a number of replacement street trees and on-site trees, biodiversity enhancements, repairing the historic street frontage, the potential for additional natural surveillance and providing a genuine zero-carbon house.
- 59 Conservation Officers have raised concerns with the sites suitability for development in terms of DM Policy 33 part 1 and 2, however the Case Officer has come to a different conclusion when taking into account the overall package of measures this development would provide, as such Officers consider that this site is suitable for development and the proposal would be in accordance with DM Policy 33.

6.1.1 Principle of development conclusions

- 60 The principle of development is supported subject to details.

6.2 HOUSING

- 61 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

- 62 National and regional policy promotes the most efficient use of land.
- 63 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).

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Discussion

- 64 The proposal would contribute one family sized dwelling which would contribute towards Lewisham's annual housing targets, although this contribution is small it is still given sufficient weight in the planning balance.
- 65 An objection was received which considered that the dwelling could be turned into a House of Multiple Occupancy (HMO), Officers are only able to make an assessment of an application based on the information submitted. The applicant has not submitted an application for a HMO, should they wish to do so in the future they would require separate planning permission for a larger HMO of more than 6-persons.

6.2.2 Residential Quality

General Policy

- 66 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).
- 67 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

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

Discussion

- 69 The standard of accommodation is acceptable, the table below sets out proposed dwelling sizes.

Table 2: Internal space standards – proposed v target

	GIA (proposed (target))	Bedroom 1 (proposed (target))	Bedroom 2 (proposed (target))	Bedroom 3 (proposed (target))	Bedroom 4 (proposed (target))	Built-in storage (proposed (target))	Private Amenity Space (proposed (target))
4b/8p	163.08 (130)	14.9 sqm (11.5)	18.7 sqm (11.5)	14.9 sqm (11.5)	18.7 sqm (11.5)	3.6 sqm (3.0)	79 (11)

- 70 The proposed development would meet the requirements of LPP D6 in terms of total floor space and storage space. All of the bedroom meets the 11.5 sqm area requirements of Table 3.1 of the London Plan and sufficient width to comply with Table

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3.1. All of the proposed rooms would have a minimum of 2.5m floor to ceiling height as required by LPP D6 (F) (8), no concerns are raised.

- 71 LPP D6 (F)(9) 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. The proposed development would greatly exceed the required amount of amenity space by providing 79 sqm.

Outlook & Privacy and Overheating

Policy

- 72 DMP 32 expects all new development to provide a satisfactory level of privacy, outlook and natural lighting for both its future residents, which is also supported by the Mayors Housing SPD. Furthermore, the London Plan Policy D6 requires the highest standards of design and construction to be achieved, including the avoidance of single-aspect units.
- 73 London Plan Policies D6 and SI4 seek to avoid internal overheating through design, materials, construction and operation of the development. The Mayor's Housing SPG also demonstrates that development proposals should achieve an appropriate design of dwellings to avoid overheating without heavy reliance on energy intensive mechanical cooling systems.
- 74 The Small Sites SPD (2021) notes that the architecture of small sites will often need to work harder to protect and achieve privacy and outlook of neighbours and at the same time provide adequate privacy and outlook to the new residents.

Discussion

- 75 The proposed development would be triple aspect and have good levels of outlook. Officers also consider that the triple aspect would provide adequate levels of passive ventilation and with it mitigation against overheating. The levels of overlooking would match that of the properties in this group of terraces. The proposed dwelling would be 15m from No.1 Dorville Road and 20m from No. 2 Dorville Road, Officers consider this a sufficient distance from neighbouring properties and as such will have adequate privacy.

Daylight and Sunlight

Policy

- 76 DM Policy 32 (1) (b) expects new development to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents.

Discussion

- 77 Officers consider the daylight and sunlight levels would be acceptable. No assessment has been provided but it is not considered necessary for this scheme given its modest scale, triple aspect and end-of-terraced nature. The levels of daylight and sunlight would broadly match those available to the existing terraced properties in this group.

Noise & Disturbance

Policy

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- 78 The NPPF at paragraph 170 states decisions should among other things prevent new and existing development from contributing to being put at unacceptable risk from or being adversely affected by unacceptable levels of noise pollution. Development should help to improve local environmental conditions.
- 79 Paragraph 180 states that decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 80 The objectives of the NPPF and NPPG are reflected in Core Strategy Objective 5 and DM Policy 26.

Discussion

- 81 The proposed development would be located amongst residential properties. As such, the proposed use is considered compatible with the surrounding area and no increase in noise beyond typical residential use is anticipated.

6.2.3 Housing conclusion

- 82 The proposed dwelling would be a well-proportioned family sized house, although it is larger than the space standards of the London Plan Policy D6; the space standards are minimums which applicants are encouraged to exceed. Officers therefore consider the proposal would be a well-designed four bedroom family sized dwelling.

6.3 URBAN DESIGN & HERITAGE

General Policy

- 83 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.
- 84 LPP D3 requires new development proposals to enhance local context by delivering buildings and spaces that positively respond 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.
- 85 Core Strategy Policy 15 High quality design for Lewisham repeats the necessity to achieve high quality design but also confirms a requirement for new developments to minimise crime and the fear of crime.
- 86 DMLP DM30, Urban design and local character states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. The London Plan, Lewisham Core Strategy and Lewisham DMLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design. DM Policy 33 seek to protect and enhance the Borough's character and street frontages through appropriate and high-quality design. The Small Sites SPD is applicable.

Heritage policy

- 87 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that relate to heritage assets. This includes giving great weight

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to the asset's conservation, when considering the impact of a proposed development on the significance of a designated heritage asset. Further, that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal.

- 88 CSP 16 ensures the value and significance of the borough's heritage assets are among things enhanced and conserved in line with national and regional policy.
- 89 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.

Discussion

- 90 The proposed development would result in extending the existing group of terraced properties further to the south, which would reduce the grassed nature of this corner of Burnt Ash Road and Dorville Road. While the proposed dwelling would depart from the established 1960s estate design to which it would belong, Officers consider that the overall design would be of exceptional high quality and would echo the provisions of Section 28.1 of the Small Sites SPD which states any new development on street corners must achieve a high degree of design quality and are suitable for distinctive buildings which are marginally taller than their neighbours. Officers do not consider the development would result in an over-development of the site given the existing terraced dwellings to which this be adjoined to.
- 91 Prior to its 1960s reconstruction, buildings on the east side of Burnt Ash Road had a similar relationship to the primary and secondary streets as those on the west side, which can largely still be seen today. That is, the primary frontage (on Burnt Ash Rd) generally extended to the back of pavement line of the secondary street (Handen Rd, Micheldever Rd, Dorville Rd etc.). Officers consider that approach maximises the continuity of frontage on the primary street, but has been undermined by the street layout of the 1960s estate, which often presents blank flank walls to the primary street and leaves ambiguous space on prominent street corners, creating areas of weakness where markers would otherwise be expected. The proposed development attempts to ameliorate some of the above harms; the existing southern elevation is a blank flank wall which does not contribute to active surveillance, while the proposal would include adequate windows to contribute towards active surveillance and also optimise the solar efficiency of the proposed dwelling.
- 92 While Officers do recognise that there would be a loss to a certain degree of the existing open space which could have an impact on local distinctness as suggested by Conservation Officers this harm is mitigated by the creation of a distinctive building which would provide adequate biodiversity enhancements and also create a net-zero home; this has been previously addressed in Section 6.1.
- 93 Conservation Officers raised concerns that the proposed scheme would not be in accordance with DM Policy 30 5 d in terms of the proposed buildings alignment to the existing street. Given the proposed dwelling would break the building line at this part of Dorville Road (see Figure 4), Officers consider it is necessary to follow the building line at the other end of Dorville Road with Leyland Road. The proposal would follow this building line and would have a similar set in from the pavement as No. 58 Leyland Road. This would help to better connect the proposed dwelling with the properties along

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Dorville Road. In assessing this application Officers do not consider that the proposal would not be in accordance with DM Policy 30 5 d.

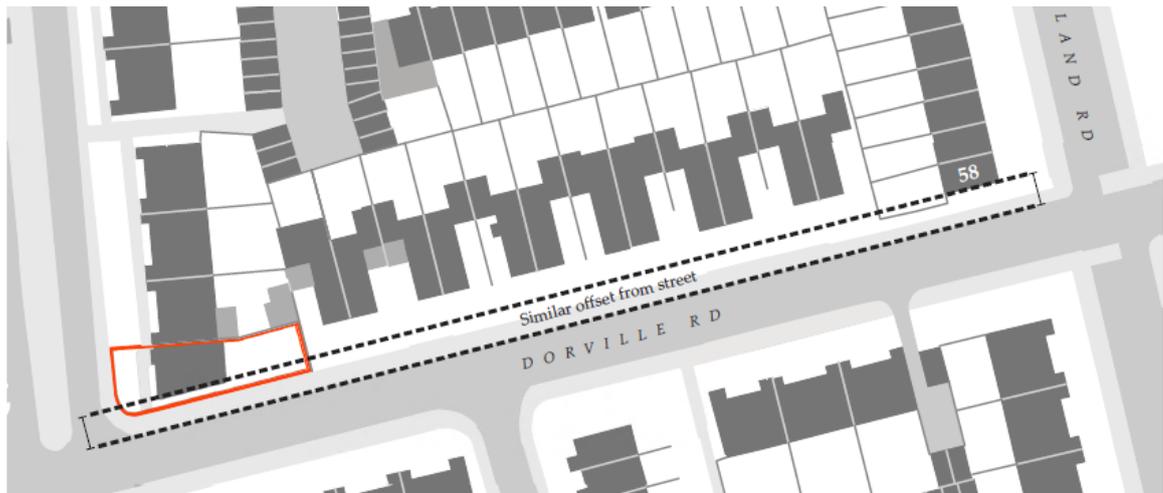


Figure 4 – Block plan demonstrating the set in from the street

- 94 Officers did raise concerns during the course of this application that the rooftop structure would be too heavy on top of the building and was an unresolved part of the design. As a consequence of negotiation the applicant has omitted this from their design, while this would reduce the proposed dwellings height and reduce its ability to be a way finder corner property it would lead to a better overall design.
- 95 The material palette is of a very high quality which has been carefully considered to visually relate to the surrounding context whilst also allowing for a simple, high performance building fabric. The use of red brick slips would match the materials of the Burnt Ash Road 1960s terrace, the use of brick slips over conventional bricks would enable for a better building envelope which is more efficient and allow for the bricks to be orientated in a unique way allows for the creation of branching patterns in the brickwork, representing the trees of Burnt Ash Road. The patterns vary storey by storey, to create a clear bottom, middle and top to the facade. The proposed windows and shutters would be constructed out of aluminium and would offer a high quality finish to the dwelling.
- 96 A condition is recommended securing the final details of the materials and detailing in order to ensure that finished buildings would be high quality.
- 97 While Officers recognise that the scheme would be of differing proportions to the terrace to which it would become part of, the proposed 3-storeys would be similar to buildings on the west side of Burnt Ash Road and represents less than half a storey increase compared to the ridge height of the neighbouring buildings on the east side of Burnt Ash Road, which are three storeys with pitched roofs. This small step up in height on a corner site is in keeping with the guidance of the Lewisham Small Sites SPD.
- 98 The scale of the proposed development would be such that it is necessary to consider its impact on the setting of the Lee Manor Conservation Area. It is noted that there are no listed buildings in the close proximity of the application site.
- 99 Conservation Officers consider that the proposal could cause less than significant harm to the conservation area, to the lower end of the scale, due to the positive contribution of the screen of trees along Burnt Ash which reduce the views across the road. However

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the Case Officer has come to a different conclusion, given that the proposal would include the provision of three on-site trees that would over time mature and will mitigate this harm, Conservation Officers had noted that more carefully place tree planning might mitigate this visual harm. This could be secured by way of planning condition on soft landscaping, as such Officers instead consider that the current proposal would lead to no harm to the Lee Manor Conservation Area.

- 100 The addition of the proposed dwelling would result in a significant reduction in open space and a mature tree at the site. This loss is regrettable but is necessary to deliver this development and provide an additional dwelling towards Lewisham's annual housing targets and provide a net-zero dwelling which would help Lewisham achieve its target of being net-zero by 2030. The remaining areas of open space would be landscaped. This would include the areas surrounding the residential building and the garden to the rear of the dwelling.
- 101 To the front of the property would be an additional street tree which would be secured by condition, to the front and side would be an area of soft landscaping and climbers on the building's mesh. Hedges and shrubbery would be planted along the side boundary. The soft landscaping scheme also proposes the addition of 3 trees to be planted at various locations around the site. Officers are satisfied that the proposed planting is the maximum the site can accommodate taking into account the sites size. The final details of the soft landscaping will be secured by condition.
- 102 The proposed mesh to the south elevation and corners of the east and west elevation which would provide a framework for planting to the south elevation. It has the dual purpose of providing extra privacy and helping to regulate internal temperature in the summer by providing additional shade. The pattern of the wire mesh will follow the outline of a tree so that the proposed planting will follow a certain shape, the applicant has provided examples of where this has been successful previously, see Figure 5.



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Figure 5 - corner of Putney Hill and Carlton Drive with mesh planting (2022)

Summary

- 103 Officers, having regard to the relevant paragraphs in the NPPF in relation to conserving the historic environment, are satisfied the proposal would preserve the character and appearance of the Lee Manor Conservation Area.
- 104 The proposed residential building would respond positively and sensitively to their context in terms to their scale, massing, materials and design. Officers consider the proposed design to be of an exceptional standard which would create a bookend to this group of terraced properties.

6.4 TRANSPORT IMPACT

General policy

- 105 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para 104. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic; and (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.
- 106 Para 111 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 107 Regionally, the Mayor’s Transport Strategy (‘the MTS’, GLA, March 2018) sets out the vision for London to become a city where walking, cycling and green public transport become the most appealing and practical choices. The MTS recognises links between car dependency and public health concerns.
- 108 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

6.4.1 Local Transport Network

Policy

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

Discussion

- 110 The application site has a PTAL rating of 3 which is an average level of public transport accessibility. Officers are satisfied that the modest scale of development would prevent the need for any mitigation in terms of increased transport capacity and that any impacts to the local transport network could be accommodated within the existing transport services and infrastructure.

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111 The applicant also proposes re-laying the footway that fronts the dwelling. The applicant is advised to seek permission from the Borough's highway authority to undertake these works.

6.4.2 Servicing and refuse

Policy

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

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

114 Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Buildings in accordance with London Plan Housing Supplementary Planning Guidance (2016) standard 23.

Discussion

115 The proposed provision of one refuse bin, one recycling bin and one optional garden waste bin all of 240 litre size together with a food caddie, would be located at the rear of the property, Officers raise no objection subject to further details secured by condition.

116 Officers note that existing access arrangements to the rear of the properties at Nos. 77 to 81 will be maintained by a path from Dorville Road to the existing gate at the rear.

117 Highway Officers raise no concerns in terms of sightlines out of Dorville Road, vehicles at the junction with Dorville Road would have the same sightlines as there were previously.

6.4.3 Transport modes

Cycling and walking

Policy

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

119 Secure cycle parking should be provided at the site in line with the London Plan (2021) and London Plan Housing Supplementary Planning Guidance (2016) standards 20 and 21 which state the following:

- Standard 20 (Policy 6.9) - All developments should provide dedicated storage space for cycles at the following level: 1 per studio and one bed 2 per all other dwellings.
- Standard 21 - Individual or communal cycle storage outside the home should be secure, sheltered (weatherproof) and adequately lit, with convenient access to the street. Cycle storage identified in habitable rooms or on balconies will not be considered acceptable.

Discussion

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- 120 Two cycle parking spaces are required. Cycle storage with the potential to store two cycle parking spaces would be located in the rear garden of the proposed house, with access also provided from a side gate. The proposed site block plan suggests the proposed cycle storage would be covered with a biodiverse living roof, no further details were provided at this stage. As such, a condition is recommended for the submission of full details of the cycle storage to be approved in writing by the Council ahead of first occupation.
- 121 Officers do not consider the proposal would have any impact on the way pedestrians are able to walk, it would not result in the removal of any paths or extend out to the paths which would create a poor pedestrian network. While Officers recognise that it would stop pedestrians from walking through the site as a shortcut, however given the private ownership of the site and that there are no footpaths on site Officers raise no concerns with the way it could impact pedestrians.

Private cars (include disabled and electric charging points)

Policy

- 122 LPP T6 supported by CSP 14 and DMP 29 require developments to take a restrained approach to parking provision to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use. Table 10.3 of the London Plan sets the maximum car parking standards for residential developments.

Discussion

- 123 No off street parking is proposed. No off-street parking is currently provided by the site at present. The application site has a PTAL rating of 3. Table 10.3 of the London Plan sets out that all new residential developments in inner London locations with a PTAL rating of 4 should be car free. Given the application site is located wholly within PTAL 3, the proposed car free development is considered compliant with Table 10.3 of the London Plan and acceptable. Officers consider given the scale of development there is sufficient capacity of on-street parking to accommodate one additional dwelling.

6.4.4 Transport impact conclusion

- 124 The construction of a single dwelling raises no highway concerns. However, the applicant is required to apply for an appropriate highway licence to undertake the proposed footway improvements.

6.5 LIVING CONDITIONS OF NEIGHBOURS

General Policy

- 125 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At para 183 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.
- 126 The NPPF at para 174(e) states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by,

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unacceptable levels of soil, air, water or noise pollution or land instability. Para 180(a) of the NPPF states that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

127 This is reflected in relevant policies of the London Plan (LPP D3), the Core Strategy (CP15), the Local Plan (DMPs 32 and 33) and associated guidance.

128 LPP D3 states that development proposals should deliver appropriate impacts to outlook, privacy and amenity as well as mitigating noise levels.

129 Further guidance is given in the London Plan Housing SPG 2017.

6.5.1 Enclosure, Outlook and Privacy

Policy

130 Overbearing impact arising from the scale and position of blocks is subject to local context. Outlook is quoted as a distance between habitable rooms and boundaries. Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.

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

132 DMP 32 expects new developments to provide a ‘satisfactory level’ of privacy, outlook and natural lighting for its neighbours.

133 Section 12 of the Small Sites SPD provides design principles to ensure neighbouring amenity is protected.

Discussion

134 At present, the application site comprises of an open grassed area with a mature walnut tree in the centre, the proposed three-storey house style one would have an eaves height of between 6.82m and 7.6m.

135 Given the separation distance between the proposed units and the neighbouring properties along Dorville Road, there would be a minimum of 15m between the two closest properties (No. 1 Dorville Road) and 20m (No. 2 Dorville Road). The distances are therefore below the 21m recommended by DMP 32. However, the Small Sites SPD adopted in October 2021 updates the recommended minimum distances to 16m.

136 Although the proposed distances between the application property and No. 1 would be marginally below the 16m guidance contained within the Small Sites SPD, Officers note that this would be a similar relationship as between the existing property at No. 81 Burnt Ash Road and No. 1 Dorville Road which also have a 15m separation distance. It should also be stated that the views from the rear of the proposed dwelling would be towards the flank elevation of No. 1 Dorville Road and the main primary aspect is north-south so the main windows of No. 1 would face away from the development site. Officers do not consider the proposed development would give rise to an overbearing appearance or sense of enclosure.

Discussion

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137 Overall given this development is in accordance with the Small Sites SPD Officers are not concerned it would give rise to loss of amenity.

6.5.2 Daylight and Sunlight

Policy

138 The NPPF does not express particular standards for daylight and sunlight.

139 DMP 32 expects new developments to provide a 'satisfactory level' of natural lighting for its neighbours.

Discussion

140 Although concerns were raised by objectors that the proposed dwelling does not respect the established building line of Nos. 77 to 81 Burnt Ash Road, Officers are not concerned that this would reduce the sunlight and daylight of these properties as the existing terraces further along Burnt Ash Road follow a similar step-out and step-back from each group which is not considered to result in any harm to those properties. The most likely property to be impacted by the proposals would be No. 81, the applicant has shown the 45-degree test applied to the neighbouring window which shows the proposed dwelling would not breach this test.

141 Comments were also concerned with the impact in terms of sunlight and daylight to No. 1 Dorville Road, it should be noted that the proposed dwelling would have a similar relationship to No. 1 as the existing terraced properties and give the front elevation of No. 1 is south facing it is unlikely to cause any issues with overshadowing. It should also be stated that the views from the rear of the proposed dwelling would be towards the flank elevation of No. 1 Dorville Road and the main primary aspect is north-south so the main windows of No. 1 would face away from the development site as such no issues with overshadowing should arise.

6.5.3 Noise and disturbance

Policy

142 PPG states LPAs should consider noise when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.

Discussion

143 The introduction of new residential properties within a residential area is not considered to result in any significant long-term material impacts in terms of noise and disturbance. The construction phase of development is likely to introduce short-term disturbances to the surrounding properties, however that is an inevitable consequence of development and is not considered a material consideration in this case. Hours of construction work are covered by legislation.

6.5.4 Impact on neighbours conclusion

144 The impact on neighbouring residential amenity has been assessed against the relevant policies and guidance, and no significant harm has been identified

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6.6 SUSTAINABLE DEVELOPMENT

General Policy

- 145 Paragraph 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 of 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 measures.
- 146 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.

Living roofs

Policy

- 147 There is no specific Local Plan policy which requires the installation of a living roof on minor developments such as the proposed scheme, although CSP12 promotes the use of living roofs and DMP 24 adds to the approach by detailing measures to ensure provision is of appropriate quality.

Discussion

- 148 The proposed development would include the provision of an intensive biodiverse living roof on the cycle and refuse stores, which details would be secured by way of condition as part of the soft landscaping condition.
- 149 The Council's Tree Officer suggested that the applicant should include the provision of a living roof to the main host property, Officers consulted with the applicant who agreed to the provision of a green roof condition to the proposed building, albeit not a requirement of planning policy. Also, it should be noted that there will be significant improvements in terms of biodiversity improvements such as provision of additional hedges, living roof to cycle/refuse store, climbing plants to the south elevation, three on-site replacement trees and financial contributions towards the provision of street trees in the local area.

Carbon Reductions and Net Zero

Policy

- 150 CSP 8 seeks to minimise carbon dioxide (CO₂) emissions of all new development and encourages sustainable design and construction to meet the highest feasible environmental standards.
- 151 DMP 22 requires all development to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy

Discussion

- 152 A sustainability statement dated July 2022 was submitted in support of this application which detailed the sustainability goals of the development and principle that the design of the dwelling will use passive design to minimise heat loss in winter, maximise solar gain and reduce summer overheating. This is accomplished by optimising orientation,

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form, layout, building fabric and shading devices first, before looking at the most efficient building services strategy possible, and then finally at the on-site energy generation capacity needed.

- 153 According to the statement the site is ideally oriented for passive solar design. It is longer in its east-west axis than in the north-south axis, allowing for a large south-facing elevation with short east and west-facing elevations. This will allow for the maximum amount of solar gain in winter, whilst helping to reduce overheating in summer when the east and west elevations would receive more sunlight.
- 154 To maximise solar gains the south-elevation has the highest glazing ratio of the three exposed elevations, at 24%, while the east elevation is limited to 15% and the west elevation to 14%, all ratios in line with LETI guidance. The north elevation, being directly adjacent to the neighbouring building, has no glazing.
- 155 Building form has also been considered in the design of the dwelling to ensure an efficient form limits the amount of heat that can be transmitted through the building fabric, and therefore reduces the amount of energy that needs to be used for heating or cooling. The form factor, which is the ratio of the internal floor area to the exposed external surface of the proposed building, is 2.4, in line with LETI guidance of 1.7-2.5. The surface to volume ratio (SVR), another measure of efficiency, is 0.56, which compares well with a typical family house with a ratio of 0.8 to 1.0, and is similar to the efficient neighbouring blocks of flats on Burnt Ash Road and Dorville Road, with SVRs of approximately 0.53.
- 156 With a high level of insulation and air-tightness, and high south-facing glazing ratio, the passive design features that help keep the house warm in winter has the potential to lead to overheating in summer without the use of some form of shading. The proposed scheme includes both shutters, which provide operable solar control, and the green wall, which will provide natural, seasonal shading.
- 157 The shutters would allow for the complete blocking of sunlight on the hottest days, if necessary, but with hinges and adjustable slats a high level of partial shading is also possible, to suit the conditions. They can be opened or closed to follow the movement of the sun, blocking sunlight as needed or being opened to allow daylight in. Importantly, shutters also allow for windows to be kept open through the night whilst still maintaining a measure of security, for night-time cooling during the summer. Further details of the shutters will be secured by way of condition.
- 158 The climbing plants of the green wall, being a natural element and to a degree 'uncontrollable', as well as taking a number of years to fully grow, were not taken into account during simulations. However, once in place they should also have a positive effect on internal temperatures and allow for more summer days in which the south-facing shutters can be kept open for longer.
- 159 The proposed building would use mechanical ventilation with heat recovery (MVHR), which could recover more than 90% of the heat from outgoing air, which combined with the high levels of insulation and airtightness, means that very little additional heat will have to be introduced to ensure comfortable internal temperatures.
- 160 It is proposed that any additional heat needed to bring indoor temperatures up to a comfortable level will be supplied by an air source heat pump, which are typically capable of outputting at least 2.8 times as much heat energy as the electrical energy they use. The ASHP will also be used to supply heat for domestic hot water.

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- 161 Other interventions which is likely to result in a net-zero dwelling would be the use of LED lights, highly efficient electrical goods and smart meters.
- 162 The proposal would also result in the provision of a small 12 panel, 4kWp solar array, which, based on the average annual solar radiation in Lewisham, should generate approx. 4mWh of electricity per year according to the statement submitted. The statement considers that the proposed solar PV array would provide enough electricity to power the dwelling without relying on the national grid for additional electricity.
- 163 The Council's Net Zero Manager has reviewed the application and considers it to be ambitious scheme within Lewisham, they consider the submitted information to be accurate and would achieve the net-zero and sustainability goals.
- 164 An objection was received which considered the removal of the mature tree would reduce the mitigating effects in terms of exhaust fumes and traffic noise. While Officers recognise that the existing tree helps to provide some mitigation for environmental factors, given the number of environmental and sustainability measures incorporated into this scheme it is likely the proposal would not lead to a worsening of the existing situation.
- 165 Details of the Solar PV array and ASHP will be secured by way of condition to ensure they installed and have an acceptable impact on neighbouring amenity given the potential for noise from ASHPs.
- 166 Officers give significant weight to the provision of a truly net-zero operating and sustainable dwelling within Lewisham, the proposal is admirable in its sustainability goals and sufficient weight should be given to this given the difficulty in securing these enhancements for single dwelling schemes.

6.7 NATURAL ENVIRONMENT

General Policy

- 167 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 168 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 169 The NPPF at para 185 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.

6.7.1 Ecology and biodiversity

Policy

- 170 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.
- 171 NPPF para 170 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more

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resilient to current and future pressures. NPPF para 180 sets out principles which LPAs should apply when determining applications in respect of biodiversity.

172 LPP G6 expects Sites of Importance for Nature Conservation (SINCs) to be protected. Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain.

173 CSP 12 seeks to preserve or enhance local biodiversity.

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

Discussion

175 The NPPF and the LPP G6 state that development proposals should aim to contribute a net gain in biodiversity, given the scale of development is considered minor many of the policy triggers in terms of biodiversity net gain are not triggered. However, the applicant has considered it with their application to ensure that the scheme provides a development that contributes to the biodiversity of Lee and the wider area.

176 The Council's Ecologist welcomes that Urban Greening Factor and Biodiversity Net Gain calculations as well as biodiversity enhancements have been considered in this application. A number of enhancements have been included in this development to help maintain and improve the UGF on site, such as swift bricks, native hedge, wildlife-friendly planting, green wall, green roof to the cycle store and dwelling, hedgehog highways. These biodiversity enhancements will be secured by condition and where necessary details of their maintenance will also be conditioned.

177 A soft landscaping condition will also secure the landscaping strategy to the site to ensure a development which is of a high quality design and provides sufficient soft landscaping.

6.7.2 Trees and soft landscaping

Policy

178 S.197 of the Town and Country Planning Act gives LPAs specific duties in respect of trees.

179 At paragraph 131 the NPPF is clear that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. At para 174 the NPPF expects development to contribute to and enhance the natural and local environment.

180 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.

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

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182 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. Where trees are removed as part of new development, replacement planting will normally be required. New or replacement species should be selected to avoid the risk of decline or death arising from increases in non-native pests and diseases.

Discussion

183 An Arboricultural Impact Assessment (AIA) (MMArboriculture, February 2022) has been submitted in support of the application. The AIA includes a tree survey, which documents that there is only one individual tree on the site. The identified walnut tree is identified as being Category B. The AIA identifies that it would be necessary to remove the walnut trees (T001) to facilitate the construction of the development.

184 The Tree Officer has raised concerns with the CAVAT value the applicants AIA had calculated, this was incorrectly valued at £24,227 due to using the incorrect Community Tree Index Factor for Lewisham. As a result, the Tree Officer has calculated the CAVAT valuation for the tree to be removed as £42,397, see Table 1 below. The removal of the tree is regrettable but unavoidable and therefore on balance considered justified given the provision of a family sized dwelling and the fact that the dwelling will be net-zero in carbon emissions once constructed as already outlined in Section 6.6.

185 Officers recognise that to provide a financial contribution of £42,397 for the provision of off-site trees would not be commensurate to the scale of development, as such Officers have negotiated a financial contribution of £9,000 for off-site street trees within the local vicinity. Officers consider that the proposed financial contributions would meet the three tests as set out by the NPPF; it would be necessary in order to make the development acceptable given the loss of mature tree, it relates to the proposed development as it would contribute towards street trees in the area and the £9,000 contribution would fairly and reasonably related in scale and kind to the development.

Table 1 CAVAT valuation of the trees to be removed

Tree	Species	Height (m)	Category	Value (£)
T001	Walnut	8	B1	42,397
Total				42,397

186 While Officers do recognise that the tree has value to the local community given the number of objections received regarding the tree, it is considered that a planning condition for the three replacement on-site trees and the financial contribution of £9,000 for replacement street trees would sufficiently off-set the loss of this tree.

187 Discussions with the Council's Green Scene and Street Trees have been successful in identifying locations along Dorville Road for the planting of circa 10no trees which would off-set the loss of the on-site walnut tree.

188 While Tree Officers suggested that the proposed rear garden trees should be closer to the boundary of Dorville Road, this had been discussed with the applicant and they agreed to revise the location of the trees closer to Dorville Road where possible. Officers are satisfied that the exact location of the rear garden trees can be left to condition.

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189 Tree Officers did raise concerns over the effectiveness of the green wall mesh and requested precedents in London, which the applicant provided. The specific design of the mesh and the types of plants used to climb up it can be secured by way of condition.

6.7.3 AIR QUALITY

Policy

190 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.

191 LPP SI1 states new development amongst other requirements must endeavour to maintain the best ambient air quality (air quality neutral) and not cause new exceedances of legal air quality standards.

192 CSP 7 reflects the London Plan. CSP 9 seeks to improve local air quality. DMP 23 sets out the required information to support application that might be affected by, or affect, air quality.

193 Further guidance is given in the Mayor of London's Air Quality Strategy.

Discussion

194 The site is located in an Air Quality Management Area. It is also modest in scale and benefits from triple aspect windows. For these reasons it is not considered to materially worsen existing air quality nor expose new sensitive receptors to unacceptable air quality impacts.

6.7.4 Natural Environment conclusion

195 The proposal is acceptable in terms of Natural Environment, subject to conditions and financial contribution.

7 LOCAL FINANCE CONSIDERATIONS

196 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).

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

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198 The CIL is therefore a material consideration.

199 £11,415.60 Lewisham CIL and £9,784.80 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

8 EQUALITIES CONSIDERATIONS

200 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.

201 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.

202 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.

203 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>

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

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

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205 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>

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

9 HUMAN RIGHTS IMPLICATIONS

207 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

208 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.

209 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.

210 This application has the legitimate aim of providing a new buildings for residential use. The rights potentially engaged by this application, including Article 8 and Protocol 1, Article 1 are not considered to be unlawfully interfered with by this proposal.

10 LEGAL AGREEMENT

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

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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

212 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.

213 The following are the draft Heads of Terms to which the applicant has agreed in writing:

Monitoring and Costs

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

Financial Contribution

- To pay a financial contribution of £9,000 (index linked to RPI) for replacement trees and their maintenance in the local area prior to commencement of development

214 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

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

216 The proposed development would be an exceptionally high quality dwelling which would contribute towards local targets which carries weight within the overall planning balance. The impacts to the local transport network are acceptable and would not require any mitigation. Officers have not identified any adverse impacts to neighbouring properties which would need to mitigate against.

217 Finally, while the proposal would result in the loss of an open space on the corner of Burnt Ash Road and Dorville Road and a mature walnut tree, these harms are balanced by the provision of a net-zero dwelling and the provision of three on-site replacement trees and a financial contribution of £9,000 for street trees within the local vicinity.

218 Therefore, subject to the imposition of conditions and the securing of relevant planning obligations, including financial contributions, the development is judged acceptable and would accord with the Development Plan.

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12 RECOMMENDATION

219 That the Committee resolve to **GRANT** planning permission subject to a S106 Legal Agreement in the terms set out in Section 10 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:

001; 101; 102; 111; 112; 113; 121 (Received 02 August 2022)

Aboricultural Impact Assessment and Method Statement (MMArboriculture date 08/02/22); Design and Access Statement; Planning Statement; Sustainability Statement (Received 16 September 2022)

201; 202; 203; 204; 205; 206; 207; 208; 211; 212; 213; 214; 215; 216; 221; 222 (Received 21 September 2022)

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) **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
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity.
 - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).

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- (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 S11 Improving air quality and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).

4) **Architectural Details**

- (a) Notwithstanding the details hereby approved, no development above ground level shall commence until detailed plans at an appropriate scale showing windows and door reveals, building and roof junctions, external shutters and external mesh, sections of the brick slips and details of their fitting to the main facade 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.

5) **Materials**

No development above ground shall commence on site until a detailed schedule and specification and on-site samples of all external materials and finishes, windows and external doors to be used on the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

6) **Air Source Heat Pump**

- (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.

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- (b) Details of the proposed air source heat pump and how it complies with paragraph (a) shall be submitted to and approved in writing by the LPA prior to the commencement of any above ground works.
- (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).

7) **Cycle Store**

- (a) Prior to first occupation, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.
- (b) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

8) **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) shall be submitted and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

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

9) **Refuse Store**

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

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban

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design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

10) **Soft Landscaping**

- (a) A scheme of soft landscaping (including details of at least three replacement trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits and details of the refuse/cycle store biodiversity living roof) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

11) **Boundary Treatment**

- (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).

12) **Biodiversity Enhancements**

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

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

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- 13) **External Pipework**
Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater pipes, shall be fixed on the external faces of the building.
- Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).
- 14) **Satellite Dishes**
Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015(or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the west or south elevations of the building.
- Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).
- 15) **Use of Flat Roof**
Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roof on the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.
- Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).
- 16) **Solar Panels**
- (a) Details of the proposed solar panels shall be submitted to and approved in writing by the LPA prior to the commencement of any above ground works.
- (b) The solar 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:** To comply with Policy SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy Infrastructure in the London Plan (2021) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

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17) **Net-Zero Provisions**

The residential unit hereby approved shall be built in accordance with recommendations set out in the Sustainability Statement dated July 2022.

Reason: To comply with Policy SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy Infrastructure in the London Plan (2021) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

18) **Biodiverse Living Roof**

(a) Notwithstanding there hereby approved roof plan, prior to the above ground works, details of the hereby approved a biodiverse living roofs with a settled substrate depth of average not less than 133mm shall be submitted to 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).

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) 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.
- 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.
- 4) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the

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development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>

13 BACKGROUND PAPERS

- (a) Submission drawings
- (b) Submission technical reports and documents
- (c) Statutory consultee responses

14 REPORT AUTHOR AND CONTACT

220 Thomas Simnett Thomas.simnett@lewisham.gov.uk 020 8314 6284

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15 APPENDIX 1 – LOCAL MEETING NOTES 12/10/2022

Councillor Rathbone

Welcomes participants to the meeting and explains running order for the night.

Thomas Simnett

Planning Officer introduces himself and firstly apologies for the erroneous email which was sent out to people that contained other peoples emails. Kindly asked everyone to delete the email. Moved on to introduce the scheme and explain the Council is only able to answer procedural questions and not give an opinion on the scheme.

Adam Johnston

Everybody. I'm Adam and we're all here on this call because I'm proposing to self-build a new house on the corner of Burnt Ash Rd in Dorville Rd. So yes, I am the applicant, I'm also the designer, and the building is intended to be my home. I've lived in London for around 20 years, over 20 years now all over London, and most recently I've moved to Lee, so I'm pretty close to Burnt Ash Rd these days. I worked in architecture for Over 15 years and for a lot of that. I was looking for a slight which I could design and build a home for myself. I went through over 70 potential sites including ones that were up for auction, ones are being sold by estate agents and so on before I found this one and I found it just by walking past it and then looking at who owned it and writing them and said are you interested in potentially selling it to me? So that's me, about me and about how I found the site. Should I keep going? I can sort of move on to more of a presentation, just explain the scheme a bit.

Cllr Rathbone

Cheers. Thanks, Adam. Um, yeah, if you could do that, Adam, you've got about 5 minutes in total. So if you could just explain the application a bit, particularly any changes which have been made to it since people might have put in their original objections.

Adam Johnston

Applicant shares screen showing Design and Access Statement.

So this is the site in this drawing. This is burnt ash Rd. This is Doraville Rd. North is up. So if you keep going up the road this way, you head towards the league centre and going down that way to the train station. Uh, so the site is part of the freehold of this neighbouring block 77 to 81. The freehold of that block is owned by a company and the land was offered to all the leaseholders in the block, none of whom wanted to purchase it. Before I could sort of make a formal approach to the owner or do a deal with the owner, I don't own this site yet. What I have is an option to buy it.

So for an update on the project as Councillor Rathbone was saying, it has changed since I first submitted it because soon after I submitted the application originally offers a contacted me and then explained that while they supported most aspects of the design principle, they had issues with the design of the top floor which is here on the left image. So this left image is as it was when I submitted it.

The issues would take too long to resolve. As you know, we're back and forth of design studies and so on within the lifetime of the application. So they advised I should just admit it and continue the application with the House at three stories instead, which is what I've done. So getting the design on the top floor right was in discussion with the officers subject of a whole different discussion and application. So the application now is simply to what we see on the right hand image. A three Storey house and all the updated drawings are available on the Council website.

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So here is the sort of latest image of what it looks like if you're standing at the corner of the interaction doorbell looking north.

So moving on to the plan, the plans are very simple. The ground floor is the main living area and we've got a front door here onto burnt ash. Rd follows the pattern for the front doors of the neighbouring blocks, so this is 81 and so on up here. So following that pattern of where the door is, and we have a garden at the rear which is also following the same pattern. And then there's a door out from the kitchen and then we can see we have these windows here facing south. On the Doraville road and then as you go up, it's quite simple.

We just got bedrooms on the upper floors. Each floor has two bedrooms and some storage and a bathroom. And now here we have the roof where instead there was going to be another floor before and that roof is for the solar panels and they'll be an access hatch to get up there for maintenance and then space replanting for the plants that will go in the green wall trellis.

And so the landscape design was quite a focus of this application for me too. I'm going to put in two new trees in the rear garden and the new tree to the front as well. The existing hedge on the rear is going to be retained. And I'm also proposing to plant new hedges around the edges as well as a lot of flowering perennial shrubs around the borders and then plants that will climb up the. Climbing wall trellis as well.

This is what it looks like in elevation, so we're looking at the three exposed sides of the building here. The West this faces burnt Ash Rd, the South is face adorable road and the east this is the rear faces the garden. And so here you can see the front door. I'm going to go onto the next page. This is a more realistic view of what that main House elevation looks like, and you can see the sort of entrance door they're popping out just like the neighbours and so on.

And then this is a realistic view of the South elevation, where you can see the trellis that goes all the way full height from the ground to the top parapet, which the plants will climb up from the ground or climb down from the roof.

So this is just these diagrams here are just trying to summarise the goals I had when I started the project, which were aimed at making a contribution to the biggest environmental problems that we've got today.

So the first one is climate change and the second one was loss of biodiversity to address climate change and designed the building to be net zero carbon in operation. That means the energy needed to run the building to heat it lighter and cool it and so on. That can also be supplied by energy generated by the building, so it balances out to be. Net zero in use, and to do that we've got to provide high levels of insulation, air tightness to be able to have the right amount of glazing glass on the SW, the East and the West. They will control how much sun gets in in the summer so you don't have to cool it because of overheating and so on.

So to address the loss of biodiversity, well, that was about putting in place more and better habitat on the site than exists now. And that's through the landscape design that I showed you, particularly the hedges, the flowering shrubs that support bees and other pollinators. And all the species that I'm proposing in the garden are supported by the RHS as either drought resistant or plants for pollinators or sort of RHS.

Recommended clients for their ability to grow in difficult conditions and some of them are all three. So you can see any of these plants that has little yellow symbol next to it. That's a plant that's good for pollinators recommended by the RHS. So the landscape design is going to improve the urban greening factor by about 1/3. And urban greening factor is a score that's used in London to evaluate the quality and the quantity of urban greenery. So my proposals will improve the.

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The amount of greenery and the quality of it, and there's a 20% gain in habitat unit, so there's 20% more habitat for birds and insects and so on site after the design, even including the house. And then there is right now. And all that contributes to supporting wildlife, helping deal with rainwater, cleaning the air and so on.

So that's the real summary of the project as it is now, why it is the way it is, and I thought I could then briefly touch on some of the points that people might be more interested in. I put this together before I had heard of any of the questions, so we can go into more detail later. I'll touch on it quickly.

So firstly that people might be worried about overlooking so the new building is 20 metres away from 2 to 24 Dorville Rd on the other side. And that's above the Council's recommended minimum distance of 16 metres for a good level of privacy.

And when it comes to sunlight, um. Well the building is to the north of to the 24 Dorville Rd, so it has no impact on saying it can't overshadow because the sun is always going to be E South or West.

Because it backs up against the neighbouring building to the north and that wall is blank flank wall and the windows and it doesn't affect the sunlight into this building either. When it comes to daylight, the designer originally submitted with the four stories, assessed the daylight impact of that, and had improved around their effect.

Cllr Rathbone

And you just start wrapping up Adam, you're okay time, sorry.

Adam Johnston

Well, I think, yeah, the only other thing to say is that it's unfortunate that I'll be proposing to remove the tree, but it will be planting new trees to compensate for it. And I can go into that in more detail if the questions bring it up. Thank you very much.

Cllr Rathbone

That guy. Thank you, Adam. Officers have received a total of 15 questions in advance of the meeting. Thomas is going to go through them one by one reading them out for the record. If you could then answer them Madam. And once we've got through these, we'll then take additional questions from the chat if and when we receive them.

Thomas Simnett

Thank you Chair.

And the first two questions I think have already been addressed, but for the process of making sure it's clear that ramps and all questions, I'll just ask them anyway and you can add to it if you want.

First question is does the applicant own the land and as the Land Registry title shows, the ownership being given the name of Barcel Limited and the applicant is not listed as the owner.

Adam Johnston

Yeah, so as I explained, I'm not the owner yet. I've just done a deal with the owner that would allow me to purchase it in the future. Um, I was a little bit confused about Barsel limited. It made me wonder if the that questioner was looking at a different site because I just. I double checked prior to this meeting on Land Registry, there are two freehold titles associated with this site.

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One of them is a freehold that covers the entire estate, which has then been had other freeholders taken out of it. That first freehold is not Barcelo limited. Um, the second freehold, which is the one that was subsequently sold on to the owner who I contacted. That's not barcel limited either. Um. So hopefully seeing that aerial view I posted earlier clears up exactly where the site is. It's not parcel limited and the question about being offered to the existing leaseholders. Uh, yes, that was that was done the by the.

Freeholder themselves, they hired a solicitor to approach every one of the leaseholders that have a that are on that that main freehold that this parcel will be chopped off from. And they were offered the land, so the 1st right to buy it basically before I was and none of them wanted to buy it. So it was then made available to me to go into that deal that I've done.

Thomas Simnett

Thank you. I think that addresses second question as well which was if the owner has changed was a sell advertisers required as the neighbouring developments did not receive any notification in the sale which I believe is required with the leasehold. I think that was adequately addressed in the old previous response. So I'll move on to the third question.

Now regarding the three photographs attempting to show that the land has been used as a dumping ground, this is incorrect as a scaffolding and temporary road works all part of refurbishment to no. 80 burnt Ash Rd following five. The applicant should have been aware of this. I have recently photographs taken on 18th which shows that the area is to be tidy and clean.

Is there anything you'd like to add to that?

Adam Johnston

Um, yes. So I mean, I've visited the site over a number of years and on many occasions it was being used for temporary storage. Different things. I wasn't aware of the fire at no. 80.

It doesn't surprise me a bit that the site was used as a storage no. 80, because I think no. 80 is on the opposite side of burnt ash Rd. It's got its own big front garden, which would have thought they could use it for storing the materials there.

Um, but yeah, I think basically my point was more that. The land is less users amenity than you might think. If it's people are happy to put bits of scaffolding on it and keep store cones on it then that suggests that it isn't being used as you know for for playing and and that kind of thing. But I accept that at times it will be cleared up and that other times it will have things stored on it.

Thomas Simnett

The next question I imagine I'll answer this one myself. Has the local planning authority confirmed there is not a TPO on the tree on the land? I've contacted the local planning authority on 2 occasions, still waiting reply.

I can confirm there's been no TPO on the tree that's on site at the moment. And if you want to get hold of the tree officer, I'd suggest if you talk to her about this, the next question.

Has the applicant obtained the relevant highways licence as per the highways report?

Adam Johnston

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Uh, yeah. So I had a look at that and from what I understand that refers to the path in that runs across the across the site. So the. I'm, I'm. I'd be happy to talk to highways about getting their licence. I do wonder though if there might be a little bit of confusion because I'm not proposing to change the pavement in anyway, which is outside of the site boundary. But there is a paved path. That there's paved paths that lead to all the front doors and 77 to 81 and then that path continues and then intersects with the pavement at Doraville Road. And I'm just proposing to pull that up and then relay that within my sight. Will be holding that will go up and then that path have to come up with up payments or that path up to come up and then go down again and and I'm not sure if that actually is a highways issue but if it is I would of course be happy to talk to the highways department about that.

Thomas Simnett

questions that have been put into the chat, but I just wanted to make it clear that the chat is just for questions only and not for comments on response to what may have been raised in the previous answer.

Moving on to Question 6, now the connexion between the existing roof and the new buildings has not been, is not being developed, whereas the front down pipe of the existing block going to be placed saying to the rear down pipe.

Adam Johnston

So on that one, maybe I should just share my screen again and go back to the plans.

Let's go back. Scroll back up to the plan, not just zoom in because or actually this view is quite good. So what I was hoping to do is create a small recess where the building's up against each other. And be able to basically keep the down pipe on both sides where it is in its current state. So if we zoom in on the plans here. There you can see that's where I believe. Or that's maybe this one's a bit easy to see. That's where I believe this down pipe is next to this wall of the flank wall. And what I'd hoped to do is create a little recess between it so that the arrangement of the guttering to the neighbouring 77 to 81 can stay as similar to how it works right now as possible.

Local Resident

This is impossible to assess from the ground floor.

Cllr Rathbone

If you look at Lara, I need you to be quiet please. But chats.

The purpose of is to ask questions and receive answers, not for commentary or discussion. If you've got a question for the applicant, please put it in the chat box and Thomas will call it once we've got through all questions asked previously.

Thomas Simnett

Thank you, Cllr. And question seven is the step out is imposing and creates shade and could reduce light to the ground floor flat. This should be revised please?

Adam Johnston

Yes. So the I know what we're talking about here is the, the proposed, my proposed building is a bit wider than the neighbouring building. And that's a deliberate design move in order to try and create a sort of. At the end of the terrace. And that's something that's kind of comes out of the Lewisham

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planning guidance about what you should do on a corner. And in terms of the distance and whether it's imposing or not, I tried to keep it well, it is a smaller step out than the existing steps between the various blocks.

Flats on burnt Ash Rd. Um. Actually, if I were to share again, I think I could. We can look at the Google Street View. So here we are looking at the site and then if you, if you look at the way these buildings are arranged, they step in and step out in order to create variety as you move down Burnt ash Rd, I believe. And those steps based on the ordinance survey plan that I was looking at or about 1.2 metres and then if we go back to my presentation.

So what I'm proposing is a step out of a metre which is a bit less than that and it's pulled away from the the closest neighbouring window and we've got a rounded corner, which means that if you take a line of 45 degrees from the edge of that window, it's not transgressed at all by the building. And this is based on, again, Council guidance on what is an acceptable step out and if you are not going out beyond this 45 degree line.

Then you're really having a very minimal impact on, um, the sort of daylight or overbearing of a neighbouring window. So that sort of guidance that I've tried to stick to and I think it is something that's sort of contextual in that it's happening all the way up and down, burnt ash Rd.

Thomas Simnett

Thank you. I'll now move on to question eight which has been submitted, which is the current green space at the end of Dorville Rd, presents a light, open, attractive and of course green approach the Dorville Rd with a 60 year old spreading tree. How will the current plans attempt to redress the loss of this attractive corner?

Adam Johnston

Well, I'm. I'm trying to make this building as beautiful as I can. And to I I think, I mean, these things are all subjective, of course, but I think that there is also a value in creating something that's a bit of a, um, a bit different on a corner, um, so that, so that it serves as a bit of a landmark. And I've tried my best at this building as beautiful as I can because it is going to be my home.

In terms of the greenery I will of course be proposing new trees that are going to replace the loss of the existing tree, and that's trees facing the street and also trees in the rear garden, and I'm proposing 3 trees. And in addition to that, I've proposing these climbing plants that will cover the entire south elevation. So I think actually once it's, it'll take some time to grow of course. But after a few years, once those climbing plants have climbed up the trellis and that green wall is really looking very lush, it will be an even greener looking corner than it was before, with more plants and more trees than before.

Thomas Simnett

Thank you, Adam. The next question is despite the stated green and sustainable objectives of these plans, they do in fact take away green space from the end of Dorville Rd and it's dominated bulk reduces the roads attractiveness. How will the proposed development benefit the rest those on Dorville Rd who are losing green space and considerable light?

Adam Johnston

Well, I think the like part is I think the easiest one to address, so I could start with that one. My proposed building, even at the four stories, had very, very little impact on daylight to any residents in Doraville Road, and I did a technical analysis looking at the very worst case window, which is on directly opposite the building at the ground floor.

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And the technique to do the analysis is to find a point in the middle of that window draw a 2024 degree line and then if the building transgressed that line then you take it onto a next step and it's very slightly we're part of it slightly transgressed that line the next step. Then looked at what is the daylight that those windows these worst case scenario windows are going to receive and compare that.

To the, the building research establishment, the BR guidance, and the the daylight that would be received by the very worst affected window was far, far in excess of the level that the BR would say was a problem. It's almost as fully they lit as you can have it, even with the poor stories at three stories.

This, it doesn't even transgress that line. So I think everybody would agree that it has no impact on. On the daylight. Uh, okay. So that was the daylight. And then the other part of the question was to.

Sorry, can you actually go back? What was the other, the final question? Daylight. And what was the other thing?

Thomas Simnett

How will the proposed development benefit the residents of Dorville Rd who are losing green space and considerable daylight?

Adam Johnston

I think there are because I'm proposing landscape that will increase urban greening factor and will increase habitat units. I think it's a benefit to the wider neighbourhood that there are, that the support for more wildlife, that there's an a net gain in plants and trees that are doing things like filtering pollution and bringing down dust levels, all the passive benefits.

You get from the tree that's there you will get but more so once there are more trees and more greenery on the site once that's all grown in so I think I think it. Of course it will take a bit of time, but it should be net beneficial. In that regard.

Thomas Simnett

The next question is, I understand the benefits to the Council of the show House. To encourage sustainability. I'd like to know why the developer has chosen this particular green site as opposed to many other brown sites in the area, for example derelict garages, which would show a more dramatic transformation.

Adam Johnston

Yeah. So I mean. Yeah, to be honest, answer to that one is if I could have got a different site. I probably would have gone for a different site before this one, but like I said in my introduction, I was trying for many years to find a site to be able to build a home on. And some of those sites that I did try and get were browner or more derelict sites. Some of the sites that offered up for sale for auction are more clearly sort of. Derelict and bad looking but often people don't want to sell those sites. I mean, garages might look worse, but the people who own the garages don't like selling garages. They get money for owning garages. Good. Yeah, I guess the answer is if there was another better site that I could have got, I would have loved to have got it. This is the best site that I could get.

Thomas Simnett

Next question, I'd like to know what arrangements would be in place during the building work to minimise pollution from dust, noise, builders, parking and delivery.

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Adam Johnston

So the kind of the build stage is another step beyond planning and there's a lot of design work, detail design work that I've got to do before we get to that build stage. At the moment I'm not even 100% sure on where on exactly what method.

The structure will take, will it be a timber structure or a block work structure and all those things will affect the construction. So I think, I think often in planning applications my understanding is that construction management plan can be conditioned and so before actually do start the build, should I get planning permission, I could have a plan in place. The plan would be something that I would work up together with the builder and once they were on board we come up with a plan in terms of things like keeping down dusts often. You know, sprang down or creating a bit of a mess to spray down the dust at the end of the working day or at the beginning of working day helps in terms of the noise. You know, it could be just standard hours of operations. It won't be late at night or on Sundays, that kind of thing. Um, so I think it would just be the sort of typical.

You know the typical measures that that you put in place when you're doing any construction project, but it's something that I can work up in more detail once I'm at that stage of the project.

Thomas Simnett

And just from a technical point of view, so developments such as these in the borough, we do usually condition a construction management plan as Adam's explained. And this gives opportunity for highways offices and environmental health to assess some of the impacts from dust and noise and the delivery of materials to ensure that they can be safely delivered onto site.

So in the circumstances we would recommend this for approval to committee it would be likely that any recommendation would include a construction management plan to go alongside.

nd the next question no. 12, does it developer have any plans to positively influence the owners of the block of maisonettes front and burnt Ash road to improve their frontage?

Adam Johnston

So I guess this refers to the immediate neighbour to the No. 77 to 81 and I suppose it could refer to that's one of many very similar buildings that go north up Burnt Ash Rd. Um, I mean, everything that's outside of that site boundary is also outside of my control. I really don't have any influence on those are the people and what they do with the building anymore than any of you guys do, really. Yeah, I. I could, yeah. I don't actually this. There's not really much I can do about other buildings beyond my own.

Thomas Simnett

Thank you. Question 13. Will the developer and the stated sustainable plans influence the rebuild at Leegate where, to date, I have not noticed any reference to sustainability.

I don't think this question really has much of bearing on this specific case as it references another development which the applicant is not part of, but it will give Adam a chance to add anything if he wanted to.

Adam Johnston

Yeah, there's not much to add. I can't speak on behalf of Lee Gates and their plans, but I think it's just worth bearing in mind that anything built today is built in terms of energy efficiency to a much, much higher standard than 10 years ago, 20 years ago, just by being new buildings, they're going to

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be subject to these really high standards. And so in terms of energy use are kind of much more sustainable than what was there before.

Thomas Simnett

Question 14, there are serious problems with overlooking neighbouring properties, the green wall is not adequate to protect privacy. Given this, why are you not respecting the 21m rule between buildings, instead choosing to build as close as possible to the pavement of Dorville Road?

Adam Johnston

Okay, I'm going to bring back up the diagram that I had before. Not this one. This one here.

Um, yeah, so the. The small site SPD, that's a document that the Council have published which summarises guidance on designing for small sites and this is considered to be a small site and that includes guidance on what are appropriate overlooking distances. And the small site SPD, which I was referring to as I designed this, gives a distance of 16 metres as an appropriate.

And then between facing windows. Said the 21 metres could be from, you know, elsewhere. Other boroughs are the situations, but it's not the guidance that is applicable in this situation. I mean, I think it's also worth I've highlighted on this diagram here existing overlooking distances um between 77 to 81 burnt ash road and 1 Dorville road, that's that 15 metres at the moment. So in that case that's an existing arrangement of Windows and what I'm proposing is of course a lot more than that. And when it comes to Burnt Ash Rd, that's even greater. It's 44 metres over here um, so that's the overlooking distance. I would say it's greater than what's recommended um, and in terms of being as close to the pavement as possible.

Actually, not as close to the pavement as possible. That would be to put the building out at the Red Line, pulled back to create a little side garden that will be planted. That's where the green Wall Trellis will grow up, and there's space behind that for the windows to open, the shutters to open.

This is not actually shown on this diagram, but the line of this building is in line with the building on the opposite corner with Leyland Rd. It's the same distance from the edge of Dorval Rd as that one is, and that's something I think I've put into my design access statement. So you may have seen that diagram there.

Thomas Simnett

Thank you, Adam. The last question from the ones that have been pre submitted already is given the repetitive layouts of your flats and location of stairs, could your development turn into apartments?

Adam Johnston

Yeah, it could turn into apartments. The repetitive layout is I guess it's supposed to be flexible and it's, um, I'm following principles that I sort of picked up on in my career in in our in architecture and in particular studies that are about what makes for good quality long term housing, what makes it just stainable.

Sorry this is a bit of a digression but I think it might be helpful a look at studies that analyse housing types from all over the world and sort of score them on different ratings for a house suitability are for a home. How suitability office sustainability and one of the really well scoring types is just a Georgian terraced house. And one of the build big benefits over Georgian terraced house is where the stair is positioned at the entrance to one side, the simple. Where the room is front and back because they

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create such flexibility. And of course that does mean that it's flexible and it can be turned into something else in the future, just like lots of the fabric has been across London.

Yeah, the main thing for me is that this is my home. So that's what that's the first thing I was considering in designing it.

Thomas Simnett

And in terms of procedural point there in terms of potentially being converted to flats in the future that would be a you know that be subsequent, subsequent to a separate application and they wouldn't be able to do that.

Without planning permission, so no of the future owner came forward and wanted to turn it into a enter flats. Then they would have to seek planning permission and that would be judged upon the local plan policy that the time.

Cllr Rathbone

That comes to the end of the pre submitted questions. Um, I'll now move on to the ones that have been submitted into the chat. So if you do want to ask any questions, please can you put them in the chat function and then I'll get round to asking those to add them. Now before you start Thomas, I've just been going through them. There's some which aren't phrased as questions but are instead general comments or just commentary in general if you're intending it to be a question, but it's not clearly worded as such and Thomas appears to skip It please try wording it as an actual question for the applicant rather than as a comment on the application in general. Obviously, we can't reasonably expect Adam to respond to general commentary rather than clear questions.

Thomas Simnett

I'll ask the first one, then it says I noticed no mention of how the building will impact on the light to #1 Dorville Rd. Surely existing buildings that knows access to natural light suppresses surpasses that of the proposed new building. Anything you'd like to add to that?

Adam Johnston

Um, the impact on the light of no. 1 Dorville Rd. Well, I'd say it's, it's further away from #1 Dorville road than the existing neighbouring building. I guess that's. I guess that's the main point and it's not directly opposite #1 driver road or any of the windows at #1 driver Rd. Um. So yeah, that would be my initial response to that.

Thomas Simnett

And the next question is has the applicant seen the comments by the Council's Conservation Officer? These are damning of the project. It does not respond well to the host architecture presented. Generous landscaping is integral to the character, at least state.

Adam Johnston

Yes, I have seen those comments recently. Yeah. I would say I just have a different point of view from that Conservation Officer and I come from coming from a different perspective that conservation Officer is thinking primarily about conservation.

And their role in this is to think about the impact on the conservation area, which of course this site isn't part of, but it's part of the setting of the conservation area. I did see that the Conservation Officer, I think there's summary was this, the impact on the setting would be at the very low end of less than

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substantial impact or less it's essential harm which I think means the most minimal level of less than substantial harm that you can get.

Um, so yeah, I I've done my own sort of analysis, historical analysis of the estate, what happened. And I mean I found it very interesting looking back that before that estate was built in the 1960s, back in the Victorian times when all of Lee or most of Lee was built out, the streets that we now have like Dorville road and both sides are burnt ash Rd, they would have looked a lot like what's in the conservation area. And at that time there was a house right on the corner where I'm proposing to build my house.

So I think, I mean my perspective on this is that that London is sort of a mix of things that happened at different times and different eras and that's partly what makes it interesting.

[The 1960s estate planning often was done very quickly. I mean, it was a mission to build homes and build them very quickly. And my analysis of it was that a lot of these spaces is green spaces at the ends of buildings where there's no windows overlooking them. But I think they're often there for expediency rather than sort of deliberate design move. A lot of that is left over space. The buildings don't line up with one another. And I think. If there was room to put another unit there but continue the existing block of flats by one more because it's in three sort of modules, then they would have done it because elsewhere there are four modules together. This is a case where there's only three because you couldn't fit four and so you end up with left over space. I mean it's hard to know exactly what they're thinking without being able to talk to them, but. But I think the I think there's a strong case for what I'm proposing, which is to strengthen the corner with the building and make it more similar to the way the Victorian streets were.

Thomas Simnett

Next question is could the applicant respond to the issues that the tree officer has raised in respect of the lovely walnut tree? The tree incidentally more than twice the height described by the applicant?

Adam Johnston

But on the height I hired a tree surveyor to survey the tree, so I haven't actually measured the height myself. I mean, I'd assume that it's accurate, the expert at doing this kind of measurement. So yeah, I'd be surprised. I'd be surprised if it's as far out as being half the size that that it is in reality. I guess this is a case where I wish I could ask this question if there's anything in particular that the tree officer has said that that I should respond to. I mean the tree as surveyed as a category B, it's semi mature walnut.

And um, I guess one of the things we haven't touched on about this tree is that I did actually, um. Have some discussions about relocating the tree, transplanting the tree. Um, I talked about that with the Arboriculturalist who wrote the tree report. Um, and he recommended against it because, relocating trees, after a certain age, I've got quite a low chance of survival. His recommendation was what I followed, which was plant new trees in in compensation.

Even so, I did actually talk to some inquire, make some enquiries with tree relocation specialists. You know, they also didn't think it would be an easy job, and one of them actually reminded me that walnuts.

There is something particularly for the walnut species is they exude chemicals which suppress or stop the growth of other plants. So keeping the walnut or relocating the walnut would actually be detrimental to the goals of trying to increase the amount of habitat supporting wildlife on the site. Because if the where the world that's there it's very hard for other things to grow plants that you know the bees use the climbing plants and so on.

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Um, so, yeah, I think my approach is that it's to put to it, it is sad to lose a tree, to lose any tree. But my proposal is to make the site better than it was, even with the tree, because they'll be more trees, more greenery, more wildlife.

Thomas Simnett

Next question is again about the trees. Has the applicants in the comments on the tree officers from the Council's tree officer. This puts this puts a much higher value on the walnut tree than the applicant has stated in their tree report.

Adam Johnston

I assume this is to do with the CAVAT value. Yes, uh, I did see those comments today. Um, I think that's to do with there's a multiplier that can get applied to the CAVAT value depending on where it is. And I think that's the difference between the different ones. I think this, I, I assume I'm not an expert in it, but I assume the assessment of the tree itself is the same. It's just a multiplier for the borough that is providing the difference.

Thomas Simnett

Thank you again. Can we can ensure that any comments put into the chat are solely questions and not comments based on the responses that we received tonight.

In terms of what Adam just said, in terms of the CAVAT value, is correct. From what I recall from my discussion with tree officers, there's a community index which is slightly higher in Lewisham than it is elsewhere, and that's the reason for the inaccurate reporting, I believe, elsewhere in the true report.

At elsewhere it's accurate apart from that figure which I'm sure Adam will get corrected to make sure it is reflects the correct value.

I'm going to move on to the next question now and down pipe is not accessible at ground floor. How can this be replaced/maintained?

Adam Johnston

Yes, that's a good point. I guess one thing we could do and these are details that I'd be happy to work out. But I'd say you we could put a kink in it so it then comes out in between because there will be a projecting. Hold on, let me bring up the plan. This is why am I making shapes with my hands.

Let's bring up the plans, okay so. This is what I was zooming in at before. And yes, what we could do is probably put a kink in or a bend in it so that it comes out. Once we're below the line of the entrance to the neighbouring flat, we then bring it out and then down to it comes, it terminates to the ground at a place that's a lot closer to.

The path and therefore more accessible, I mean that's an initial thought about something we could do a simple sort of change part way down the wall so that it's always a similar distance from the frontage of the building at either the upper level or the lower level.

Thomas Simnett

Moving on to the next question, is the applicant aware the value of Lewisham's draft local plan attaches to linear network green infrastructure in the east of the borough of which this site is a part of?

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Before we move on to you Adam, I just wanted to see your point there. We've yet to move on to Reg 19 consultation as part of the local plan process and this does mean that Lewisham's draft local plan at the moment does not contain carry any weight in terms of planning decisions that we make at the moment and there will be an opportunity when Reg 19 does start that some policies carry limited weight in the overall planning assessment, but what we are looking for on this application is the current Local planning framework that we have adopted at the moment.

Adam, if you wanted to add any points to the question, if you wanted me to repeat it in case you forgot?

Adam Johnston

I remember it because the answer is quite simple, which is I haven't looked deeply into the draft new local plan and not at this point about structure either. So the answer is I'm not really up to speed on the draft new local plan.

Thomas Simnett

And the next question is, is the applicant aware how irrelevant is his observation that only one person walked across the green on a sunny spring day? It is its contribution to the local greenery that matters.

Adam Johnston

This is because when I was trying to um. Look at how the site was currently used, you know, whether it is used recreationally or not. I went and looked and looked at the site, sort of visited it and just observed what happened on the site over the course of a most of the day. And my observation was that nobody used it like recreationally. Almost nobody stops on the site or did anything to the site. One person walked across the site which was I think referenced in that question, but they weren't doing anything with the site. It was simply a shortcut. They were just cutting the corner, so. So that's what that's about in terms of whether it's irrelevant or not relevant and whether the most relevant thing is sort of the greenness of it. Um. Well, I I'd say in that case if that is really the most relevant thing about it then.

What I'm proposing should be an improvement in because I am proposing more greenery. Then what is there right now mean? Green wall the climbing plants that that area will look. Very green and lush. And after a number of years, and of course I'm proposing more, more trees.

So the overall effect in terms of appearance, if you aren't going to use it, you know, if you're not going to actively sit there and be on the side is as an observer and as an observer. I think what I'm proposing is. It's similar or more than what is there in terms of greenery and green appearance.

Thomas Simnett

The next question is why does the applicant require such a large house with multiple bathrooms to one person?

Adam Johnston

Well, I mean. That is a funny, funny question I guess because the questioner doesn't know me or doesn't know you know my situation and my about my family and so on and so.

I don't know the house is supposed to be big enough to have a family in in future. But. I mean the. I've lived in very small spaces pretty much the whole time I've been in in London, where I am now I work from home in my bedroom. Would be nice to have a separate room which can be a home office

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instead be nice to have a room in which you could have a guest over this day, you know when my mum comes to visit so. I mean it in terms of the size of it. I actually also looked at this as part of the process of submitting my application and It's actually very similar in size to other houses that support the same sort of number of people. When you take off the top floor like I've done now, it's actually quite a bit smaller than the average for this size of house. So that's in the area, I'm not talking about new building talking about what is available that would include a course bigger Victorian houses over the road and that kind of thing. So I don't think it's, it's sort of out of the ordinary really.

Cllr Rathbone

You want to deal with the final question, Thomas, and then we can wrap the meeting up.

Thomas Simnett

Have any plans to turn this into a house and more multiple occupancy?

Adam Johnston

So has multiple occupancy I believe is where you sort of let things out by the room. So, no, I don't have any plans to. To. Yes, to do that, turn into a House of multiple occupancy. Um, if there's no further questions, then I'll hand back over those chair to close off the meeting for tonight.

Cllr Rathbone

OK. Thank you, Thomas. I don't think we've got time for any more questions at this point either as it's just turned 8 according to my clock. So thank you very much everyone for coming. This is the end of our meeting now. Residents who've made comments on the application will be notified of the date of the Planning committee. When this comes to committee for decision, we be able to answer all the questions. So there's no need for Richard responses to anything else, but a copy of the minutes will be retained and will be included in.

The uh pack of documents which go to committee for decision to be made. Thank you very much for your time and I hope you all have a good evening and a good weekend.

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