



Planning Committee B

Report title:

**HORNIMAN MUSEUM AND GARDENS, 100 LONDON ROAD, LONDON,
SE23 3PQ**

Date: 24 August 2023

Key decision: No.

See "[Legal Requirements](#)" in the guidance for more information.

Class: Part 1

See "[Legal Requirements](#)" in the guidance for more information.

Ward(s) affected: Forest Hill

Contributors: Antigoni Gkiza

Outline and recommendations

This report sets out the officer recommendation of approval for this application for full planning permission and the associated listed building consent.

The case has been brought before members for a decision as thirteen valid objections have been received from the neighbouring properties.

Application details

Application reference number(s): DC/23/130987
DC/23/130988

Application Date: 28 March 2023

Applicant: Horniman Museum

Proposal: Full Planning Permission

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

Listed Building Consent

Listed Building Consent for external works to the Natural History Gallery to include new roof coverings, louvres to eastern windows; enlargement of western plant enclosure; plant enclosure on west side of gallery; ductwork penetrations, guardrail's to east elevation, new fencing and gates and internal works to the Natural History Gallery of reorganisation of display cases, including removal (including balustrade cases); refurbishment of historic and contemporary display cases; internal repair and refurbishment works at Horniman Museum and Gardens, 100 London Road SE23.

Background Papers: Submission drawings
Submission technical reports
Statutory consultee responses

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Designation:	<p>Grade II* listed building (Horniman Museum)</p> <p>Grade II listed building (Coombe Cliffe Conservatory, Forecourt Railings, Walls, Piers and Terraces to Horniman Museum)</p> <p>Grade II Registered Park and Gardens</p> <p>Forest Hill Conservation Area</p> <p>PTAL 4/5</p> <p>Air Quality Management Area</p> <p>Metropolitan Open Land</p> <p>Forest Hill Article 4(2) Direction</p> <p>Green Chain Area</p> <p>Green Chain Walk</p> <p>Public Open Space</p> <p>Site of Importance for Nature Conservation</p> <p>Important Local Views and Landmarks LV1 (from the bandstand, looking north)</p> <p>Important Local Views and Landmarks LL6 (from London Road looking at the front facade)</p>
Screening:	N/A

1 SITE AND CONTEXT

Site description and current use

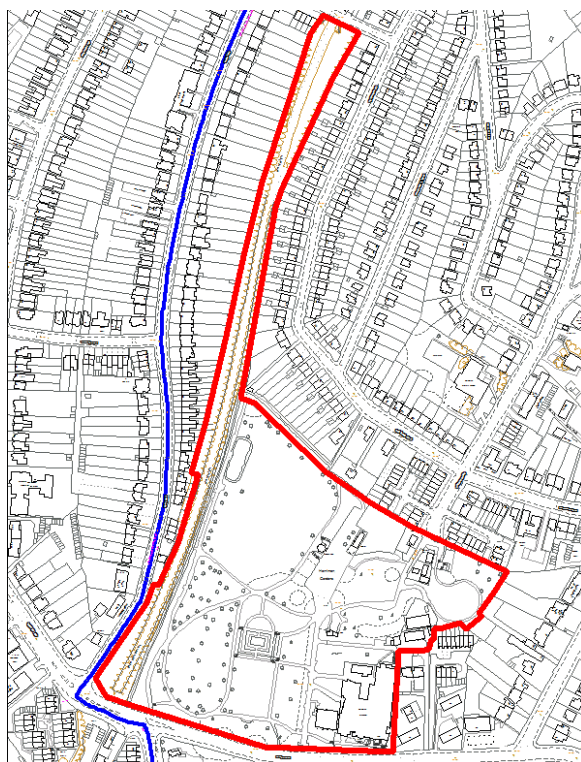
- 1 The application site at Horniman Museum and Gardens are located on the north side of London Road (South Circular - A.205), opposite the junction with Sydenham Rise and extend northwards as far as the entrance in Horniman Drive. The Gardens are bounded by gardens of houses in Wood Vale, London Road, Honor Oak Road, Westwood Park, Hill Rise, Surrey Mount, Cleeve Hill and Amroth Close.

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Figure 1: Site Location Plan



2 The site is also subject to the following designations and constraints:

- Metropolitan Open Land
- Green Chain Area
- Green Chain Walk
- Public Open Space
- Site of Importance for Nature Conservation
- Important Local Views and Landmarks LV1 (from the bandstand, looking north)
- Important Local Views and Landmarks LL6 (from London Road looking at the front facade)

Character of area

3 The surrounding area is predominantly residential in character, comprising detached, semi-detached and terraced properties, and blocks of flats. Some of the properties are locally listed buildings.

4 The Horniman Museum and Gardens site adjoins to the east the Horniman Nature Trail embankment, which is separated from the Gardens by a fenced path owned by the Horniman but maintained by Lewisham Council. The Nature Trail sits atop an old railway embankment which was formerly part of the Crystal Palace and South London Junction railway.

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- 5 Towards the south and east, located within close proximity to the site, there is Dulwich Park, Sydenham Hill Wood and Dulwich Wood, which are all District Parks. Further away but still at a distance of around 20/30-minute walk from the site lie Peckham Rye Park & Common, One Tree Hill and Crystal Palace Park, which are Metropolitan Parks, and Ladywell Fields and Brockwell Park, which are District Parks.
- 6 The eastern part of the site is located within River Ravensbourne catchment and the western part is located within River Effra catchment.

Figure 2: Aerial View of Horniman Museum and Gardens



Heritage/archaeology

- 7 There is a cluster of designated heritage assets on the site. The Coombe Cliff Conservatory is statutorily listed by Historic England at Grade II, as are (separately) the forecourt, railings, walls and piers and the terraces. Horniman Gardens are statutorily listed by Historic England as a Registered Park and Garden at Grade II.
- 8 The Grade II* Museum lies within the Forest Hill Conservation Area and is subject to the Forest Hill Article 4(2) Direction. The listed museum buildings fall within Character area 5 – Horniman Museum and Gardens; with other areas of the site (namely the Nursery Garden and ‘South Downs’) lying within character area 4 – C20th development around Surrey Mount.

Surrounding area

- 9 The site is located close to Horniman Primary School, Horniman Play Park and Fairlawn Primary School.

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Local environment

- 10 The site falls within an Air Quality Management Area and Flood Risk Zone 1.

Transport

- 11 The site has a Public Transport Accessibility Level (PTAL) score of 4/5 on a scale of 1-6b, 1 being lowest and 6b the highest. Lewisham station is the closest station to the application site, it is 0.4mi from the application site and an approximate 8-minute walk.

2 RELEVANT PLANNING HISTORY

- 12 **DC/04/058233** - The construction of a single storey extension to the existing "CUE" building at The Horniman Museum & Gardens, 100 London Road SE23 to provide additional workspace. **Granted** 23 December 2004.
- 13 **DC/00/146732** - The construction of a cedar clad storage shed within the enclosed (fenced) access yard of the recently completed Conservation Laboratory and Exhibition Studio/Workshop at The Horniman Museum & Gardens, 100 London Road SE23 for the storage of exhibition materials etc. and the insertion of a new pedestrian access gate in the existing fence. **Granted** 16 November 2000.
- 14 **DC/09/072445/X** - The construction of a New Community and Education building at Horniman Gardens, London Road SE23 with a new link to the Dutch Barn on the Bandstand Terrace, comprising an education room, toilets, store and a kitchen and landscape improvement works, including tree removal and planting, demolition to low walls and fences, path works, lighting, street furniture and signage, refurbishment of the animal enclosure, bandstand terrace, sunken terrace, relocation of the green waste compound, a new musical play area, relocation of perimeter 2.4m high fence to animal enclosure against site boundary and new 2.4m high fences to animal enclosure perimeter, facing into the gardens. **Granted** 18 December 2009.
- 15 **DC/13/085367** - Alterations to the existing garden / landscape at The Horniman Museum & Gardens, 100 London Road SE23, together with the provision of a new single storey kiosk building, to provide an external seating area for the existing cafe. **Granted** 13 January 2014.
- 16 **DC/13/085559** - The continued use of the Horniman Bandstand Terrace at the Horniman Museum and Gardens, 100 London Road SE23 as a weekly farmer's market. **Granted** 21 February 2014.
- 17 **DC/15/093571** - The internal and external works to the South Hall, Gallery Square and Studio Space at Horniman Museum Gardens, 100 London Road SE23, including repairs and remedial works to the roof, the installation of rooflights between penthouse structures on the apex of the roof and the construction of an access walkway to the roof. **Granted** 18 January 2016.
- 18 **DC/16/098558** - The installation of replacement timber double doors to all entrances of the conservatory at Horniman Museum, 100 London Road, SE23, together with external french drain, internal underfloor heating and radiators, replacement lighting, Victorian style tile flooring and provision of landscaping. **Granted** 12 January 2017.

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- 19 **DC/16/098724** - The demolition of the Garden Keeper's Lodge adjacent to the Horniman Drive entrance of the Horniman Museum and Gardens, 100 London Road SE23 and the construction of a glasshouse to be used as a butterfly exhibit, together with ancillary landscaping works. **Granted** 6 December 2016.
- 20 **DC/17/104834** - The provision of a new enclosure to accommodate upgraded plant equipment at Horniman Museum And Gardens, 100 London Road SE23. **Granted** 26 January 2018.
- 21 **DC/20/116840** - Construction of a single storey building at a vacant fenced-off area adjacent to an existing plant room at Horniman Museum and Gardens, 100 London Road, SE23. **Granted** 16 July 2020.

3 CURRENT PLANNING APPLICATIONS

3.1 THE PROPOSALS

Full planning permission

22 The proposal includes:

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

23 More specifically, the Nature + Love Project comprises three intervention areas including:

- The Nature Explorers Adventure Zone
- The Sustainable Gardening Zone
- The Natural History Gallery and the Nature Explorers Action Zone

24 The Nature Explorers Adventure Zone would provide a new nature-themed play area and a café to encourage learning and wellbeing through exploration and play and would include the formation of a new access to the Horniman Nature Trail as it currently has a number of accessibility issues, especially for people with physical, visual, aural or neurodiverse conditions.

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- 25 The Sustainable Gardening Zone would comprise a new plant nursery and planting displays that would encourage the development of skills on horticultural activities and would promote the interaction of visitors.
- 26 The redisplay of the Natural History Gallery and the creation of the Nature Explorers Action Zone would promote and facilitate the exploration of the human impact upon the planet.

Listed building consent

- 27 Listed Building Consent is sought for external works to the Natural History Gallery to include new roof coverings, louvres to eastern windows; enlargement of western plant enclosure; plant enclosure on east side of gallery; ductwork penetrations, guardrail's to east elevation, new fencing and gates and internal works to the Natural History Gallery of reorganisation of display cases, including removal (including balustrade cases); refurbishment of historic and contemporary display cases; internal repair and refurbishment works at Horniman Museum and Gardens, 100 London Road SE23.
- 28 The Natural History Gallery and the Nature Explorers Action Zone is one of the main intervention areas of the Nature + Love Project. The aims and objectives of the proposed works are summarised into three broad categories:
- Redisplay of Content
 - Building and Environmental Improvements
 - Exhibition Layout and Cases

4 CONSULTATION

4.1 PRE-APPLICATION ENGAGEMENT

- 29 The applicant has sought pre-application engagement regarding this application (PRE/22/129353).

4.2 APPLICATION PUBLICITY

- 30 Site notices for both applications for planning permission and listed building consent were displayed on 27 April 2023 and press notices were published on 19 April 2023.
- 31 Letters for both applications for planning permission and listed building consent were sent to residents and business in the surrounding area and the relevant ward Councillors on 19 April 2023.
- 32 Thirty-five responses received, comprising thirteen objections, twenty-one letters of support and one comment. It is noted that one representation made reference to both applications (DC/23/130987 & DC/23/130988) and for the purposes of this decision they have been added to the total sum of representations.

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4.2.1 Comments in objection

Comment	Para where addressed
The addition of one more café and play space are not justified	78 – 111
Loss of green space due to addition of built form and paved landscaping resulting in a continuous diminution of the green space of Horniman Gardens and its designation as a Registers Park and Gardens	123 – 243, 357 – 378
Lewisham's key Core Strategy seeks to protect open space	123 – 243, 357 – 378
Disruption during large, ticketed events	306
Installation of poor-quality signs	144 – 145, 11.1.1 - Condition 15
Construction and deliveries related traffic should not use Horniman Drive	267, 11.1.1 – Condition 3
No consideration has been given to the environmental impact of noise, dust, smell, diesel particulates and vibration in the CMP as well the size of vehicles	267, 11.1.1 – Condition 3
London Road entrance should be use for all HGV's, contractors plant and equipment	267, 11.1.1 – Condition 3
The proposed café and toilet block would generate noise disturbance to the properties on Wood Vale	295 – 301, 383
The noise impact assessment analyses only the impact of plant equipment and not of the future use and is inaccurate	383
Smells would be generated form the proposed café and toilet block	11.1.1 – Condition 24
Noise disturbance from the proposed development	295 – 306
Loss of privacy and security due to the larger numbers that are encouraged to use the Nature Trail and on Westwood Park	282 – 287
No noise mitigation measures have been proposed for the proposed play area	295 – 306, 383
Prioritisation of a specific part of the demographic population	391 – 397
Access to the Nature Trail should be discouraged	140 – 145
Loss of trees	361 – 378, 11.1.1 – Condition 4, 5 and 17

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Increased footfall	95
The proposed café has a significant height	129 – 131
Day and night noise would disturb the habitats of local wildlife	261 – 268
Concerns over the 24-hour plant at the new cafe	11.1.1 – Condition 23, 11.1.2 – Condition 10
Creeping, incremental urbanisation of the park	78 – 111
Parking concerns due to visitors	249 – 250

33 A number of other comments were also raised as follows:

- The Gardens are used for commercial and monetary returns
- Concerns regarding the risk of subsidence of residential properties during construction works

34 Officers Comment: The above concerns are not considered material planning considerations

- The Council should consider the introduction of a residents parking designation as part of this application

35 Officers Comment: Highways have been consulted and do not consider that the introduction of a residents parking designation is required. In addition, this would fall outside of the scope of this application.

- The 'Night Walk' path should be repaired and maintained

36 Officers Comment: No changes are being proposed to the 'Night Walk' path, apart from works to facilitate the installation of the new ramp.

- Concerns regarding the use of the field for dogs

37 Officers Comment: Although the above concern is not considered a material planning consideration, the applicant confirmed during the virtual local meeting that a dedicated space for dogs to be off the lead would be retained.

- A playground is already existent at the Horniman Triangle. Has consideration been given to developing the Horniman Triangle on the far side of the South Circular?

38 Officers comment: The above concern does not form part of the current proposals. However, during the virtual local meeting the applicant confirmed that the Horniman Triangle is not under the ownership of Horniman Museum and Gardens.

- Concerns and disappointment over the format of the local meeting.

39 Officers comment: The format and process of the virtual local meeting that was held on the 13th of July 2023 followed the correct procedures and constitute a common practice

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of the Council in order to enhance the quality of the meeting and provide responses to the matters raised in the written submissions.

4.2.2 Comments in support

Comment	Para where addressed
Provision of play space, additional planting and greater access to the gardens for all	Addressed throughout the report
The proposed new access to the Nature Trail, the new play area and café would be a very welcome addition for families	Addressed throughout the report
The old boating lake often floods in heavy rain and is an eyesore	Addressed throughout the report
Local children currently use old boating lake to play football in but it needs an upgrade in order for children to enjoy it year round	Addressed throughout the report
The current entrance to the nature trail is concealed and a new entrance directly from the Horniman will help connect the two areas.	Addressed throughout the report
The new entrance and development would welcome more residents and visitors	Addressed throughout the report
The proposals focus on biodiversity and nature engagement	Addressed throughout the report
Enhancement of the lives of the local community and wildlife, and encourage greater care of our planet	Addressed throughout the report
addressing the climate emergency and biodiversity crisis	Addressed throughout the report
The nature-themed play area will help to foster knowledge and care for the natural world as children play	Addressed throughout the report
The toilet and catering facilities will make it easier for children to spend longer in nature	Addressed throughout the report
step free access to the nature trail to become more inclusive	Addressed throughout the report
community garden will also benefit the local community	Addressed throughout the report
some previously run-down or unused parts of the gardens re-purposed and	Addressed throughout the report
the re-display of the Natural History Gallery would tackle important current issues relating to the climate and environment	Addressed throughout the report

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facilities that provide local schools and other learning providers in Lewisham and beyond with state-of-the-art resources to enrich the learning experiences of pupils and young adults of all ages and abilities	Addressed throughout the report
the designs for this area - they feel 'in-keeping' and don't look too intrusive to the overall feel of the site	Addressed throughout the report
people of all ages and abilities can access and benefit from close contact with nature and nature based activities	Addressed throughout the report

4.2.3 Neutral comments

40 A number of neutral comments were also raised as follows:

- All traffic and vehicles associated with the works should be directed to use the London Road entrance

41 Officers Comment: Further information is included under section 'Transport'.

4.3 INTERNAL CONSULTATION

42 The following internal consultees were notified on 13 April 2023.

43 Highways: raised no objections subject to further information and the imposition of conditions. See para 'Transport' for further details.

44 Conservation: requested amendments, further information and the imposition of conditions. See para 'Urban Design' for further details.

45 Ecology: raised no objections subject to the imposition of conditions. See para 'Urban Design' for further details.

46 Urban Design: no comments.

47 Trees: raised no objections subject to conditions

48 Environmental Sustainability: no response received.

49 Environmental Protection: raised no objections subject to conditions

50 Parks Manager: no response received.

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4.4 EXTERNAL CONSULTATION

- 51 The following External Consultees were notified on 13 and 19 April 2023:
- 52 London Borough of Southwark: no comments.
- 53 GLAAS: raised no objection.
- 54 Forest Hill Society: no response received.
- 55 Sydenham Society: no response received.
- 56 The Victorian Society: raised no objection.
- 57 The Gardens Trust: raised no objection.
- 58 Georgian Group: no response received.
- 59 Society for the Protection of Ancient Buildings: no response received.
- 60 Historic England: raised no objection, supported parts of the scheme, raised some concerns and requested the Council to impose conditions. See para 'Urban Design' for further details.

4.5 LOCAL MEETING

- 61 A Local Meeting was held on the 13th of July 2023 as 10 or more objections had been received. The meeting was held virtually and was chaired by Councillor Peter Bernards.
- 62 Fifteen people attended the local meeting.
- 63 The summary note of the local meeting has been attached as Appendix 1.

5 POLICY CONTEXT

5.1 LEGISLATION

- 64 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).
- 65 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

- 66 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.

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67 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.

68 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

69 The Development Plan comprises:

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

5.5 SUPPLEMENTARY PLANNING GUIDANCE

70 London Plan SPG/SPD:

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

5.6 OTHER MATERIAL DOCUMENTS

- Historic England Good Practice Advice Notes
- Historic England Advice and Guidance
- Historic England Designation Selection Guides
- Forest Hill Conservation Area Appraisal (July 2010)

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6 PLANNING CONSIDERATIONS

71 The main issues are:

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

6.1 PRINCIPLE OF DEVELOPMENT

General policy

72 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.

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

Policy

74 LPP G3 'Metropolitan Open Land' confirms that MOL is afforded the same status and level of protection as Green Belt:

- 1) MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt.
- 2) boroughs should work with partners to enhance the quality and range of uses of MOL.

75 The NPPF at paragraph 147 and 148 requires protection of the Green Belt from inappropriate development except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

76 Paragraph 149 states that construction of new buildings should be regarded as inappropriate in the Green Belt, however, sets out a list of exceptions this.

77 CSP 12 'Open Space and Environmental Assets' states that the Borough will protect Metropolitan Open Land, open space, urban green space and green corridors from inappropriate built development to ensure there is no adverse effect on their use, management, amenity or enjoyment in accordance with the principles of PPG2 (superseded by NPPF 2021) and the London Plan.

Discussion

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78 Paragraph 149 of the NPPF states that local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, however there are some exceptions to this. With regards to the proposed scheme the exceptions that could apply would be:

- a) *buildings for agriculture and forestry;*
- b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*

79 Section 336 of the Town and Country Planning Act 1990 defines 'agriculture' as including "*horticulture, fruit growing, seed growing, dairy farming the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly*".

80 It is noted that the Nature and Love project consists of three major interventions within the estate which are:

- The Nature Explorers Adventure Zone
- The Sustainable Gardening Zone and
- The Natural History Gallery and Nature Explorers Zone

81 All three of the proposed intervention areas are located within the Metropolitan Open Land and therefore need to be considered in terms of the exceptions test set out in paragraph 149 of the NPPF in addition to other relevant policies.

82 It is noted that no additional built form is proposed in relation to the refurbishment and redisplay of the Natural History Gallery, and therefore this aspect of the proposal is not subject to the exemptions test.

Nature Explorers Adventure Zone

83 The proposal includes the provision of a single storey café pavilion within the footprint of the Old Boating Lake, which would include kitchen, servery, bin store and plant room, together with external covered seating. In addition, a second ancillary pavilion would be provided towards the north of the proposed café that would provide toilets, including accessible WCs and baby change facilities. Towards the south of the café and close to the new entrance to the Horniman Nature Trail there would be provision of a further storeroom and external handwash station. A play space is also proposed in remainder of the Old Boating Lake and in between the new café pavilion and the storeroom/handwash station.

84 Officers note that paragraph 149 of NPPF refers to the 'construction of new buildings'. The term 'buildings' is not defined in the NPPF however, the definition of a 'building' in Section 336 of the Town and Country Planning Act 1990 (as amended) '*includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building*'. This is relevant to the play structures proposed.

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Case law set out in *Skerritts of Nottingham* established three tests to decide whether something was a building or not. These were size, permanence and physical attachment. In applying these tests to the play structures: they are of the size that would have to be assembled on site rather than brought on to the site already made; they would remain in-situ once built; and would be fixed to the ground. As such, the proposed play spaces and structures would constitute a 'building' within the meaning of s336 of the TCPA 1990 (as amended) and would be subject to the exemptions test set out in paragraph 149 of the NPPF.

- 85 The proposed café building and ancillary pavilion providing toilet facilities and storage/handwashing would also both be considered new buildings.

Play spaces and structures

- 86 The play spaces and structures are deemed to fall within the definition of a 'building', and as such criterion b) of NPPF paragraph 149 would be relevant in the exceptions test. They are considered facilities for outdoor recreation in connection with the use of the land as they would be used by visitors. Therefore, Officers agree that this building could be acceptable in the MOL, subject to the facilities preserving the openness of the MOL.

- 87 Officers are of the view that the design, siting and scale of the play spaces and structures would preserve the openness of the MOL, and as such they are acceptable.

Ancillary pavilion

- 88 More specifically, the ancillary pavilion is considered to meet the exceptions test in terms of paragraph 149(b) of the NPPF as it is directly connected to the use of the play space which will be used for outdoor recreation. The Planning Statement states that its purpose would be to serve the needs of the visitors who would be using the new play space and visiting the site from the Horniman Nature Trail. Therefore, Officers agree that this building could be acceptable in the MOL, subject to the facilities preserving the openness of the MOL.

- 89 The applicant states in the Planning Statement that the proposed ancillary pavilion would not have a negative impact on the MOL due to that fact that it would be placed in a very discreet location in the lowest corner of the MOL site, reducing significantly its impact on the key views across the MOL and most notably from the Bandstand. In addition, it would be located outside the perimeter of the path, which is largely screened by large trees and the use of natural finishing materials, including wood, would further reduce its visual impact.

- 90 Officers, having reviewed the submitted drawings and the information provided, consider that the ancillary pavilion would preserve the openness of the MOL, due to its discreet location and compatible scale, design and materiality, and as such it is acceptable.

Storeroom/handwash station

- 91 With regards to the proposed storeroom/handwashing building, the applicant states that it has been proposed to facilitate the use of the Horniman Nature Trail, provide space for community and education sessions, together with a handwashing station. The store building is considered to meet the exceptions test in terms of paragraph 149(b) of the NPPF as it would provide facilities in connection to the use of the outdoor recreation space. Therefore, Officers agree that this building could be acceptable in the MOL, subject to the facilities preserving the openness of the MOL.

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92 The applicant states in the Planning Statement that the proposed store building would not have a negative impact on the MOL as it would be set back from the perimeter of the path; it would be located within the tree line and the new entrance to the Nature Trail; its scale is the minimum required; the handwash facilities are external to minimise the built form; and it would comprise natural finishing materials, including wood, to be in keeping with its surroundings and to reduce its visual impact.

93 Officers, having reviewed the submitted drawings and the information provided, consider that the store building would preserve the openness of the MOL, given its acceptable scale, design and materiality, and as such it is acceptable.

Café pavilion

94 However, Officers note that the proposed café pavilion would not meet the exceptions (b) of paragraph 149 of the NPPF as it does not constitute a facility purely associated with outdoors recreation, and therefore for it to be considered acceptable within the MOL it would need to meet the threshold for a ‘very special circumstance (VSC)’.

95 It is acknowledged that the NPPF does not provide any specific guidance on what very special circumstances include, however it does note that ‘*very special circumstances*’ will not exist unless the potential harm to the Green Belt [MOL] by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

96 The applicant has provided the following VSC case for the new café for consideration.

Table 1: Very Special Circumstances (VSCs) for the new cafe

Factor	Assessment
Use/Need	<p><i>The existing museum café and Bandstand kiosk are operating at capacity at peak periods, requiring ad-hoc additional seating that is difficult to manage. An additional café will primarily serve those using the Adventure Zone and Nature Trail.</i></p> <p><i>The café will draw people away from the main café, reducing the current pressure on the museum café whilst:</i></p> <ul style="list-style-type: none"> — <i>Providing a wider choice for visitors</i> — <i>Creating activity and animation across the site</i> — <i>Increasing the catering capacity</i> — <i>Providing a specific facility for children</i> — <i>Creating a vital source of income that supports and funds the successful operation of the Horniman</i>
Location outside MOL	<i>The Café cannot be provided elsewhere and serve the needs of the Horniman and its visitors.</i>
Min. area for required use	<i>The minimum area required for a basic kitchen and servery is proposed, with an enclosed seating area. The proposed areas are the result of extensive optioneering on the appropriate</i>

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	<p>scale of facility to meet the Horniman's needs, as detailed in FF's DAS. The café has also been reduced in size by separating out the Ancillary toilet block. To minimise impact on the openness of the site, the roof slope has been designed to reflect the topography of the site.</p>
<p>Impact on Openness</p>	<p>The site of the former boating pond is tucked away in the lowest corner of the site and is surrounded by trees. It is, however, located along the axis of a key local view from the Bandstand. As a result, there would be a limited impact on the openness of the MOL in this location – this has been minimised as much as possible.</p> <p>The proposals have therefore been conceived in the context of reducing any perceived impact on the openness of the site whilst meeting the Horniman's requirements. The café structure would largely be screened by the trees that surround the majority of the boating lake. The base of the cafe pavilion and seating areas are likely to be seen from the Bandstand view, but the majority of the volume and the roof is unlikely to be seen. This is because the roof has been designed to be a lightweight structure and planed specifically to match the angle of the meadow in order to mitigate visual impact from the Bandstand.</p> <p>Optioneering to inform the proposals</p> <p>The Horniman has previously undertaken assessments of the existing catering provision, their capacity to expand and visitor distribution across the site. Other locations for the café were considered as part of this, as summarised below –</p> <p>Using the Hillside Pavilion Building This option was disregarded for the following reasons –</p> <ul style="list-style-type: none"> • The building currently hosts workshops, conferences and meetings and HM would like to continue this offering. • Building is not very accessible due to stepping and would need landscaping • Limited capacity and no space for indoor play • This would not be a dedicated children's cafe, just a second café option so offer less appealing • Unlikely to be able to feature outdoor play nearby due to land gradient • The existing kitchen would need replacing and expanding into the storeroom, which is currently in use. • Internal access issues • Would be disconnected from the kick about play area/entrance to the nature trail and difficult to make a connection. Would still need a catering option to serve Nature Explorers zone when this goes ahead • Not meeting objective to encourage activity across the site. <p>Extending the existing café The existing café facilities at the gallery and listed Dutch Barn are both highly constrained and do little to help the Horniman to better distribute visitors</p>

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	<p>across the site, away from the current overcrowding issues.</p> <p>Former boating pond Various options have been explored for the café location on and around the Old Boating Lake. These are shown in the accompanying design report.</p>
Character of the MOL	<p>The proposals are discrete while acting as a marker for the nature trail. They are tucked away in the corner of the site and seek to re-enliven an area that was previously developed but has long been redundant, leaving concrete hardstanding behind. The café would be built entirely on the existing hardscape and would not affect green open space. The wider setting and character of the Gardens would be unchanged by the proposals.</p>
Mitigation	<p>The café is designed to be visually discrete. The design of the structures overall is such that the impact of the structures on the wider setting and character of the MOL would be minimised. The volume has been reduced as far as reasonably possible. The roof has been angled to match the surrounding meadow, to reduce visual impact and increase views and enjoyment of the landscape from the building. Its placing on the previously developed area, shielded by trees at the bottom of the sloped land also mitigates any impacts.</p>
Benefits	<ul style="list-style-type: none"> • Providing a wider choice for visitors • Creating activity and animation across the site • Increasing the catering capacity • Improving access to the nature trail with a ramp • Providing a specific facility for children including – <ul style="list-style-type: none"> ○ Biodiverse play ○ Play space dedicated for under 2s ○ Accessible routes and play for wheelchair users ○ Quieter moments of play for children with neurodiversities ○ Sensory play • Creating a vital source of income that supports and funds the successful operation of the HM and Gardens • The attraction of the public to spend time outdoors; with the added benefit of learning about nature and play. • Increasing biodiversity <p>These benefits are considered to be significant and outweigh any minor impact on the MOL.</p>

97

Officers note that the use/need of the proposed café as justified in the table above is acceptable. Officers have conducted a site visit and noticed that the existing café and Bandstand kiosk were almost in full capacity, including visitors of all ages. The proposed Nature Explorers Adventure Zone would be located at significant distance from the existing museum café, almost 230m, and as such it would be difficult for visitors to use the existing café, especially families with younger children that would be using the proposed play area. In addition, the proposals as a whole are likely to increase the

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number of visitors of the Park and the Museum and, potentially, the existing facilities would not be able to accommodate the additional customers.

- 98 With regards to the location of the proposed café, the applicant explains that it cannot be provided outside of the site in order to serve the needs of the visitors, which officers agree with. In addition, the applicant states that the minimum area has been provided that is required for a basic kitchen, servery and an enclosed seating area. Officers note that the Design and Access Statement includes a series of evolutionary steps that the applicant has undertaken to minimise the scale of the café to ensure that the openness of the space has been preserved. These steps comprise the splitting of the built volume by separating the café from the ancillary pavilion and the store building; angling of the roof up towards the Bandstand Terrace, making the structure less visible; reducing the solid volume of the proposed café by providing walls only to necessary spaces and introducing significant large, glazed elements; and locating the café pavilion within the large canopy trees providing additional screening. Officers, consider that the applicant has explored several design measures to reduce the volume and the proposed outcome is an appropriate design response in its open setting.
- 99 Regarding the impact of the proposed café on openness and the character of the MOL, and the proposed mitigation measures, the applicant has provided in the Design and Access Statement an extensive analysis of the option studies they considered during the design of the proposal. Table 1 shows that the applicant has considered some alternatives, such as using the Hillside Pavilion Building and extending the existing café. However, these were disregarded for various reasons, including insufficient capacity, land constraints, accessibility issues etc.
- 100 Therefore, the Old Boating Lake has been regarded as the most feasible option as it is located in the lowest corner of the site and is surrounded by trees. In addition, currently it is an unused area with existing hardstanding and as such the proposal would not affect any green space. However, it would be located along the axis of a key local view from the Bandstand and, therefore, it would have a limited impact on the openness of the MOL. As mentioned in previous paragraphs, the applicant has provided mitigation measures in order to reduce the visual impact of the proposed café, which are considered to have reduced its scale, prominence and soften its appearance.
- 101 Furthermore, page 109 of the Design and Access Statement shows the café location study that was undertaken during the design process, referring to four different options that were explored. The proposed café north, south and at the southern end of the Old Boating Lake were disregarded for several reasons, such as building on existing soft landscaping, overshadowing from trees would likely impede energy generation, disconnection from the new Nature Trail entrance, visibility from Bandstand Terrace and navigation issues. Therefore, the location of the proposed café at the northern end of the Old Boating Lake had the majority of advantages, including building on existing hard landscaping area, good connections and visibility for visitors, less potential overshadowing and mostly hidden from the view from the Bandstand Terrace. The only drawback identified was the reduction of the play area.
- 102 The Design and Access Statement also includes existing and proposed views from different points of view, which show that the proposed café building would be a lightweight structure that would harmonically blend in with the surrounding context and would appear as an incongruent addition. In addition, views have been provided from the Bandstand Terrace during winter and summer, indicating that during summer the largest proportions of the café would be obscured by the large trees and only glimpses of the base would be visible. During winter, when the leaves fall, the café would be more visible

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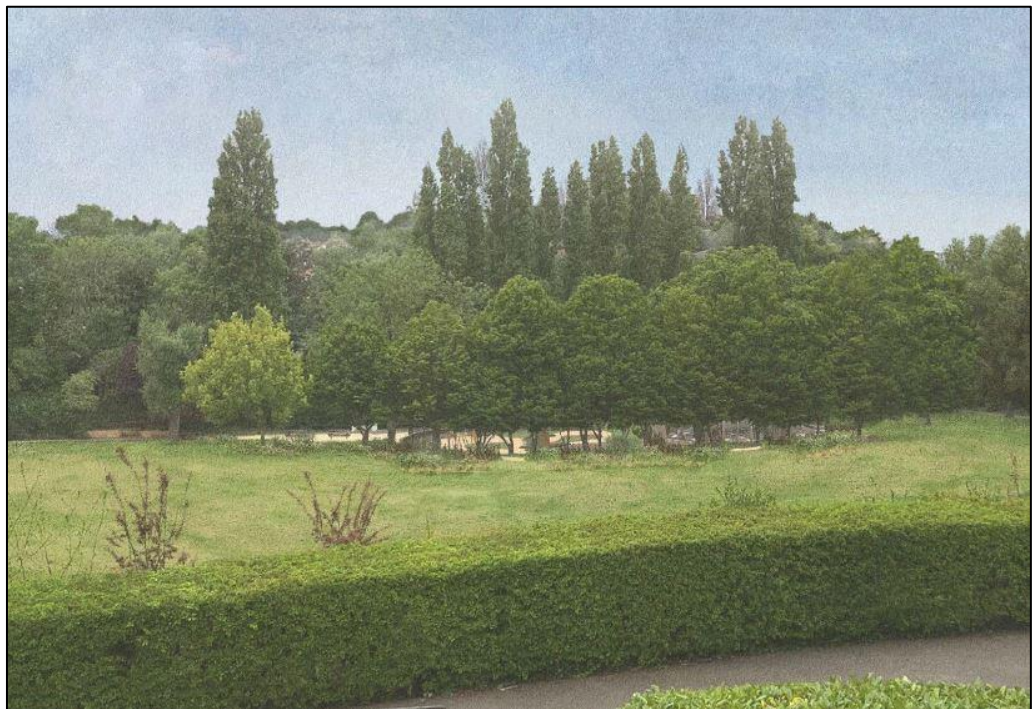
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through the bare tree canopies, however, the finished materials and the angled roof design would assist in not detracting from the protected views.

Figure 3: Proposed Bandstand view of the café – Winter



Figure 4: Proposed Bandstand view of the café – Summer



- 103 The applicant sets out a number of benefits that would occur after the completion of the proposed development. Officers agree with the VSC case set out by the applicant at table 1 and confirm that there are significant benefits of the proposal which would need to be weighed up against any harm to the MOL resulting from the proposal.

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104 Therefore, Officers consider the aforementioned factors as reasonable reasons for the proposed selection of the location of the new café. Officers consider that the harm would primarily result from some loss of openness and are satisfied that the proposed scale and siting of the ancillary café pavilion would preserve as much as possible the openness of the MOL, and such harm would be outweighed by the significant benefits that the proposal would bring such as increased catering capacity, improved access to the Nature Trail, outdoor play space for children, increase of biodiversity. However, the proposed design and its impact on the designated heritage assets are further assessed in detail at the design and heritage sections of this report.

Natural History Gallery and Nature Explorers Zone

105 As outlined above, given that no additional built form is being proposed in relation to the refurbishment and redisplay of the Natural History Gallery, this aspect of the proposal is not subject to the exemptions test.

106 No objection is raised in principle in relation to the refurbishment and redisplay of the Natural History Gallery, subject to other material planning considerations are met as outlined below. The internal and external alterations to the Natural History Gallery are subject to a Listed Building Consent application (DC/23/130988).

Sustainable Gardening Zone

107 The proposal includes the replacement of the existing polytunnel and greenhouses with a new glasshouse and the removal of the boiler shed. The proposal would introduce a nursery hub that would provide private working space for the gardening team and public space for horticultural community activities. The greenhouses would be replaced to provide better facilities for plant propagation and maintenance of the Gardens and the outdoor terrace will provide an accessible space for people to gather, learn and observe the horticultural activities taking place. In addition, a Community Wellbeing Garden would be formatted at the south of the nursery hub that would provide level access space for community groups to participate in workshops and a Winter Garden would be provided at the northern edge of the South Downs area. The aim of the Winter Garden is to expand the existing paved terrace by introducing a new accessible path with seating facilities and offer new planting that would focus on species with seasonal interest.

108 The applicant states in the Planning Statement that the new glasshouse and the associated potting shed and storeroom would facilitate the Gardens' function as an outdoor recreation facility and a facility of agriculture. Therefore, the applicant considers that these structures are exemptions to the MOL Policy in accordance with NPPF Para 149 a (buildings for agriculture) and b (appropriate facilities for outdoor recreation).

109 Officers consider that the proposed Sustainable Gardening Zone would fall under the NPPF Para 149 (part (a)) exception for buildings for agriculture and forestry, and therefore the principle of development within the MOL is acceptable, subject to other material planning considerations are to be met as discussed below.

6.1.1 Principle of development conclusions

110 The play space and structures, ancillary pavilion and storeroom/handwash station proposed would preserve the openness of the MOL, due to their discreet location and compatible scale, design and materiality. The buildings are considered to meet the exceptions test in terms of paragraph 149(b) of the NPPF as they would provide facilities in connection to the use of the outdoor recreation space.

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- 111 The proposed café pavilion does not constitute a facility purely associated with outdoors recreation, and therefore for it to be considered acceptable within the MOL it would need to meet the threshold for a ‘very special circumstance (VSC)’.
- 112 Based on the Very Special Circumstances case the applicant has set out, overall officers consider that the harm would primarily result from some loss of openness and are satisfied that the proposed scale and siting of the ancillary café pavilion would preserve as much as possible the openness of the MOL, and such harm would be outweighed by the significant benefits that the proposals would bring, subject to its acceptable impact on the designated heritage assets.
- 113 Therefore, the proposed development is considered to preserve the openness and character of the MOL and there are significant benefits of the proposal which would significantly outweigh any harm to the MOL resulting from the proposals. Therefore, the principle of development is acceptable.

6.2 SOCIAL INFRASTRUCTURE

6.2.1 Recreation facilities

Policy

- 114 NPPF paragraph 98 states Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.
- 115 London Plan Policy S5 states existing sports and recreational land (including playing fields) and facilities for sports and recreation should be retained unless:
- 1) an assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements (for the existing or alternative sports and recreational provision) at the local and sub-regional level. Where published, a borough’s assessment of need for sports and recreation facilities should inform this assessment; or
 - 2) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - 3) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Discussion

- 116 The proposed development includes a publicly accessible nature-themed new play space at the former Boating Pond Lake. Officers consider the proposal would result in a good range of new and improved recreation facilities in the park, which would serve a wide a range of young age groups to support healthy activity in accordance with NPPF Para 98.

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6.2.2 Social Infrastructure conclusions

117 The proposal includes significant recreational benefits and is considered to be compliant with the relevant policies regarding social infrastructure.

6.3 URBAN DESIGN

General Policy

118 Paragraph 126 of the National Planning Policy Framework (NPPF 2021) states that “The creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”

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

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

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

122 CS Policy 16, DMLP Policies 31 and 36 reflect this and are relevant.

Discussion

123 The Nature + Love Project comprises three intervention areas including:

- The Nature Explorers Adventure Zone (including the Nature Trail Access)
- The Sustainable Gardening Zone
- The Natural History Galley and the Nature Explorers Action Zone

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Figure 5: Nature Explorers Adventure Zone



Appearance, Character and Materials

Policy

- 124 In terms of architectural style, the NPPF encourage development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 130).
- 125 LPP D3 states that development should 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. Proposals should be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.
- 126 DMLP Policy 30 requires the use of high-quality materials that either match or complement existing development.

Discussion

- 127 The site falls within Forest Hill Conservation Area and straddles in two character areas: the majority of the gardens including the listed buildings and Old Boating Lake lie within

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character area 5 – Horniman Museum and Gardens. The Old Boating Lake is in the part of the RPG that was former grounds of Surrey Mount, developed as public gardens from 1895, and is therefore a highly significant part of the RPG. The Boating Pond Lake has been reconstructed in the late 1930s to a slightly larger footprint and edge design but remains an important design feature.

- 128 The submitted Landscape Heritage Assessment (prepared by Sarah Couch Historic Landscapes and Bramhill Design, March 2023) identifies the original boating/paddling pond as a part of high significance within the park due to it being a typical element of many public parks of the early twentieth century. In addition, it constituted the only-purpose built recreation area within the gardens. However, currently, is a kickabout area which is rarely used and has lost connection with its former water play use. It is noted that this corner is the lowest part of the site and sits between the Meadow Field and the Horniman Nature Trail embankment and as such it suffers from poor drainage and flooding in storm events.
- 129 The proposal includes the provision of three independent pavilion buildings, comprising a café, a WC and a storeroom. The division of the overall volume is considered necessary and acceptable in order to reduce the visual impact of the proposed structures on the protected views of the gardens and the RPG.
- 130 The proposed cafe would be located on the northern edge of the Old Boating Lake, it would have a hexagonal shape and would feature a round angled roof. It would have a total footprint of around 155sqm and the internal arrangement would include a servery, a kitchen, an unheated internal seating, staff lobby, staff WC, bin store and two plant stores. The proposed larger roof canopy would act as a shelter for visitors when queueing. In addition, two doors would be introduced on the north and south elevations providing access to the internal seating area and two additional doors would be installed on the west elevation of the café to provide access points for staff. External seating would also be provided that would wrap around the internal seating area and it is expected that the existing concrete wall to the east of the pond would be used as additional bench seating. The refuse and plant facilities would be located to the north of elevation of the café, away from public views.
- 131 Due to its angled design the proposed café would have varying heights when viewed from different points of view. The proposed north elevation would have a minimum height of around 3.2m and a maximum of 4.3m; the east elevation would have a maximum height of 4m close to the servery area and 3.2m and around 3.6m to the north side of the glazed area; the south elevation would have a minimum height of 3.4m on the western side of the servery and 4.4m on the eastern corner of glazed area; the west elevation would have a minimum height of 3.2m on the corner of the proposed refuse storage and 3.7m at the proposed servery. A kitchen extract would also be installed on the proposed roof that would project above the roof by approximately 1.5m. the maximum ridge height of the roof would be at approximately 5.3m and the lowest part would be at around 3.3m.
- 132 The proposed roof would be finished in standing seam with hidden gutters, the proposed fascia under the roof would be a timber glulam structure, the external elevations of the proposed interna heated area would feature a structural timber curtain walling system with bespoke glazed doors (Pacegrade or similar) and there would be precast, pigmented, high GBBS content concrete plinths. In addition, the western elevation of the café would be finished in timber cladding with a natural wood finish and would feature two timber clad security doors. The access doors to the refuse and plant storages would be timber clad with metal flame doors and the open servery would feature security shutters mounted within the bulkhead above. The paved area around the new café

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would comprise exposed aggregate concrete. The applicant has provided a detailed analysis of the proposed materiality in the Design and Access Statement and these detailed would be secured by condition.

Figure 6: Proposed Section - North-South through the Nature Explorers Adventure Zone



133

The proposed play area would comprise a slide, seat/climb log steps, a carved timber messy table with integrated interpretation, a rain garden bridge, willow tunnels, play jetty, stepping logs, willow den, gathering/collecting box, animal family carved timbers, a lookout area part of the jetty, 'farrow' rain garden, log seats, swinging basket, log play and hopscotch. The proposed play area would also include a dedicated play zone for kids under 2 years old that would include gentle mounds in tiger mulch. The wider area of the playground would also include a picnic space, a self-binding footpath with gravel surface running around the existing line of tress on the east side of the old pond, rain gardens, stepping stoned paths and timber seating. In addition, the playground would feature three self-closing entrance gates around its perimeter and a hedgerow extending along its west side following the winged shape of the original pond.

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Figure 7: Play space view



- 134 The ancillary pavilion that would include the WCs and baby changing facilities would be located at the north of the Kindercafe and on the western side of the existing perimeter path and would be available for all visitors to the gardens. The applicant explored a number of options in terms of its proposed location to ensure that there would be no harmful visual impacts. The proposed location is considered to reduce the visual impact when viewed from the Bandstand Terrace and the southern approach towards the site as it would be seated between existing trees.
- 135 The proposed ancillary pavilion would have a width of 9.35m, a depth of 2.8m and it would feature a sloping roof of around 3.5m that would slope downwards towards the rear at 3m height, and it would be located at a distance of 0.4m from the existing fence. It would include four WC units, two of which would be wheelchair accessible, one baby changing units, including a cleaner's cupboard.
- 136 It would be finished in timber cladding with a natural wood stain finish, a standing seam roof cladding, a precast, pigmented, high GBBS content concrete plinth and the proposed fascia would be a primary timber structure. The proposed doors would be finished in timber clad with natural stain and the space between the doors and the fascia would feature glazed Clerestory windows.
- 137 With regards to the proposed Nature Trail pavilion, which would act as a multi-functional structure, providing a meeting point for teaching activities and hand washing facilities. The applicant states in the Design and Access Statement that the proposed location next to the new entrance point to the nature trail and the adjacent picnic area has been considered as the most suitable location in order to be functional and convenient. In addition, if it would be located within the new café it would mix school groups with the play area and café visitors.

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- 138 The proposed Nature Trail pavilion would have a depth of around 2m, a width of 2.6m and a ridge height of 2.3m sloping upwards towards the east to 2.6m height. It would be finished in timber cladding with natural wood stain finish, it would feature a standing seam roof cladding, a fascia of a primary timber structure treated with three layers of Sikks exterior coating and a precast, pigmented, high GBBS content concrete plinth. The washing facilities would comprise two external through sinks, one mounted on for wheelchair and adult users and one at a child-friendly height.
- 139 Officers consider that the design development has sought to minimise harm through reducing the footprint of the café building so as to retain legibility of the Old Boating Lake. Given its angled shape, scale and soft materiality officers are satisfied that it would not have a harmful impact on the Bandstand views and would constitute a sensitive addition to the RPG and the setting of the Grade II* listed building. In addition, the provision of large, glazed elements would further assist the maximisation of the views through the space.
- 140 According to the Landscape Heritage Assessment the proposal is considered sympathetic as it would retain the original footprint of Old Boating Lake and would preserve the distinctive wavy concrete edge, providing a use focused on natural play by introducing jetties, furrows, mud play, flowing lines as well as rain garden areas for water interception in the wider area. In addition, the early twentieth century hoop top railings that were enclosing the area would be visually reflected in the new hedge that would follow the flowing wavy line to the west and a hedgerow on the east side.

Nature Trail

- 141 The Nature Trail on the site of the former Crystal Palace and South London Junction Railway, constructed in 1862-70 with 'Lordship Lane station' opened in 1865, just to the south of the current entrance to the Nature Trail on the south side of London Road. It is the subject of an 1871 painting by Camille Pissarro, 'Lordship Lane Station, Dulwich', the houses on the right of the picture show those later demolished for incorporation of their land into the park.
- 142 The Landscape Heritage Assessment states that although the nature trail is not part of the original park, it has always played a significant role in defining the park boundary and has a medium significance. It is important as a relic of the railways is a distinctive example of an early nature trail and the involvement of the community in its creation.
- 143 The proposed development also includes the provision of a new access point to the Nature Trail, which currently presents accessibility challenges. A new ramp would be introduced to improve the access onto the Nature Trail that would be located to the south-west of the play area, next to the Nature Trail pavilion. More specifically, a new timber fence would adjoin the existing and would include a new entrance gate (Horniman Gardens) on the 'Night Walk' public footpath that would be located on the proposed bridging that would cross the existing swale/ditch that runs alongside the public footpath. This would lead to resurfaced asphalt area that would extend towards the north and a new entrance gate (Nature Trail) would be introduced that would provide access to the proposed ramp, together with new fencing. The proposed ramp would feature handrails, balustrade and a ramp retaining structure with Steel 'H' beam and timber sleepers.
- 144 Both proposed gates would have a width of 3.3m and a height of 1.45m and would feature metal posts and frames and timber slats. The new timber fences and new gravel boxes would match the existing, the 'Night Walk' path would be resurfaced with asphalt and the proposed bridge would be made of pre-cast concrete planks. The retaining

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structure itself is proposed of Steel 'H' beams and timber sleepers, in keeping with the railway heritage of the Nature Trail. Due to maintenance and accessibility, the ramp is proposed to be finished in materials like metal and concrete. The details of the materials would be secured by condition.

Figure 8: Proposed Nature Trail ramp view



- 145 Furthermore, the proposal would introduce a form of nature trail interpretations as part of facilitating the teaching activities and also provide information to members of the public. The signs would be in the form of timber sections, including graphic panels, sensory points, sensory points with listening funnels and with benches for people to rest. They would include single or double posts and circular panels at different heights.
- 146 Officers consider that the proposals for the new access to the Nature Trail would improve the accessibility of the area and would provide an opportunity for further exploration options. In addition, the nature trail, which currently is overgrown and not easy to navigate, would be enhanced and it would be easier to maintain it.

Sustainable Gardening Zone

- 147 The area comprises three main areas, the South Downs, the terraces and the propagation areas, and is located at the northeast of the site directly opposite the Butterfly House.

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Figure 9: Sustainable Gardening Zone location



- 148 The submitted Landscape Heritage Assessment (prepared by Sarah Couch Historic Landscapes and Bramhill Design, March 2023) identifies the South Downs as an area of low significance to the historic landscape as it was added to the park in 1953. However, it still comprises features from earlier use (former house terraces and mature trees) and still retains important views. The main characteristic of the area is that it has a high amenity value.
- 149 This part of the park currently faces some challenges as it is off limits to the public, there is no complete path access though the area, because of the looping boundary path being partly close as unsafe, it has steep slopes, no seating and poor condition of fencing and walls. The site includes the Nursery Cottage, which houses administration functions, surrounded by propagation and support areas/structures, two small Glasshouses, two polytunnel structures and a small shed, which accommodates the gas meter and boiler.
- 150 The aim of the Sustainable Gardening Zone is to create an upgraded space for the Gardens Team and public space for horticultural and community activities; the replacement of the existing green houses with a single greenhouse would provide upgraded facilities for the plant propagation and maintenance of the Gardens; the publicly accessible covered outdoor terrace would provide space learning and observing the horticultural activities of the Horniman; the new community wellbeing garden would be located to the south of the nursery hub and would provide level access space for community groups to take part in workshops; and the winter garden, which would include

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seasonal planting, to the east of the nursery would expand the existing paved terrace by forming new accessible paths towards the South Downs area together with the introduction of sit and rest spaces. In addition, a new blue badge parking space would be provided at the rear of the Michael Horniman Building. The two-storey Nursery Cottage would be retained.

Figure 10: Views of the proposed glasshouse from the South



- 151 The proposed glasshouse would have a width of 14.4m, a depth of approximately 10.3m and a height of around 3.6m rising to 4.2m. The proposed covered community space would adjoin the new glasshouse, extending from this structure on the north side and south east corner, and would feature a roof and support structure to create an external canopy that would have a depth of 6m, a width of around 10m and a height of 3.6m rising to 4.2m, to match the height of the proposed glasshouse. A proposed new fence of around 1.8m would be installed enclosing partially the glasshouse and nursery cottage from east and west side of the area.
- 152 Three stand out areas would be located around the perimeter of the Nursery Cottage and the glasshouse, one bin store area would be formatted at the north of the nursery cottage, a new public terrace with steps would be created next to the community activity space that would connect the existing terrace with the nursery hub. An additional public decked terrace would be formatted at the south side of the glasshouse and new plant area would be located to the west of the glasshouse that would be accessed through a new gate.
- 153 Officers note that the proposed alterations would improve the current accessibility issues of the area and the proposed new structures would have a sensitive approach in terms of scale, providing opportunities for community and recreational activities whilst

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supporting the need of the Gardens' maintenance. Furthermore, the proposal would still retain the glasshouse use respecting and maintaining the historic significance of the nursery hub.

6.3.1 Urban design conclusion

154 The proposed development is acceptable in urban design terms subject to the imposition of the conditions recommended above.

Impact on Heritage Assets

Policy

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

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

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

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

159 Specifically, para 197 of the NPPF directs local planning authorities to should take account of; (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.

160 At para 208 the NPPF requires that local planning authorities assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

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

162 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.

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163 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.

164 Further guidance is given in Forest Hill Conservation Area Appraisal.

Discussion

165 The Museum grounds are listed as Grade II on the Register of Parks and Gardens. The works are in the setting of listed museum buildings, comprising the Horniman Museum, Grade II*; Coombe Cliff Conservatory, Grade II; and the Forecourt Railings, walls and piers are Grade II.

Significance and Impact of Proposal

Architectural Significance

166 The Grade II* Horniman Museum is one of the three major works by the Arts and Crafts movement architect Charles Harrison Townsend, the Horniman Museum is described in the Buildings of England series as “one of the most original Art Nouveau buildings anywhere in Britain”. Townsend was able to bring a parallel interest in the symbolic importance of form and decoration to his design for the new Horniman Museum building. Thus, the museum itself is a place of great cultural significance representing a particular synthesis of intellectual understanding at the beginning of the twentieth century.

167 The North Hall, also known as the Natural History Gallery, is one of two large gallery spaces within the original Horniman Museum designed by Charles Harrison Townsend and opened in 1901. It is the most significant part of the Museum’s interior due to the high survival of its original and early display cases and cabinets which are presented within a vast barrel-vaulted gallery space with a balustraded mezzanine level.

168 In addition, the Grade II listed Coombe Cliffe Conservatory was built in 1894 for Frederick Horniman and it features cast-iron and glass. The doorways set in centre of two end walls and in transept ends, there is a decorative porch with semi-circular arched doorway to south transept. The walls are framed by Corinthian columns with lower band and rosette panels and foliate frieze with tendrils and comprises a fish-scale roof frame, with acroteria to corners of upper roofs and antefixa and finials to lower roofs. It was moved from its original site at the Horniman home, Combe Cliffe, to its present site next to the Horniman Museum in 1988. It constitutes a fine example of a Victorian cast-iron conservatory.

169 The Grade II listed forecourt railings, walls and piers to Horniman Museum were installed around 1902. They feature six stone piers, battered with entasis, plinth and cornice and two gateways. These low stone walls support tall wrought iron railings with small ball finials and there are three wrought iron lamp holders on the railings.

170 Around the same period the Grade II listed stone paved terraces were built. There are five levels of stone-paved terraces (listed grade II) south of the entrance to the museum building, with flights of steps between. The main flight has curved side walls with stout round piers at the top and bottom and three wrought-iron lamp holders. To the west of this, on a lower level, is a concrete-paved fountain with two round steps and a stem of limestone with a round bronze bowl.

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Historical Significance

- 171 The Natural History Gallery (North Hall) has illustrative historical value representing the development of new museums in London at the turn of the 20th century and representing the Victorian Arts & Crafts style of architecture in the late 19th and early 20th century.
- 172 It also has associative historical value as part of the original design of the Horniman opened in 1901 by Charles Harrison Townsend; to F.J Horniman who bequeathed his land and the collections in perpetuity; and to the staff who have worked there since it was opened and who made significant contributions to the care and enlargement of the collection from the original, bequests, donations, and purchases, the educational imperative and the display of the collection.
- 173 As described in the HS, the Museum belongs to, or is defined by, the 'Golden Age' of museums in Victorian Britain which educated and informed visitors about the travels of their founders often to colonial countries of the time, and the natural history that they found there. Comparable museums are the Pitt Rivers Museum, Oxford, the Natural History Museums at South Kensington and Tring, and the Powell Cotton Museum, Quex Park, Kent.
- 174 The currently Grade II listed Park and Garden was originally a public garden that was presented, along with Horniman Museum, to the London County Council in 1901 by the owner Frederick Horniman. Surrey Mount was situated to the north of Surrey House and these grounds formed the basis of the public gardens. In 1901 the Museum, Surrey Mount, and the gardens were handed over to London County Council for the people of London as a gift in perpetuity. The gardens were extended in 1911 and c 1930 when houses situated on neighbouring plots in London Road were demolished. In the 1950s, the sloping land to the east of the garden's nursery was added and in 1988 the conservatory from Coombe Cliff House (the Horniman family home) was rebuilt at the back of the museum.

The Nature + Love Project Background

- 175 According to the Design and Access Statement, in 2019 the Horniman declared a Climate Emergency and in 2020 published a Climate and Ecology manifesto outlining the steps to mitigate against the climate and ecological emergency, and to help shape a positive future for generations to come including the intention to be greenhouse gas neutral by 2040. spaces, and will modernise the Natural History Gallery to form a key part of the strategy to engage people in directly mitigating the climate and ecological crisis.
- 176 However, currently there are a number of problems in relation to the Natural History Gallery such as low-level lighting, roof damage, poor ventilation, extreme temperatures and ageing surface treatments. In addition, the exhibition cases do not adhere to contemporary standards of museum cases and in some circumstances are having an adverse effect on the objects they house due to poor air tightness, no humidity control and poor or lack of case lighting. Therefore, the project aims to upgrade the existing exhibition cases while respecting their historic nature and fabric.
- 177 Furthermore, the approach to interpretation is out of date and much of the labelling is scientifically inaccurate. The poor presentation of scientific content, its relevance and comprehension are a significant barrier for families, schools and marginalised groups. Therefore, the scheme proposes the removal, refurbishment and relocation of the

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showcases. The retention and renovation of as many historic showcases as possible has been a fundamental principle during the design development. However, a number of new cases would be introduced that would have glass to all four sides and at the top and would provide large display volumes for larger objects that cannot be accommodated within the existing cases.

- 178 The central area of the gallery is the focus of a reorganising and reordering of the exhibition. The creation of a central spine of showcases and displays will provide much greater clarity for the entire exhibition. Therefore, two central circulation routes are created, running the length of the gallery, from which visitors can intuitively navigate bay-to-bay.

The proposals

- 179 The applicant has submitted a Historic Buildings Report (prepared by Fiona Raley Architecture, March 2023), a Condition Survey (prepared by Fiona Raley Architecture, February 2023) and a Gazetteer and Schedule of Significance (prepared by Fiona Raley Architecture, February 2023).

- 180 The proposals have been categorised to internal and external works and works to the Registered Park and Gardens.

Internal Works to the Natural History Gallery

Services

- 181 New internal lighting and electrical services would be provided by removing the existing installing surface mounted lighting that would be mounted on flat plaster to prevent any impacts on to the mouldings or joinery and avoid any damage to any lathe and plaster finishes. The alterations would have a minor impact on the internal fabric and the existing service routes would be used where possible. In addition, the service ducts that had been previously added to the east column cases and are now redundant would be removed to restore the original dimensions. The historic cases that have become worn or are characterised by loss of fabric or finishes would also be repaired and the historic plaster to the soffit of the ceiling would be restored where it has been damaged by ingress and leaks. Furthermore, the parquet flooring would be repaired, and its modern pale colour and finishes would be retained.
- 182 The North Hall currently comprises no ventilation strategy and experiences associated environmental issues. The interventions include a new natural ventilation system with a plant located in the 'back of house' and to the east corridor, which was a former gallery space of some significance but is currently not open to the public. The Design and Access Statement mentions that several locations were explored to accommodate the air handling unit but were discontinued due to their impact on the historic significance of the gallery. In addition, the Air Handling Unit would require both air intake and extract vents located on an external face of the building. The applicant proposes that these vents are created by utilising two sets of existing windows on the eastern façade. The original windows, which are currently internally blocked, would be de-glazed and fitted with screen mesh, providing a permanent flow of natural ventilation via the new mechanical plant. The ductwork would pass into the soffit of the east of the gallery through a new opening and be concealed in a new accessible soffit.
- 183 In addition, a new proprietary ventilation grille will be formed in the new finishes to serve the gallery from the east. Officers note that the aforementioned intervention measures have been explored to address environmental issues in the gallery and would constitute

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a sensitive approach that would enhance the existing fabric and would prevent further deterioration. Conservation Officers raised not objection to the above proposals.

Refurbishment of Historic Display Cases

- 184 The proposal includes the refurbishment and upgrading of the historic display cases to improve their environmental conditions and support the sustainability of the collection, introducing airtightness and humidity controls, as well as modern lighting within the cases. The proposals have been informed by an Air Exchange Rate Test on two exhibition cases undertaken by Historic England, and a trial upgrade of a case to provide further clarity on the technical, physical and visual impacts of these proposals, as well as further analysis of the display cases to determine their age, relative significance, and condition to support the proposals.
- 185 A Gazetteer and Schedule of Significance has been prepared (Fiona Raley Architecture, 7 February 2023) which indicates that the majority of cases are to be retained and refurbished. New soffits would be introduced to most of the cases allowing services to run unseen above, but diorama cases would be retained with glazed tops as originally so that the displayed items can continue to be appreciated from mezzanine level.
- 186 More specifically, the proposal includes the lining of the internal sides and rear of the case with ZF MDF to make the latter more solid and cover any existing gaps. The ZF MDF and the base of the case would be foil wrapped to seal all surfaces and the joints would be sealed with foil tape and conservation silicone. A powder coated folded steel ceiling would be inserted folded down at the rear, front and sides to allow screw fixing into the new ZF MDF. Bubble seal extrusions would be added that would run along the top and bottom and up the hinged sides of the doors to compress the rear of the doors.
- 187 The proposal also includes the provision of ZF MDF Dacrylate sealed and painted base dress panel to hide the foil wrap that may be seen between the internal plinths. The rear and side dress panels would be ZF MDF Dacrylate sealed and painted on split battens to easily remove for future filling and painting after display change. There would be internal plinths with a removable, back-illuminated graphic label sloped front. In addition, the doors would have the glass resealed into the frames and the rear glass bead refitted, and the original door bolts would be refitted in a slightly different position. Cam locks would be used that it would be counterbored into the rear of the locking door with a powder coated steel flat bar up the rear of this door to hold the locks. All lighting would be dimmable with lighting drivers stowed outside of the case volume.
- 188 The above refurbishment measures were part of the trial case refurbishment works, which was deemed successful, and the methodology would be incorporated to all of the historic cases to be retained. The Council's Senior Conservation Officer has inspected the trial upgrade case on site and considered it to constitute a very high-quality and sensitive approach to the historic fabric, with minimal impact on the fabric and appearance.

Rearrangement of Gallery Cases and Display at Ground Floor (including artefacts, exhibits, dioramas, display cases, new interpretation and signage)

- 189 According to p.46 of the Design and Access Statement all the historic cases that are located against the external walls would be retained in situ and upgraded apart from N.W.C.2 showcase and a showcase that is not in public view and is located at the proposed AV rack room in the cupboard area. This case will be disposed as per the Salvage Strategy. Showcase 18 would also be retained against one of the eastern columns. Six historic cases would be refurbished and repositioned, which include the

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Fox Diorama, the Badger Diorama, the Otter Diorama and showcases 8, 13 and 16. The Fox Diorama would be moved to the south-eastern corner in the proposed Nature Explorers Action Zone, the Otter and Badger Dioramas would be placed back to back with void against the eastern columns and showcases 8, 13 and 16 would be moved slightly eastwards to abut the eastern columns.

- 190 The proposal also includes the installation of six new cases that would feature glass to all four sides and the top, which would be similar to the historic dioramas. The larger cases, NL 1, 2 and 3, would be placed against the eastern columns, creating a regular layout interspersed between the historic cases, and would house some of the largest objects, such as elephant skulls. The smaller new cases, NL 4 and 5, would be placed on the walrus plinth and the case NL 6 would be in line with cases NL 4 and 5 and placed further towards the north area of the gallery, freestanding in the central bay.

Figure 11: Overview of proposed exhibition



- 191 The new cases would satisfy the majority of lending institutions, by meeting certain modern criteria in terms of security and environmental conditioning, which the existing cases cannot meet even if they are refurbished. Conservation Officers originally requested further details to be submitted regarding the design of the new cases and the applicant submitted additional drawings on the 26th of May 2023. The additional plans (NHG 83 007, NHG 83 010, NHG 83 008) indicate that there would be three different types of new cases. The drawings of the cases show a modern approach while retaining the general proportions of the historic cases. Conservation raised no objection after reviewing the additional drawings.
- 192 In addition, Gateway/Teaser plinths would project at an angle from the historic cases on the peripheries that would provide intro text, key specimen display and interactive/tactile display opportunities. Conservation Officers originally raised concerns regarding their use, installation and impact on the historic cases and requested further information from the applicant. The applicant confirmed on 26 May 2023 that these are exhibition display structures which will be formed in two parts - a part that sits as a plinth inside the case and a part that sits externally to the case. When both installed it will appear to be one unit that moves 'through' the glass. The intention is that neither part is physically attached to the case so there will be no impact on the historic fabric. Whilst they will not have a physical impact on the cases, they will have a visual Impact.
- 193 The applicant submitted on the 1st of June 2023 a set of additional drawings that show the proposed Gateway/Teaser plinths at the proposed locations. Conservation Officers reviewed the additional drawings and confirmed that the plinths are a reversible

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alteration that would complement the re-design of the exhibition and raised no objections.

- 194 Moreover, nineteen historic cases would be dismantled and removed. These include the showcases with nos. 1, 3, 4, 5, 6, 7, part of 18 (115), 17, N.W.C.2, Secretary Bird Diorama, 112 and P1-P8. Two of them (6&7) have similar design as to the ones the periphery that would be retained; ten of them are of similar joinery design to the retained periphery cases, two freestanding (3 & 17) and the other narrower cases set with their backs to the eastern columns; three are of different but complementary joinery design to the periphery cases (Secretary Bird case, 1 and 112); two are of lower significance (4 being historic but a composite of two cases and 18 has an interwar design that differs from the rest of the historic cases).
- 195 Two historic dioramas would be removed and placed in the storage, the Polecat Diorama and the Musquash Diorama. One contemporary showcase would be refurbished, and repositioned (New B) and one contemporary showcase would be retained in situ (New A). Two contemporary showcases would be dismantled and removed (9a & 9b) that are of no historic significance to allow wider aisles between displays.
- 196 It has been previously mentioned that the southeast corner of the gallery would be transformed into the Nature Explorers Action Zone, however it is not clear what the display would comprise at this location. The applicant confirmed that this area is currently being co-produced with children under 5 and it is not anticipated that there will be many / any cases here, although it is proposed that the Fox Diorama will be located here in the South-West corner. The submitted Design and Access Statement states that the intention is to provide an interactive area for families. Most of the displays would be created together with a Housing Association to reach those who need support to fully access outdoor spaces and local wildlife of the Horniman Museum and Gardens.
- Rearrangement of Gallery Cases and Display at First Floor*
- 197 The removal of the lower-level cases from first floor has only been mentioned in the Historic Buildings Report and now drawings have been provided to complete an assessment. Conservation Officers originally requested further details and the applicant provided elevation drawings on the 5th of June 2023 that demonstrate the proposed removals. The applicant advised that the lower-level cases need to be removed as these offer very poor access and occupy floor space that restricts the passage width making accessibility difficult for those in wheelchairs or with buggies/ prams. Conservation Officers state that the justification is acceptable and notes that the lower-level cases are later additions and of lower significance.
- 198 The proposed first floor plan in the Design and Access Statement indicated that two split height writing desks for visitors would be installed at the northern end adjacent to the balustrade. The applicant confirmed that these would be freestanding furniture and as such they would not cause any harm to the historic significance of the gallery. Conservation raised no objection to the freestanding desks. In addition, the same drawing shows 4 elements to be attached to the balustrade between the proposed two desks. The applicant advised that these are the top of the 'pledge for the planet' display. These may need to tie-on to the existing balustrade but will not require mechanical fixing. Further details are required and would be secured by condition.
- 199 Furthermore, the proposal involves the removal of all display cases that are currently located on the balustrade and of the metal support brackets. The Gazetteer and Schedule of Significance (First Floor Fixtures) describes the flat and curved display

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cases currently mounted on the top of the original balustrade as ‘significant’ and ‘highly significant’ respectively. These cases were added to the gallery at an as yet unknown date and contribute to the architectural interest of the interior.

- 200 The Design and Access Statement mentions that the mounted cases would be removed and the balustrade returned to its original condition as due to their elevated position, they are not easily viewed from younger children and wheelchair users. This would allow a 1.2m wide route to be created around the balcony. Pre-application advice highlighted their importance and advised that some (particularly the more significant, earlier, curved glass cases) should be retained, or reused in the North Hall.
- 201 Conservation Officers consider that this part of the proposal would cause harm to the significance of the North Hall and its historic fixtures and fittings. Whilst they accept their justification, they are not convinced that the removal of all of the cases is wholly necessary or the only viable solution. Conservation reiterated their pre-application advice to state that at least some of the more significant cases in specific locations on the balustrades should be retained so as to provide reference to this phase of the North Hall’s history and preserve in situ historic fabric of high significance.
- 202 Historic England further states that *“these cases, whilst not original, are attractive and early additions to the gallery which contribute to the architectural interest of the interior. This is echoed in the submitted Schedule of Significance which describes the flat and curved display cases as ‘significant’ and ‘highly significant’ respectively. We therefore consider that the removal of balustrade display cases would cause harm to the significance of the Horniman Museum. Additionally, some harm would result from the required new safety rail which would detract from the pleasing architectural design of the original mezzanine balustrade.”*
- 203 The applicant did not provide a revised proposal. Officers note that given the overall proposed improvement works in the gallery and the revised proposal for the new safety rail to resemble the original, discussed in the following paragraphs, on balance, the level of harm from the removal of the mounted cases would be outweighed from the other refurbishment works within the gallery which are public benefits.
- New secondary balcony guarding*
- 204 In addition, supplementary balustrade is being proposed as the removal of the balustrade mounted cases the original balustrade would become the main guarding. The Design and Access Statement states that the balustrade without the cases would be around 900mm high, which falls below the Part K Building Regulations that require guarding to be 1.1m in height. The applicant initially proposed a new balustrade, comprising separate steel stanchions placed in line with the original balustrade posts, set into the floor via a channel cut into the existing parquet flooring, fixed back to the original balustrade posts, and with a continuous handrail. Conservation Officers raised objections to this proposal as it would not include reinstatement of the former timber handrail on top of the original balustrade (that was removed to mount the display cases). This means that the original balustrade would appear incomplete.
- 205 The Historic Building Report states that the profile of the original handrail design is still extant around the Apostle clock at the north end and could appropriately serve as a reference for the reinstatement of the lost fabric of significance. Therefore, this part of the proposals would cause harm to the appearance of the existing balustrade and means of avoiding or minimising the harm should be explored. The applicant provided on the 6th of June 2023 an updated Design and Access Statement showing that a new

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timber handrail would be installed to increase to height of the balustrade to 1.1m, by extending the existing stanchions. The final details would be secured by condition.

Display and Presentation

- 206 The Council and Historic England advised at pre-application stage that some of the existing mid-century interpretation and labelling, which is such a characterful part of the museum interior, be retained and incorporated into the scheme, with possible options being to use one case/display to illustrate the process of scientific knowledge and collection curation changing over the years since F. Horniman first opened the museum. There are no proposals to retain or interpret any part of the existing 1960s displays. The Historic Building Report mentions that there would be a *“loss as a result of the new display and interpretation of the existing display within the existing cases. This would result in the loss of innovative mid twentieth century bespoke display design by named curators which itself replaced some of the original methods of displaying objects on shelves within the cabinets.”*
- 207 The justification for this loss is that the existing display contains scientific inaccuracies, makes few connections between people and nature and does not explain the impact and implications of climate change or biodiversity loss, which is understood. However, the Conservation Plan and the Historic Buildings Report note, the current displays are of cultural significance, and contribute to the overall character and significance of the North Gallery. Conservation Officers consider that the total loss of the historic interpretation and labelling will result in a regrettable degree of erosion of understanding of the historic character of this gallery and its natural history collection, as well as being a missed opportunity to better reveal aspects of the Museum’s history of curation and display and will not be adequately mitigated by records existing in the Museum Archive.
- 208 The applicant suggested a digital display that would be offered digitally rather than in the gallery. Conservation Officers consider that this would mitigate the loss to an acceptable extent as long as this is easily accessible, and its existence is made known to visitors to the museum. The details of the digital display would be secured by condition.

Salvage Strategy

- 209 The Design and Access Statement includes a showcase salvage strategy, which explains strategies that have explored to date and strategies that would be explored post-determination and prior to commencement of the development. The strategies explored to date comprise the reuse of showcases within the Natural History Gallery; their reuse into the two other exhibition spaces within the Horniman, The World Gallery and The Music Gallery, which are not a feasible solution, due to existing capacity and suitability of cases; and their storage for future use at the Horniman’s Study Collections Centre, which is dedicated to collections and exhibitions storage and is currently at capacity.
- 210 With regards to the strategies to be explored post-determination or prior to construction, the applicant proposes to offer the spare showcases to other cultural institutions free of charge, utilising an online platform, and engage with specialist collectors and antique dealers to evaluate the showcases and find new owners for them.
- 211 If the options mentioned above would not be effective in finding a new place for the showcases to be removed, the applicant will seek further advice from the Council. Conservation Officers reviewed the proposed strategies and noted that Step 2 – Reuse elsewhere within the Horniman has not been fully explored. Therefore, a full exploration of all steps that should be undertaken would be secured by condition.

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Redecoration and Mural

- 212 The proposals include redecoration over the existing painted surfaces on a like for like basis. Wallpaper murals are proposed to the upper sections of each gable end of Natural History Gallery, both at the north and south wall, with a bold design reflecting the Nature + Love branding. The proposed artwork that would present designs of plants and animals would be printed on to custom wallpaper and applied to the walls.
- 213 The Council's Conservation Officer argues that these additions would result in a significant change to the gallery's historic and architectural character that would be detrimental to appreciation of the architecture itself.
- 214 Similarly, Historic England raises concerns regarding the proposed murals as the historic photos show that the barrel-vaulted gallery has always been visually restrained in order not to draw attention away from the exhibition. They raise concerns regarding their permanent introduction as it would detract from the importance of the collection and the overall architectural character. Historic England suggests a more sensitive approach, such as the introduction of free-standing artworks or filtering the design through light installations.
- 215 The applicant has not provided any revised proposals and as such any artwork/branding on the ceilings would be secured by condition. In addition, as per Historic England's recommendations, the completion of an updated conservation management plan reflecting the works undertaken would be secured by condition.

AV Ceiling Projections

- 216 Six projectors would be installed that would create ceiling projection animations of three main scenes, ocean, land and sky, with three or four sub scenes in each. The proposed AV projectors would be placed on top of the display cases at first floor level, which is considered acceptable.

External Works to the Natural History Gallery

Roof Alterations

- 217 A number of external alterations are being proposed to the barrel-vaulted roof, including new lead roof coverings to the upper section, which is at the end of its life, and repair of three lanterns along with repair of the north gable parapet brickwork and leadwork to provide new thermal insulation. These alterations would result in a minor increase of the height of the roof which would change the relationship of roof to parapet upstand, but the submitted details show that a sufficient upstand would still remain.
- 218 In addition, a new terne coated steel roofing to the lower eaves section would replace like for like later finishes. The archive drawings indicate some thermal insulation and new will be installed to replace this as feasible to co-ordinate with the upper section of the roof and its new roof coverings and to accommodate an appropriate relationship of the original eaves detail and discharge to rainwater goods etc. These works would require the temporary removal of the existing rainwater goods, which is not considered to have any adverse impact on the historic fabric.
- 219 Additional extract fans would be installed within the original lanterns to provide further extraction when required. The eastern elevation of the lanterns comprises one small openable door and a fixed louvre. The fixed element is proposed to be converted into an openable door to match the existing. The internal volume of the lantern is subject to

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further surveys, to fully understand the size of the fan and damper unit the existing structure can accommodate.

- 220 Conservation Officers do not raise any objections to the proposed roof alterations as they consider there would not be any visual harm from the proposals.

Natural Ventilation Grilles to the Eastern Elevation

- 221 Furthermore, as mentioned earlier, natural ventilation is intended to be provided internally by removing the glazing of the windows on the east elevation and replacing them with insect mesh, leaving the fenestration details intact and adding louvres internally. Conservation Officers do not raise any objections to the proposed alterations to the original window units.

Solar PV Panels

- 222 It is proposed that 40 photovoltaic panels would be installed on the flat roof section on the east of the Natural History Gallery. The proposed PV panels are proposed to be mounted at low level and be weighted down rather than permanently fixed to existing roof coverings. Conservation Officers state that they would be minimally visible and on a less significant elevation, causing no harm to the statutorily listed building or the Forest Hill Conservation Area and as such they raised no objection.

Plant Enclosure to the eastern corridor

- 223 The applicant has submitted a number of options for locating the principal plant enclosure within the Design and Access Statement, including an option to introduce a new structure to the north gable of the north gallery. According to Historic England's and Conservation's comments, this is not a suitable location for a large plant enclosure given the architectural quality of the north gable. The applicant states that the plant would be all enclosed in the eastern corridor and the above option to the north was an early feasibility option that was discounted.

- 224 Pages 64-68 of the Design and Access Statement indicate the correct location of the plant enclosure at the back-of-house area within the eastern corridor. Officers and Conservation Officers raise no objection to the proposed location as it would be completely hidden from public view.

New Lighting Conductor

- 225 The existing lighting conductor would be removed to facilitate the repairs to the roof and re-cladding would be required to accord with the health and safety and insurance requirements. The proposed conductor is assumed to be installed on a 'like for like' basis with clips to original brickwork on the same locations and where it is currently attached to the roof covering it would be attached to new roof coverings. No objections are raised in respect to this alteration.

New Fall Restraint System

- 226 The Historic Building Report mentions that the proposals would replace the existing health and safety fall restraint systems to roof with a new one to accord with the current health and safety requirements for access to the roof. The details of the implications to the roof have not been submitted and as such these would be secured by condition.

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Works to the Registered Park and Gardens

Works to the former Old Boat Lake

- 227 The Old Boat Lake is in the former grounds of Surrey Mount, developed as public gardens from 1895, and was part of the original layout of the gardens in association with the Museum. It was reconstructed in the late 1930s to a slightly larger footprint and edge design. It fulfils the criteria for being considered a curtilage structure to the Horniman Museum listing within its curtilage (and has been since before 1948) and meets the tests established in case law (related in terms of layout; ownership and use). Therefore, the impact of works to it on the principal listed building and its setting must be considered.
- 228 The Nature Explorer's Adventure Zone proposal includes a new café building within the footprint of the Old Boat Lake, with the rest of the footprint given to natural play landscaping and features. The rest of the lake's area is to be infilled with play equipment sited there. The concrete edging walls and their wavy lines would be retained.
- 229 The Council's Conservation Officers have been consulted and confirmed that *the structures would not have a harmful impact on the views from the Bandstand, as they will sit comfortably behind the tree belt and well below the canopy line. The visualisations indicate that the structures would be visually discrete in the local view from the Bandstand terrace and would not detract from the long views towards Central London. In addition, the three structures and associated play facilities would change the character of this corner end of the park from a quiet area, remote from the busier parts of the park, and would result in it becoming significantly more heavily used. I consider that the proposal would cause some harm (at the lower end of less than substantial in NPPF terms) to the historic integrity of the RPG as a result of the loss of legibility of the former model boating lake's original function and the development of a formerly open part of the park. NPPF para 200 states that any harm or loss requires clear and convincing justification. The justification to support children's play and education, and to augment the existing café and WC facilities which are currently in high demand and distant from this part of the park, is clearly and, in my opinion, convincingly set out in the submitted documentation.*
- 230 It is noted that the Conservation Officer argues that the former use of the Old Boating Lake would not remain appreciable which is a loss to the ability to appreciate and understand the original park layout and concept. In case there would be no provision of physical measures, this could be better revealed by display in the café of archive historic photographs of the model boating pond. A condition would be added to this effect to ensure that the details of heritage interpretation would be displayed into the new café.
- 231 Moreover, Historic England has also been consulted and noted that *" Having reviewed the submitted plans for the Adventure Zone, we are pleased to see that our comments regarding retaining the legibility of the original footprint, the significant and distinctive concrete walls, as well as the wavy lines of the edges have been addressed in the submitted scheme. Further details have also been provided on the visual impact of the structures on the RPG and your Council's Protected View. The submitted visualisations strongly suggest that the structures would be discretely accommodated behind the tree canopy in important views, and would have no meaningful impact in longer views towards Central London. We conform that the landscaping plans raise no significant issues to us in terms of the impact on the Grade II RPG or the setting of the Grade II* listed building."*

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- 232 Conservation Officers note that there would be a physical impact because of the works required to construct the café building and play equipment and run services to and from it. These have not been set out in the proposed drawings and so it is not clear the extent of these. Officers note that the detailed description of these works would be secured by a pre-commencement condition.
- 233 The other necessary consideration is that of the impact on the setting of the principal listed building. The design development has sought to avoid or minimise harm through reducing the footprint of the café building so as to retain legibility of the Old Boating Lake, and through the use of natural materials and sloping roof forms. Conservation Officers consider this has been achieved successfully and the structures will not impact harmfully on the setting of the principal listed building, as they will sit comfortably behind the tree belt and well below the canopy line. The same assessment also applies to the ancillary pavilion and the storeroom/handwash station.
- 234 Furthermore, the proposed structures due to their sensitive and lightweight design approach and materiality have sought to minimise any harmful impact on the wider conservation area, the Grade II RPG and the setting of the Grade II listed buildings on site.

Nature Trail

- 235 With regards to the interventions to the Nature Trail, the Landscape Heritage Assessment concludes that the proposals *represent a perceptible improvement to a feature of medium significance within the Conservation Area, resulting in moderate positive impact*. In addition, its usefulness would be increased as, in combination with the new play area, would provide an opportunity to explore further the natural world. The proposed ramp would minimise any impact on trees and although some of them would have to be removed to provide space for the ramp, they are in poor condition and have no historic landscape value.
- 236 In addition, the Council's Conservation Officers states that the proposal to increase the accessibility to the Nature Trail by introducing new paths, gates and ramps would not harm the significance of the Conservation Area, nor the setting of the RPG or the setting of the Grade II* and II listed buildings. They would be beneficial in terms of enhancing access to both the Nature Trail and the RPG. Officers in their own assessment agree that the proposed works to the Nature Trail would increase its usefulness, improve accessibility and provide additional educational means and therefore they would positively contribute to the RPG, the wider conservation area, the setting of Grade II* listed building and to the setting of the Grade II listed buildings.

Sustainable Gardening Zone

- 237 The submitted Landscape Heritage Assessment (prepared by Sarah Couch Historic Landscapes and Bramhill Design, March 2023) identifies the nursery area as an area of high significance to the historic landscape as it is partially on the site of Surry Mount's nursery yard with a long-term use a domestic glasshouse area, which has been still eminent in the public park era. However, it is noted that the recent glass houses and polytunnels have low significance.
- 238 Historic England notes that *"the Nursery Buildings and 'South Downs' are currently poorly presented and underused, and the plans offer meaningful opportunities to enhance their significance. These include the wall repairs and surface treatments to the terrace gardens of the 'South Downs'".*

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- 239 The Council's Conservation Officer states that the proposal would result in a substantial new structure being visible and together with the existing Butterfly House would result in a greater increase of the built form. Although, the glasshouse would be transparent and architecturally relevant to its garden context, it would reduce the sense of openness to some degree. The glasshouse would be partially screened by the existing trees in views from Horniman Drive but the increased height would make it more visible from the Forest Hill Conservation Area.
- 240 The applicant submitted on the 5th of June 2023 visuals of the new development showing the views from Horniman Drive, indicating that there would be only a slight increase in terms of visibility of the new glasshouse and as such Conservation Officers are satisfied that it would not harm the character or appearance of the Forest Hill Conservation Area. The retention and protection of trees and the yew hedge on the western side is essential.
- 241 In addition, Conservation raised no objection to the proposed alterations to the South Downs as they are sensitive to its historic character and would not have a negative impact on the RPG, the setting of the listed buildings or the Conservation Area. Conservation has requested a condition to be added in order to provide interpretation of the significant history of the site, for example through archive photographs displayed in the new glasshouse structure. These details would be secured by condition.
- 242 Officers note that the current structures are in a poor condition, the South Downs area is not accessible to all due to the steep slope and the site is partially available to the public, restricting its potential. The proposals for the new glasshouse, the community space, the winter garden, the community wellbeing garden, the surface treatments and the new footpath would significantly improve the functionality of this part of the park and would provide several opportunities for community engagement. Although the proposed glasshouse would have a larger scale compared to the existing and would be more visible, given its transparent materiality and the fact that it would be partially screened from trees and boundary treatment, it is not considered to have such an adverse impact on the RPG, the setting of the listed buildings or the Conservation Area that would cause significant harm. The public benefits, which include community activities, increased accessibility and engagement with horticultural activities would outweigh the less than substantial harm.
- 243 Moreover, there would be provision of additional landscaping and 39 new trees would be planted, which would further enhance the setting and significance of the RPG.
- Summary*
- 244 Officers, having regard to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, are satisfied the proposals would preserve and enhance the character and significance of Forest Hill Conservation Area, the listed buildings and their setting and the listed registered park and garden.
- 245 Paragraph 199 of the NPPF requires great weight to be given to the asset's conservation while para 202 requires harm to be weighed against any public benefits of the proposal. The applicant has provided substantive evidence of the wider public benefits of the proposal. Officers conclude the public benefits, which comprise community activities, increased accessibility, environmental sustainability and improvement works in the gallery do outweigh the less than substantial harm caused by the removal of balustrade

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display cases and loss of legibility of the Old Boating Lake in the heritage balancing exercise.

6.3.2 Heritage conclusion

246 The proposed development is acceptable in heritage terms subject to the imposition of the conditions recommended above.

6.4 TRANSPORT IMPACT

General policy

247 The Core Strategy Policy 14 states a managed and restrained approach to car parking will be adopted to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities. The parking standards of the London Plan will be used as a basis for assessment.

248 London Plan Policy T6 Car parking states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development has no general parking but should still provide disabled persons parking in line with Part E of this policy. Where car parking is provided in new developments, provision should be made for infrastructure for electric or other Ultra-Low Emission vehicles. All operational parking should make this provision, including offering rapid charging.

249 London Plan Policy T6.5 Non-residential disabled persons parking states that disabled persons parking should be provided in accordance with the levels set out in Table 10.6, ensuring that all non-residential elements should provide access to at least one on or off-street disabled persons parking bay. Disabled persons parking bays should be located on firm and level ground, as close as possible to the building entrance or facility they are associated with.

250 Para 109 of the NPPF states 'Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or on the residual cumulative impacts on the road network would be severe'.

6.4.1 Access

Policy

251 Policy T6 of the London Plan states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. Car-free development should be the starting point for all development proposals in places that are well-connected by public transport.

Discussion

252 The proposal does not include any new general parking provision for the public within the site. However, a new single blue-badge parking space to the rear of the Michael Horniman building would be provided, which will provide access for wheelchair users to the lower path of the Sustainable Gardening Zone.

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- 253 This is acceptable, and Highways have requested that the disabled parking bay is enabled to charge Electric Vehicles (rapid charging system).
- 254 Furthermore, the Nature Trail currently presents several accessibility challenges that the current proposal seeks to remove by introducing a ramped access to the Nature Trail elevated path. The proposed ramp would be located to the south-west of the play area, adjacent to a proposed equipment store and external handwash facility. It is noted that the proposed location of the ramp where the level change is the lowest has been deliberately chosen to keep the intervention as minimal as possible. The Design and Access Statement notes that the access to the Nature Trail is comprised of 1:15 gradient ramps with compliant handrails and level landings.
- 255 The details of the proposed ramped access will be secured by condition.
- 256 In addition, a new accessible path would be formatted at the South Downs area that would wind down the slope to find a gentler route to the bottom of the hill. The path will include opportunities to sit and rest. The proposed gradient would be 1 to 21.
- 257 Highways state that applicant should note that DfT's Inclusive Mobility guidance states that *"Even if a pedestrian route has no slopes in excess of 1 in 20, it is important that there are level sections, or 'landings', at regular intervals. This is to provide people with an opportunity to rest; where possible accessible seating should be provided on such landings. A level landing should be provided for every 500mm that the route rises. The length of each landing should be equal to at least the width of the ramp. Gradients steeper than 1 in 20 can be managed by some wheelchair users, but only over very short distances (1000mm or less), for example on a ramp between a bus entrance and the pavement. Even over these short distances the maximum gradient used should be no more than 1 in 10. As a general rule, however, 1 in 12 should be the absolute maximum. Not only is the physical effort of getting up a steeper gradient beyond many wheelchair users, but there is also a risk of the wheelchair toppling over."*
- 258 Therefore, Highways have requested that the details of the proposed path should be secured by condition to ensure they would be compliant with DfT's Inclusive Mobility guidance.

6.4.2 Servicing and refuse

Policy

- 259 The NPPF states that development should allow for the efficient delivery of good and access by service and emergency vehicles.
- 260 DMLP Policy 29 requires new development to have no negative impact upon the safety and suitability of access and servicing. Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Building in accordance with London Plan Housing SPG (2016) standard 23.

Discussion

- 261 A refuse storage would be provided at the north elevation of the proposed café and a storage area would be incorporated in the Sustainable Gardening Zone, to the north of the Nursery Cottage. The final details of the proposed bin stores would be secured by condition. In addition, a waste and management plan would be conditioned to ensure

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that the provision of waste management would safeguard the amenities of neighbouring occupiers and the waste occupiers.

6.4.3 Transport modes

Walking and cycling

Policy

262 Development should give priority first to pedestrian and cycle movements, both within the scheme and within the neighbouring area. Development should create places that are safe, secure and attractive, minimising the scope for conflicts between pedestrians, cyclists and vehicles.

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

Discussion

264 With regards to the provision of cycle parking, the proposal does not include any cycle parking spaces. The applicant notes that there is no provision at the café because if you are travelling through the gardens with your bike or eScooter, you have to dismount and walk your bike or scooter through, for the safety of visitors. There are bicycle racks on the Avenue, near the main entrance on London Road (two sets of racks) and by the Butterfly House, just inside the Horniman Drive gate. The Avenue bike racks are more suitable for cargo bikes/ trailers.

265 Highways state that in accordance with Policy T5 of the London Plan stipulates the requirement for 17 short stay spaces and 2 long stay spaces (for staff) for the proposed café pavilion (Use Class E). The plans show that there is capacity to provide this on site. This would be conditioned accordingly and scaled plans showing where they would be provided on site should accompany the submission. Long stay cycle parking should be covered and secured and all parking should be designed in accordance with London Cycle Design Standards.

Other

Policy

266 Policy T7 Deliveries, servicing and construction of the London Plan states that Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments. During the construction phase of development, inclusive and safe access for people walking or cycling should be prioritised and maintained at all times.

Discussion

267 Highways have requested the submission of a Delivery and Servicing Plan for the proposed café. The Delivery and Servicing Plan will be secured by condition.

268 The applicant has also submitted a Construction Management Plan (prepared by Focus Consultants 2010 LLP, March 2023). Highways reviewed the relevant document and requested further information. More specifically, further information was required

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regarding the vehicle numbers/types, the delivery routes, pedestrian management at access point, wheel wash facilities and programme/duration.

269 The applicant submitted a final updated version on the 5th of June 2023 including all of the requested information. Highways have reviewed the revised documents and confirmed that their comments have been addressed and is considered acceptable. The submitted Construction Management Plan (CMP) would be secured by condition.

270 Concerns were raised from local residents regarding the use of Horniman Drive from construction vehicles and deliveries. Highways have requested that the Council should stipulate that all vehicles be restricted to use A205, Honor Oak Road and Westwood Park to stop unsuitable traffic using residential roads in the area. The revised CMP includes a revised traffic management section. The details would be secured by condition.

6.4.4 Transport impact conclusion

271 In summary, the proposed development would have an acceptable impact on the surrounding highway and transport network subject to the imposition of the conditions recommended above.

6.5 LIVING CONDITIONS OF NEIGHBOURS

General Policy

272 Core Strategy Policy 15 'High quality design in Lewisham' seeks to ensure that proposed development is sensitive to the local context. Officers therefore expect proposed development to be designed in a way that will not give rise to significant impacts upon the amenities of existing neighbours and future occupiers.

6.5.1 Enclosure and Outlook

Policy

273 Policy DM32(1)(b) expects new developments to provide a 'satisfactory level' of outlook for its neighbours.

Discussion

Nature Explorers Adventure Zone and Nature Trail

274 The proposed Nature Explorers Adventure Zone would be located closer to the properties at Wood Vale and Westwood Park and as such officers have assessed the impact of the proposal on their amenity.

275 The proposed café pavilion and play area would be located at least 37m from the rear elevations of the properties along Wood Vale and around 80m from the rear elevations of the properties along Westwood Park. Accordingly, the proposed toilet block that would be located towards the northwest of the café and the proposed Nature Trail pavilion, which would be close to the southwest corner of the play area, would be located at a similar distance from the properties along Wood Vale and Westwood Park.

276 The properties along Wood Vale are separated from the former boating/padding pond by the Horniman Nature Trail, which comprises dense a high vegetation. In addition, given

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the lightweight appearance of the structures, their moderate scale and the significant separation distance, officers are satisfied that the proposed structures would be broadly if not wholly obscured by the surrounding vegetation and as such they would not cause any loss of outlook or sense of enclosure. This is depicted in further detail at the submitted visualisation drawing 'Nature Explorers Adventure Zone Proposed Section B Boating Lake East-West' (641-JLG-NE-XX-DR-L-00401-REV P01).

- 277 Moreover, the properties along Westwood Park are separated from the Registered Park and Gardens and the former boating/padding pond by a row of tall with large canopy trees. In addition, given that the proposed café and play area and the ancillary structures would be located at a distance of around 80m from the rear elevations of the properties and their moderate scale, they are not considered to create any sense of enclosure or loss of outlook.
- 278 The proposals for the Nature Trail would not include any additional volume apart from the interpretation signs/panels that would be placed at 7 different locations, which are not considered to cause any loss outlook or create a sense of enclosure due to their moderate scale.

Sustainable Gardening Zone

- 279 The proposed Sustainable Gardening Zone would be located closer to the properties at Horniman Drive and Cleeve Hill. A number of properties along Westwood Park and Amroth Close are also considered to be located at a close proximity to the proposed area, however given they sit behind the buildings of Horniman Drive and Cleeve Hill, which would likely obscure views to the proposed area, they are not considered to experience any sense of enclosure or loss of outlook.
- 280 The existing Nursery Cottage would be retained and the main interventions in terms of additional volume would include the removal of the existing greenhouses, boiler shed and polytunnel, and the construction of a new glasshouse and the covered community space. The proposed glasshouse would have a width of 14.4m, a depth of approximately 10.3m and a height of around 3.6m rising to 4.2m. The proposed covered community space would adjoin the new glasshouse, extending from this structure on the north side and south east corner, and would feature a roof and support structure to create an external canopy that would have a depth of 6m, a width of around 10m and a height of 3.6m rising to 4.2m, to match the height of the proposed glasshouse. The proposed structures would be located at least 30m from the nearest properties at Horniman Drive and Cleeve Hill.
- 281 The east boundary of the site features an existing Hornbeam hedge of approximately 3.8m height, which would be retained and as such it would obscure a large proportion of the proposed structures when viewed from the properties along Horniman Drive and Amroth Close. In addition, the northern boundary of the site at the entrance of Horniman Drive features three mature, large canopy trees, which would be retained and would obscure largely the proposed structures. The applicant has provided existing and proposed visualizations showing the views from Horniman Drive, which indicate that the difference in terms of volume would be negligible and as such it would not have any adverse impact in terms of creating a sense of enclosure or loss of outlook.
- 282 The properties along the eastern side of Horniman Drive and the southern side of Cleeve Hill, including Nos. 10 – 20, would be located at a distance of around 30m to 70m and given their scale they are not considered to cause any sense of enclosure or loss of outlook.

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The Natural History Gallery and the Nature Explorers Action Zone

283 The majority of the proposed refurbishment works at the Natural History Gallery would take place internally. The external works would be within the existing building envelope, adding no additional volume visible from neighbouring properties and as such they are not considered to have any harmful impact on neighbouring amenity, especially at the properties along Hill Rise.

6.5.2 Privacy

Policy

284 DMP 32(1)(b) states that adequate privacy is an essential element in ensuring a high level of residential amenity.

Discussion

Nature Explorers Adventure Zone and Nature Trail

285 The proposed Nature Explorers Adventure Zone would be located at least 37m from the rear elevations of the properties along Wood Vale and around 80m from the rear elevations of the properties along Westwood Park. Although the new café and play area would attract a larger number of people at this part of the site, given the existing dense vegetation at the western boundary of the site and the Horniman Nature Trail and the separation distance, the proposed structures are unlikely to cause any loss of privacy to the neighbouring properties along Wood Vale. This is depicted in further detail at the submitted visualisation drawing 'Nature Explorers Adventure Zone Proposed Section B Boating Lake East-West' (641-JLG-NE-XX-DR-L-00401-REV P01).

286 Similarly, the residential properties along Westwood Park would be located at longer distance from the proposed area, and given the existing large canopy, tall trees at the northern boundary of the site, the privacy of the properties is not considered to impinged.

287 With regards to the Nature Trail, officers note that the Design and Access Statement mentions that "The Nature Trail sits atop an old railway embankment which was formerly part of the Crystal Palace and South London Junction railway. It has been managed as a nature reserve since 1972." No changes are being proposed in terms of the topography of the trail. The introduction of a new ramped access would enable visitors with physical, visual, aural or neurodiverse conditions to access the nature trail and as such it would not create any additional concerns in terms of overlooking. In addition, no trees will be removed along the Nature Trail, only a few would be removed to facilitate the construction of the proposed ramp, which would be replaced. Therefore, the existing levels of privacy would be retained.

Sustainable Gardening Zone

288 The proposed new glasshouse and the covered community space, including the extended terrace, would be located at least 30m from the flank elevations of the nearest properties at Horniman Drive and at least 40m from the rear elevations of the properties along the southern side of Cleeve Hill. A new 1.8m fence would be installed at the perimeter of the site that would significantly obscure any views.

289 It is noted that the existing terraces and the South Downs area are already accessible to the public. The existing shrub border at the northern corner of the site would be retained

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and additional trees would be planted. Therefore, the proposal would not introduce any additional overlooking.

The Natural History Gallery and the Nature Explorers Action Zone

- 290 As it has already been mentioned in the report, most of the proposed refurbishment works at the Natural History Gallery would take place internally. The external works would be within the existing building envelope and would not introduce any additional views to neighbouring properties.

6.5.3 Daylight and Sunlight

Policy

- 291 DMP 32(1) (b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 292 Daylight and sunlight are generally measured against the Building Research Establishment (BRE) standards, however, this is not formal planning guidance and should be applied flexibly according to context.

Discussion

Nature Explorers Adventure Zone and Nature Trail

- 293 Given the sufficient separation distance between the proposed area, the moderate scale of the proposed structures and the sensitive design, officers are satisfied that the proposed works would not cause any block of daylight/sunlight to the properties along Wood Vale and Westwood Park. In addition, officers are satisfied that the introduction of the panels at the Nature Trail would not cause any block of daylight/sunlight.

Sustainable Gardening Zone

- 294 Given the transparent design of the proposed glasshouse and the lightweight structure of the proposed community space, officers are satisfied that they would not cause any block of daylight sunlight to the properties.

The Natural History Gallery and the Nature Explorers Action Zone

- 295 As it has already been mentioned in the report, most of the proposed refurbishment works at the Natural History Gallery would take place internally. The external works would be within the existing building envelope and would not introduce any additional built form and as such they are not considered to cause any block of daylight/sunlight.

6.5.4 Noise and disturbance

Policy

- 296 The NPPF at para 174(e) states decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. At para 180(a) of the NPPF states that planning decisions should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

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297 DMP 26 states that the Council will require a Noise and Vibration Assessment for noise and/or vibration generating development or equipment and new noise sensitive development, where appropriate, to identify issues and attenuation measures, prepared by a qualified acoustician.

Discussion

Nature Explorers Adventure Zone and Nature Trail

298 This part of the site currently constitutes a quiet and remote part of the park and the proposed development would result in becoming more used due to the proposed new works, including a café, play area, WC facilities and the Nature Trail Pavilion. Although the proposed new facilities would attract more people at this location, given its existing use as a park it is not considered to be unreasonable.

299 Furthermore, the proposed area would be located at least around 37m from the rear elevations of the properties along Wood Vale and around 80m from the rear elevations of the properties along Westwood Park, therefore maintaining a sufficient distance from any noise generating activities. It is noted that the applicant has confirmed during the local meeting that the proposed ancillary café would have the same opening and closing times as the park and as such it would not cause any unacceptable noise and disturbance impacts during unsocial hours.

300 In addition, a new plant is being proposed, including a kitchen extract and air system, with sound attenuators, an external condenser serving kitchen make up air heating coil, external condenser fan coil units and local extract fans for the café WC. The submitted Planning Statement notes that if operational during the night-time the external condenser serving the make-up air heating coil would operate in silenced night mode. A sound power limit was set for each toilet extract fan which would be met given the small size of these units.

301 The submitted Noise Impact Assessment (prepared by Sound-Matters Acoustics Ltd, March 2023) concludes that the cumulative noise emissions from all proposed plant at the Nature Explorers Adventure Zone would meet the proposed noise criteria and not impact the nearest noise sensitive receptors on Wood Vale.

302 The Council's Environmental Protection has been consulted and raise no objection to the proposed acoustic submission subject to a compliance condition of Mechanical Services - Noise Control.

303 It is acknowledged that a number of residents have expressed concerns regarding the proposed noise levels that would be generated because of a potential increase of the number of people that would be using the Nature Trail as a result of the proposed new ramped access. Officers note that the Nature Trail is already accessible to the public. The introduction of ramped access would provide the opportunity to people with low mobility or other physical disabilities to use the Nature Trail, which is not anticipated to significantly increase the number of visitors. Therefore, the noise levels are unlikely to differ significantly from the current ones.

304 In addition, the applicant confirmed during the virtual local meeting that the current opening hours for access to the Nature Trail, which are between 10am and 4pm, would not be altered. Therefore, there would not be any noise and disturbance impacts during quiet hours.

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Sustainable Gardening Zone

- 305 The proposed structures would be located at least 30m from the nearest properties at Horniman Drive and Cleeve Hill. And would be partially obscured by the existing Nursery Cottage, the proposed new 1.8m fence and the existing and proposed vegetation. It is noted that the South Downs area is already accessible to the public. The proposed community space and community wellbeing garden, given the nature of the activities they are designed to host, including horticultural activities and sustainable gardening, which are not considered to generate such significant levels of noise and disturbance that would warrant a refusal, they are not considered to have any harmful impact on neighbouring amenity.
- 306 A new plant is being proposed in the Sustainable Gardening Zone, including a new air source heat pump and an internal toilet extract fan discharging through a louvre. The applicant notes in the submitted Planning Statement that key considerations have been put in place to ensure that the properties backing onto Horniman Drive are not impacted, which include screening from the ASHP and toilet extract fans.
- 307 The Council's Environmental Protection have reviewed the Noise Impact Assessment (prepared by Sound-Matters Acoustics Ltd, March 2023) raise no objection to the proposed acoustic submission subject to a compliance condition of Mechanical Services - Noise Control.

The Natural History Gallery and the Nature Explorers Action Zone

- 308 A new plant is proposed that would be located in the 'back of house' and to the east corridor, which was a former gallery space of some significance but is currently not open to the public. The plant enclosure would include new air handling units, 3 roof mounted axial extract fans, new condenser units and new heat pump on an existing roof. According to the Noise Impact Assessment. It is considered that the heat pump will be in silenced mode during night time and the heat pump and condensing unit on the existing roof will be screened by the Gallery building itself. Therefore, any noise is considered to be negligible given the location of the proposed equipment and the separation distance from neighbouring properties. Environmental Protection have requested the addition of a compliance condition of Mechanical Services - Noise Control to ensure that safeguard the amenities of the neighbouring dwellings would be safeguarded.
- 309 Officers note that concerns have been raised regarding large events that are being held at the park and noise disturbance that these cause to local residents. The applicant confirmed during the local meeting that there is no intention to use this development to facilitate more and bigger events. More specifically, the applicant mentioned that in 2022 they held five events in total and they do not plan to increase this number during 2023. In addition, the applicant stated that the very large events that were held at Meadow Fields were unsatisfactory due to noise generation, and they do not intend to organise similar events.

6.5.5 Impact on neighbours conclusion

- 310 Therefore, the proposed development, would not have any adverse impact on the amenities of its neighbours, in terms of creating a sense of enclosure, impact on privacy or impact on daylight/sunlight, noise and disturbance and is therefore acceptable.

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6.6 SUSTAINABLE DEVELOPMENT

General Policy

- 311 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.
- 312 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.

6.6.1 Energy and carbon emissions reduction

Policy

- 313 London Plan Policy SI 2 states that major developments should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following hierarchy: (1) be lean; use less energy and manage demand during operation; (2) be clean; exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly; (3) be green; maximise opportunities for renewable energy by producing, storing and using renewable energy.
- 314 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.
- 315 DMP22 requires all development to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy.

Discussion

- 316 It is noted that the requirements for carbon emissions reduction included in the London Plan are not relevant for this application as it constitutes a minor development. However, the applicant states in the Planning Statement that they seek to follow a number of sustainable measures. In addition, the Design and Access Statement includes a section dedicated to the measures the applicant would seek to implement to achieve energy efficiency and carbon reductions.

Nature Explorers Adventure Zone and Nature Trail

- 317 Given the nature of the proposed development, the demand for heating requirements is minimised only where it is deemed necessary. The locations where active heating is not proposed, such as the enclosed café area, measures which include solar gain would be included. In addition, the orientation of the glazed element of the proposed café would allow for further exposure to sunlight and the proposed roof canopy would reduce unwanted solar during hotter months.
- 318 Where necessary, active heating would be provided by a DX system of high efficiency performance. Efficient ventilation systems with lower specific fan powers would also be

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incorporated to the kitchen and WCs. Moreover, given the open space that surrounds the proposed development, there would be low demand for artificial lighting, which would include low energy LED fittings.

Sustainable Gardening Zone

- 319 The new glasshouse would include a heated space that would have a reduced exposure and an improved form factor. Given the requirements for quality daylight within the glasshouse, the fabric insulation is minimal. The existing gas-fired boiler system would be upgraded to an air source heat pump which would further reduce emissions. In addition, where lighting is necessary to be installed it would be in the form of low energy LED fittings.
- 320 The proposed community space would also include 23sqm of PV panels on the roof of the canopy, which would further reduce the energy demand of this area.

Natural History Gallery

- 321 More specifically, the refurbishment works described under the 'urban design' section would include the refurbishment of the roof, which would assist in reducing heat losses and improving airtightness. The increase of the thermal performance and the reduction of uncontrolled ventilation would reduce the demand for heating and as such there would be a reduction in energy and carbon emissions. In addition, a number of passive measures has been considered to reduce the need for active systems, such as maintaining seasonal temperature and humidity fluctuations. Passive hygroscopic buffering cassettes within the exhibit display cases would also reduce active humidification and dehumidification requirements.
- 322 Furthermore, a mechanical ventilation system is being proposed to provide robust control over the gallery conditions, safeguarding the exhibits, which would also enable heat recovery. However, given the conservation and comfort requirements and the future climate scenarios, active cooling would be incorporated through a high efficiency chiller unit that would contribute to the reduction of energy consumption and carbon emissions.
- 323 In addition, the current lighting system would be replaced with new low energy LED lighting and 64sqm of PV panels would be placed on the eastern flat part of the roof, which would generate onsite renewable energy to offset the demands of the building.
- 324 Officers note that given the scale of the proposed development, requirements for carbon emissions reduction included in the London Plan are not relevant. However, the proposed measures are considered to have a positive impact in sustainability terms as they would contribute to energy and carbon emissions reductions.

6.6.2 Overheating

Policy

- 325 LPP S14 states that major proposals should demonstrate through an energy strategy how the potential for internal overheating would be reduced.

Discussion

- 326 As the application is not a major development the provision of LPP S14 does not apply. Notwithstanding this, the aforementioned measures of energy and carbon reductions, including options for ventilation and heat recovery, would assist in reducing overheating.

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6.6.3 Urban Greening

Policy

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

Urban greening factor

328 LPP G5 states that major development should contribute to the greening of London by including urban greening as a fundamental element of site and building design. It is noted that the requirements for urban greening included in the London Plan are not relevant for this application as it constitutes a minor development. However, the applicant proposes a number of measures discussed further in this and the following section.

Living roofs

Policy

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

Discussion

330 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.

331 The applicant explains in the Design and Access Statement that there are two basic reasons why a green roof cannot be incorporated on the roof of the proposed café. More specifically, the roof would be located under a lot of mature and important trees, which they would naturally drop seeds and is highly likely that these would fall on the café roof. In order to prevent those self-seeded trees from developing, regular maintenance would be required, which would disturb the green roof. Green roofs cannot cope structurally with self-seeded trees. In addition, given the constraints of the site, the design of the proposed café pavilion is very significant in preserving the existing designations. The proposed angled roof structure is fundamental due to the reduced depth of the roof and the slender leading edge. The selection of timber materials is deemed necessary to make the structure more sensitive in terms of design in order to appear more lightweight in its open context.

332 Therefore, in order to accommodate the additional weight and loadings that a green roof would require, the structure of the roof would have to be deeper and would likely require additional steel reinforcing. This would further increase the bulk of the proposed café structure, which would not facilitate the sensitive lightweight design approach that is required to respect the constraints of the site.

333 With regards to the lack of a green roof on the proposed glasshouse, the applicant states in the Design and Access Statement that due to the lightweight structure of the glasshouse structure, the increased weight load and the pitched angle of the bays, it would be difficult to install a green roof.

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- 334 Officers consulted with the Council's Ecological Regeneration Manager and Senior Planning Tree and Landscape Officer. The Tree Officer commented that green roofs are required in the Nature Explorers Adventure Zone, on the proposed café, WC facilities and Nature Trail Store, and in the Sustainable Gardening Zone, on the covered community activity space canopy. Ecology commented that they accept the reasoning for not including living roofs on the café roof and the glasshouse, however there was no sufficient justification regarding the lack of living roofs on the proposed Nature Trail Store and the WC structure and Ecology requested further clarifications from the applicant.
- 335 After consultation was sought, the applicant explained that same constraints apply to the peripheral buildings as the main café building as they would be located under extensive existing tree canopies. Seed and leaf drop would be a maintenance issue and the shade cast would also limit any living roof's ability to thrive in this location. In addition, given the sensitive design approach that is required by the constraints of the site and the sense of consistency that the applicant wishes to maintain with the proposed café building, the structural frame sizes should be kept to a minimum. Ecology has reviewed the applicant's response and confirmed that they are satisfied with the reasoning of lack of green roofs.
- 336 Officers in their own assessment note that the justification regarding the lack of green roofs on the café pavilion, WC facilities, the Nature Trail Store and the canopy of the covered community activity space is reasonable. The proposed design of the café has sought to minimise harm on the Bandstand views and would constitute a sensitive addition to the RPG and the setting of the Grade II* listed building. Moreover, the proposed new glasshouse would have a sensitive design in terms of scale, providing opportunities for community and recreational activities whilst supporting the need of the Gardens' maintenance. Therefore, on balance, given that the public benefits and preservation of the site's constraints, especially its MOL designation, outweigh the harm identified, officers accept the lack of green roofs on the aforementioned structures.

6.6.4 Flood Risk

Policy

- 337 LPP SI12 requires development proposals to ensure that flood risk is minimised and mitigated.

Discussion

- 338 The site is located within Flood Zone 1, which indicates a low probability of flooding from rivers and the sea. The site overall is considered to present a low risk of flooding.

6.6.5 Sustainable Urban Drainage

Policy

- 339 NPPF para 159 expects inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Para 163 states development should only be allowed in areas at risk of flooding where mitigation measure can be included.
- 340 LPP SI 12 expects development proposals to ensure that flood risk is minimised and mitigated.

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- 341 LPP SI13 requires the mitigation of flooding, or in the case of managed flooding, the stability of buildings, the protection of essential utilities and the quick recovering from flooding. The LP expects development to contribute to safety, security and resilience to emergency, including flooding.
- 342 CSP 10 requires developments to result in a positive reduction in flooding to the Borough.
- 343 LPP GG6 requires developments to make efficient use of water and reduce impacts from natural hazards like flooding.
- 344 Policy G4 of the London Plan requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy's drainage hierarchy. The supporting text to the policy recognises the contribution 'green' roofs can make to SUDS. The hierarchy within the policy establishes that development proposals should include 'green' roofs.
- 345 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Discussion

Nature Explorers Adventure Zone and Nature Trail

- 346 As it has been mentioned earlier in this report, the Nature Explorers Adventure Zone would sit at the lowest part of the site, which experiences season waterlogging due to water run-off from higher parts of the Gardens. The Design and Access Statement and drawing 641-JLG-NE-XX-DR-L-00201-REV P01 show that rain gardens or shallow swales would be incorporated at the perimeter of the proposed area to intercept the surface water and divert it towards the northwest and northeast of the site into bioretention basins. The planting would be designed to cope with periods of intermittent flooding and drought, and the ground beneath the existing trees can be de-compacted and protected to maintain its ability to attenuate rainwater before it reaches the proposed café and play area.
- 347 In addition, as part of the proposal a rain garden 'furrow' would be included in the play area, which would be intended to be a planted, playable feature that would channel water during rainfalls but would not be a permanent water feature. The applicant also notes that where possible new permeable hard surfacing would be installed to reduce water run-off.
- 348 The applicant has provided a hard landscape plan for the proposed Nature Explorers Adventure Zone (641-JLG-NE-XX-DR-L-00202-REV P01) that includes a list of the proposed materials and their location. The materials would include bark mulch, tiger mulch (safety surface), self-binding footpath grave surface (CEDEC), exposed aggregate concrete, asphalt, resurfaced asphalt, pre-cast concrete planks, non-slip metal ramp deck and timber deck. In addition, page 96 of the Design and Access Statement includes further information and depictions of the proposed materials.
- 349 Officers note that a scheme of hard landscaping and SuDS would be secured via condition.

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Sustainable Gardening Zone

- 350 It is noted that the South Downs are is very steep, resulting in waterlogging in lower parts. The Design and Access Statement (p.162) and drawing 641-JLG-SG-XX-DR-L-00201-REV P01 show that the de-paving of parts of the terraces and replacement with spongy materials would aim to resolve issues of surface water drainage. In addition, a rainwater harvesting tank would be located below the decking area in the southeast corner of the Community Activity Space. The downpipe from each end of each valley gutter would feed into the tanks for storage, via drains running around the perimeter of the glasshouse. A pump is proposed to be used to bring water back into the glasshouse and stand out area.
- 351 Furthermore, the new path would be resurfaced in permeable self-binding gravel to reduce water run-off and the lower part of the meadow would include a bioretention basin, together with trees and planting, to manage damp conditions.
- 352 The applicant has also provided a hard landscape plan for the proposed Sustainable Gardening Zone (641-JLG-SG-XX-DR-L-00202-REV P01) that includes a list of the proposed materials and their location. The materials would include concrete yard surface, concrete plank decking, asphalt surface, timber boardwalk, gravel surface, self-binding footpath gravel surface (CEDEC) and bark mulch. In addition, page 136 of the Design and Access Statement includes further information and depictions of the proposed materials.
- 353 The Council's Senior Planning Tree and Landscape Officer commented that a hard landscaping plan condition should be imposed to reduce the extent of hard surfacing and the impact on trees by the Nursery Cottage, Community Activity Space and access to the terraces, remove the lower cul-de-sac path spur and assess the details of the proposed hard surface materials.
- 354 Officers note that a scheme of hard landscaping and SuDS would be secured via condition.

Sustainable Infrastructure conclusion

- 355 The proposal is considered acceptable in sustainable development terms subject to the imposition of the conditions recommended above.

6.7 NATURAL ENVIRONMENT

General Policy

- 356 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 357 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 358 Paragraph 180 states that "opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity".
- 359 NPPF 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

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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

- 360 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.
- 361 The NPPF at para 174 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. At para 175, it sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 362 CSP 12 seeks to preserve or enhance local biodiversity.
- 363 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 the natural environment.

Discussion

- 364 The applicant has provided an Ecological Appraisal (prepared by BSG Ecology, March 2023) to inform the development of the Horniman Museum and Gardens. The key findings of the report include presence of several habitats of local value. The site is designated as a Borough Grade II Site of Importance for Nature Conservation and there are numerous designated sites located within 1 km of the site. The site is suitable to support a range of protected species and other species of conservation importance, including amphibians and reptiles, breeding birds, bats, hedgehogs, invertebrates and non-native species.
- 365 The Ecological Appraisal concluded that in terms of the impact of the proposed redevelopment, it would not have any negative impacts on statutory designated site in close proximity to the site, such as increased visitor pressure or a decrease in air quality. It is possible that the proposals would have a positive impact on the interest features of this SINC area as they aim improve biodiversity.
- 366 An extensive assessment of the impact of the proposed development on habitats is included in the Ecological Appraisal. In summary, the results of the Ecological Appraisal with regards to the impact of the proposal on habitats show that the proposed redevelopment will result in the loss of grassland habitat in the west corner of the site, which would be compensated by planting and enhancement of retained areas. There is a total of 25 trees (14 small, 8 medium, 3 large), which would be reduced by the removal of 8 small trees. However, this would be compensated by the planting of 8 medium trees. It is noted that lines of trees will not be impacted by the proposed redevelopment.
- 367 The removal of seven trees, the majority of which are non-native, is required to accommodate a boardwalk/access ramp from the Nature Explorer's Adventure Zone into the woodland. As surrounding trees with well-formed canopies will be retained the proposals are unlikely to negatively impact the functioning of the woodland. In addition, enhancements to the woodland are also proposed. In addition, scrub will be lost and replaced with modified grassland and some small sections of hedge around the nursery are proposed to be removed but they would be replaced with native species rich hedge,

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at much greater length at three locations. Some buildings at the Sustainable Gardening Zone would be removed and section of hardstanding would be modified but they are of no ecological value. The Bandstand Pavilion and the green-roofed CUE building are not impacted by the proposals.

- 368 Moreover, an extensive assessment of the impact of the proposed development on species is included in the Ecological Appraisal. In summary, the Ecological Appraisal recommends a number of measures that could be adopted to enhance the habitats of the identified species. Some of them include additional log and habitat piles to provide enhanced habitats for amphibians and reptiles; bird boxes, trees and shrubs with berry bearing and nectar rich species to enhance habitats for birds; deadwood habitat provision and encouragement of foodplants to enhance habitats for invertebrates; provision of native species-rich hedges, sensitive management of hedges (allowing dense bases to form), retention of leaf litter and cut material to enhance habitats for hedgehogs.
- 369 The report concludes that the proposed redevelopment of the two discrete areas would result in a 30.42% biodiversity net gain for area-based habitats and 76% for linear-based habitats.
- 370 The Council's Ecological Regeneration Manager has reviewed the Ecological Appraisal that accompanies the submission and commented that the report was conducted according to best practice and in line with the Lewisham Biodiversity Planning Guidance. The recommendations included in the appraisal are supported and need to be conditioned. Ecology requested the excel spreadsheet of the Biodiversity Net Gain calculations to fully evaluate the biodiversity implications. After consultation was sought the applicant provided the calculations on 5 June 2023, which were reviewed by the Ecological Regeneration Manager and was confirmed that are satisfied.
- 371 In addition, the Council's Ecological Regeneration Manager requested to incorporation of solitary bees on the Nature Trail Interpretation Panels and the addition of one accessible picnic bench by the playground. The applicant has agreed with the addition of these details and would be included as part of conditions. Ecology also noted that the Construction Management Plan does not provide information regarding how impacts on protected and other species would be avoided during construction (e.g. toolbox talks, covering holes for night), it only includes an appendix of the Lewisham good practice guidance that mentions Urban Ecology but these recommendations are not included in the content of the CMP. A Construction Environmental Management Plan would be secured by condition to ensure these details would be provided. In addition, a Biodiversity Enhancement & Management Plan (BEMP) delivering the proposed biodiversity units (30.46%) and 1.29 linear-based habitats (76%) and including wildlife-friendly features (including but not limited to proposed bird and bat boxes) would be secured by condition.

6.7.2 Green spaces and trees

Policy

- 372 Paragraph 131 of the NPPF (2021) states trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to

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ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

- 373 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.
- 374 CSP 12 seeks to protect trees and prevent the loss of trees of amenity value, with replacements where loss does occur. DMP 25 sets out the required information to support development affecting trees.

Discussion

- 375 The application is accompanied by an Arboricultural Impact Assessment (prepared by Temple, March 2023), which has identified 217 trees, 3 groups, 6 hedgerows and 1 woodland. Of the trees surveyed, 26 individuals and one woodland were attributed Category A status, 116 individuals, 1 group and 5 hedgerows were attributed Category B status, 50 individuals, 2 groups and 1 hedgerow were attributed Category C status and 21 individuals were attributed Category U status.
- 376 The proposed development would require the removal on 9 Category B individual trees; 1 Category B hedgerow; 1 partial removal of a Category B hedgerow; 1 partial removal of a Category B group; 4 Category C individual trees; and 18 Category U trees. This loss would be compensated for by the planting of 53 trees and additional planting.

Nature Explorers Adventure Zone and Nature Trail

- 377 The applicant has provided a soft landscape plan (641-JLG-NE-XX-DR-L-00203-REV P01) and a proposed tree works plan (641-JLG-NE-XX-DR-L-00204-REV P01), which indicate that 14 trees would be removed, and 14 trees would be planted in combination with additional greenery and planting. Hedgerow planting would be planted at large part of the perimeter of the proposed café and play area. The Design and Access Statement at page 99 includes examples of planting swatches proposed to be planted at the Nature Explorers Adventure Zone and the Nature Trail. The proposed tree works plan (641-JLG-NE-XX-DR-L-00204-REV P01) also indicates that all trees to the east and south of the Boating Pond are category U and would be removed as well with some trees in the Nature Trail in order to facilitate the construction of the new ramp. The trees highlighted in blue would require crown lifting to a height of 2m above ground level to facilitate access.
- 378 The Council's Senior Planning Tree and Landscape Officer has been consulted and commented that the proposals should be revised to minimise the removal category U trees included at Table 3 of the Arboricultural Impact Assessment unless there are health and safety issues and ground level changes to construct the new ramp access to the Nature Trail and the rainwater harvesting tank by the nursery hub. In addition, the soft landscaping plan should ensure an appropriate level of replacement tree planting and species to maintain the treed and overall landscape character and boundary setting of the Horniman Gardens. For instance, and new tree planting should be added around the east side of the Nature Explorers Zone natural play space.

Sustainable Gardening Zone

- 379 The applicant has provided a soft landscape plan (641-JLG-SG-XX-DR-L-00203-REV P01) and a proposed tree works plan (641-JLG-SG-XX-DR-L-00204-REV P01), which

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indicate that 16 trees would be removed, and 39 trees would be planted in combination with additional greenery and planting. The Design and Access Statement at page 139 includes examples of planting swatches proposed to be planted at the Sustainable Gardening Zone. The proposed tree works plan (641-JLG-SG-XX-DR-L-00204-REV P01) also indicates that the existing hedge at the north of the Nursery Cottage and a part at east to allow space for a new gate would be removed. The existing hedge at the south of the proposed Community Activity Space would be lowered in height, a new hedge would be planted at the north of the proposed refuse storage area and a new hedgerow would be planted around the proposed community garden.

380 The Council's Senior Planning Tree and Landscape Officer commented that the soft landscaping plan should ensure an appropriate level of replacement tree planting and species to maintain the treed and overall landscape character and boundary setting of the Horniman Gardens. For instance, a boundary hedge should be included on the west side of the north entrance to screen the Butterfly House storage area (earmarked for part of contractor's compound in CMP by Focus 5.6.23). In addition, a condition should be added to request the amendment of the location of the proposed community garden to ensure greater distance from the landscape specimen tree, Atlantic cedar T213 (A Cat) to avoid intrusion into its RPA.

381 A tree protection plan and a soft landscaping plan would be secured by condition.

6.7.3 Ground pollution

Policy

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

383 DM Policy 28 advises the Council will use appropriate measures to ensure that contaminated land is fully investigated.

Discussion

384 A condition would be imposed to inform the applicant that in case they identify unsuspected contamination during construction, they would be required to submit a Method Statement.

6.7.4 Air pollution

Policy

385 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 air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality.

Discussion

386 The submitted Design and Access Statement includes an Air Quality Neutral Statement, which concludes that following the guidance of the Air Quality Neutral London Plan Guidance document both the Building Emissions Benchmark (BEB) and Transport Emissions Benchmark (TEB) are met. However, the site falls within an Air Quality

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Management Area and as such an Air Quality Assessment will be secured by condition. In addition, a Dust Management Plan, an Air Source Heat Pump and a Non-Road Mobile Machinery condition will be imposed.

6.7.5 Light pollution

Policy

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

Discussion

388 The application site has potential and demonstrable value for local wildlife and nature. Although, any additional lighting would be installed where necessary and would be in the form of low energy LED lights, a condition will be added to ensure that the installation of lighting and its maintenance would be in a manner which would minimise possible light pollution to the night sky and neighbouring properties and in an appropriate and sensitive manner given the biodiversity on site.

6.7.6 Natural Environment conclusion

389 The impact of the proposed development on the natural environment is considered to be acceptable subject to conditions.

7 LOCAL FINANCE CONSIDERATIONS

390 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).

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

392 The CIL is therefore a material consideration.

393 £17,654.05 Lewisham CIL and £10,206.25 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

394 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,

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gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

395 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.

396 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.

397 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>

398 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

399 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>

400 The planning issues set out above do include any factors that relate specifically to any of the equalities categories set out in the Act. The new ramp would improve accessibility for visitors of the Nature Trail, the design and layout of the Sustainable Gardening Zone including the provision of an accessible parking bay would improve accessibility in this

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area and the removal of the first floor lower-level cases would increase passage width to benefit visitors and therefore it has been concluded that there is no impact on equality.

9 HUMAN RIGHTS IMPLICATIONS

401 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

402 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.

403 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.

404 This application has the legitimate aim of providing a new building with [employment and recreational uses. The rights potentially engaged by this application are not considered to be unlawfully interfered with by this proposal.

10 CONCLUSION

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

406 The principle of development within MOL is supported as the scheme would preserve the openness and character of the Horniman Museum and Gardens. The preservation of the open character and sensitive design response of the café pavilion would also prevent any harm and maintain the existing protected Bandstand view.

407 The proposal includes the provision of a nature-themed play space with significant recreational benefits and is considered to be compliant with the relevant policies regarding social infrastructure.

408 The design proposal has followed a sensitive approach to avoid any significant harm to the Registered Park and Gardens, the setting and significance of the listed buildings or the Conservation Area. Any harm has been sufficiently justified and the public benefits outweigh the less than substantial harm that has been identified.

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- 409 The proposed development would have an acceptable impact on the surrounding highway and transport network subject to the imposition of the recommended conditions.
- 410 The proposed development is considered to safeguard the amenities of its neighbours, in terms of creating a sense of enclosure, impact on privacy or impact on daylight/sunlight.
- 411 The proposal is considered acceptable in sustainable development and natural environment terms subject to the imposition of the recommended conditions.

11 RECOMMENDATION

- 412 That the Committee resolve to **GRANT** planning permission and listed building consent subject to the following conditions and informatives:

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11.1 CONDITIONS

11.1.1 PLANNING PERMISSION – DC/23/130987

1) PLANNING PERMISSION TIME LIMIT

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

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

2) DEVELOP IN ACCORDANCE WITH APPROVED PLANS

641-JLG-XX-XX-DR-L-00100-REV P01; 641-JLG-NE-XX-DR-L-00100-REV P01;
641-JLG-NE-XX-DR-L-00101-REV P01; 641-JLG-NE-XX-DR-L-00102-REV P01;
641-JLG-NE-XX-DR-L-00200-REV P01; 641-JLG-NE-XX-DR-L-00201-REV P01;
641-JLG-NE-XX-DR-L-00202-REV P01; 641-JLG-NE-XX-DR-L-00203-REV P01;
641-JLG-NE-XX-DR-L-00204-REV P01; 641-JLG-NE-XX-DR-L-00300-REV P01;
641-JLG-NE-XX-DR-L-00301-REV P01; 641-JLG-SG-XX-DR-L-00302-REV P01;
641-JLG-SG-XX-DR-L-00303-REV P01; 641-JLG-NE-XX-DR-L-00400-REV P01;
641-JLG-NE-XX-DR-L-00401-REV P01; 641-JLG-SG-XX-DR-L-00402-REV P01;
641-JLG-SG-XX-DR-L-00403-REV P01; 641-JLG-NE-XX-DR-L-00500-REV P01;
641-JLG-SG-XX-DR-L-00601-REV P01; 641-JLG-SG-XX-DR-L-00100-REV P01;
641-JLG-SG-XX-DR-L-00101-REV P01; 641-JLG-SG-XX-DR-L-00102-REV P01;
641-JLG-SG-XX-DR-L-00200-REV P01; 641-JLG-SG-XX-DR-L-00201-REV P01;
641-JLG-SG-XX-DR-L-00202-REV P01; 641-JLG-SG-XX-DR-L-00203-REV P01;
641-JLG-SG-XX-DR-L-00204-REV P01; 641-JLG-SG-XX-DR-L-00300-REV P01;
641-JLG-SG-XX-DR-L-00301-REV P01; 641-JLG-SG-XX-DR-L-00400-REV P01;
641-JLG-SG-XX-DR-L-00401-REV P01; 641-JLG-XX-XX-DR-L-00200-REV P01;
NLP-FF-00-XX-DR-A-00100-REV P00; NLP-FF-00-XX-DR-A-00101-REV P00;
NLP-FF-00-XX-DR-A-00111-REV P00; NLP-FF-00-XX-DR-A-10101-REV P00;
NLP-FF-00-XX-DR-A-10103-REV P00; NLP-FF-00-XX-DR-A-10104-REV P00;
NLP-FF-00-XX-DR-A-10107-REV P00; NLP-FF-00-XX-DR-A-10111-REV P00;
NLP-FF-00-XX-DR-A-10113-REV P00; NLP-FF-00-XX-DR-A-10121-REV P00;
NLP-FF-00-XX-DR-A-10123-REV P00; NLP-FF-00-XX-DR-A-10124-REV P00;
NLP-FF-00-XX-DR-A-10127-REV P00; NLP-FF-00-XX-DR-A-10131-REV P00;
NLP-FF-00-XX-DR-A-10133-REV P00; NLP-FF-00-XX-DR-A-10134-REV P00;
NLP-FF-00-XX-DR-A-10201-REV P00; NLP-FF-00-XX-DR-A-10202-REV P00;
NLP-FF-00-XX-DR-A-10203-REV P00; NLP-FF-00-XX-DR-A-10204-REV P00;
NLP-FF-00-XX-DR-A-10301-REV P00; NLP-FF-00-XX-DR-A-10401-REV P00;
NLP-FF-00-XX-DR-A-10402-REV P00; NLP-FF-00-XX-DR-A-10403-REV P00;
NLP-FF-00-XX-DR-A-10404-REV P00; NLP-FF-00-XX-DR-A-10421-REV P00;
NLP-FF-00-XX-DR-A-10422-REV P00; NLP-FF-00-XX-DR-A-10423-REV P00;
NLP-FF-00-XX-DR-A-10424-REV P00; NLP-FF-00-XX-DR-A-10431-REV P00;
NLP-FF-00-XX-DR-A-10432-REV P00; NLP-FF-00-XX-DR-A-10433-REV P00;
NLP-FF-00-XX-DR-A-10434-REV P00; NLP-FF-00-XX-DR-A-11101-REV P00;
NLP-FF-00-XX-DR-A-11103-REV P00; NLP-FF-00-XX-DR-A-11104-REV P00;
NLP-FF-00-XX-DR-A-11301-REV P00; NLP-FF-00-XX-DR-A-11303-REV P00;
NLP-FF-00-XX-DR-A-12101-REV P00; NLP-FF-00-XX-DR-A-12102-REV P00;
NLP-FF-00-XX-DR-A-12103-REV P00; NLP-FF-00-XX-DR-A-12104-REV P00;
NLP-FF-00-XX-DR-A-13101-REV P00; NLP-FF-00-XX-DR-A-14001-REV P00;

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NLP-FF-00-XX-DR-A-14002-REV P00; NLP-FF-00-XX-DR-A-14003-REV P00; NLP-FF-00-XX-DR-A-14004-REV P00; NLP-FF-00-XX-DR-A-15201-REV P00; NLP-FF-00-XX-DR-A-15202-REV P00; NLP-FF-00-XX-DR-A-15203-REV P00; NLP-FF-00-XX-DR-A-15204-REV P00; NLP-FF-00-XX-DR-A-15205-REV P00; NLP-FF-00-XX-DR-A-20101-REV P00; NLP-FF-00-XX-DR-A-21001-REV P00; NLP-FF-00-XX-DR-A-21001-REV P00; NLP-FF-00-XX-DR-A-22101-REV P00_Proposed South and East Elevations; NLP-FF-00-XX-DR-A-22101-REV P00_Proposed North and West Elevations; NLP-FF-00-XX-DR-A-30100-REV P00; NLP-FF-00-XX-DR-A-31001-REV P00; NLP-FF-00-XX-DR-A-31003-REV P00; NLP-FF-00-XX-DR-A-31002-REV P00; NLP-FF-00-XX-DR-A-31011-REV P00; NLP-FF-00-XX-DR-A-32101-REV P00_Proposed North and East Elevations; NLP-FF-00-XX-DR-A-32101-REV P00_Proposed South and West Elevations; NLP-FF-00-XX-DR-A-32111-REV P00; NLP-FF-00-XX-DR-A-32112-REV P00; NLP-FF-00-XX-DR-A-32111-REV P00_Proposed Nature Trail Pavilion North and East Elevations; NLP-FF-00-XX-DR-A-33101-REV P00; NLP-FF-00-XX-DR-A-33102-REV P00; Arboricultural Impact Assessment; Ecological Appraisal; Historic Buildings Report; Landscape Heritage Assessment; STUDIO MB CASE SCHEDULE; Noise Impact Assessment; Planning Statement; Soil Resource Survey; Statement of Community Involvement (Received 29/03/2023)

SD18.3 – Condition Survey of Significant Fabric; Gazetteer and Schedule of Significance (Received 25/04/2023)

Construction Management Plan; The Biodiversity Metric 3.1; Sustainable Gardening Zone: existing view from Horniman Drive; Sustainable Gardening Zone: proposed view from Horniman Drive (Received 05/06/2023)

Design and Access Statement (Received 06/06/2023)

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

3) **CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

Prior to the commencement of the development hereby approved a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall cover:

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

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- (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
- d) Security Management (to minimise risks to unauthorised personnel).
- e) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements.
- f) Details of the construction hours and activity.
- g) Details of how impacts on protected and other species will be avoided during construction (e.g. toolbox talks, covering holes for night).
- h) All construction and delivery vehicles be restricted to use A205, Honor Oak Road and Westwood Park to stop unsuitable traffic using residential roads in the area.
- i) Details of pollution incident control and site contact details in case of complaints

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

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy SI1 Improving air quality and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).

4) **BIODIVERSITY ENHANCEMENT PLAN**

No development shall take place (including any demolition, ground works, site clearance) until a biodiversity enhancement and a management plan has been submitted to and approved in writing by the local planning authority. The content of the method statement shall cover the recommendations of the Preliminary Ecological Assessment (BWE-PEA-81BRSE23) and deliver biodiversity units (30.46%) and 1.29 linear-based habitats (76%), including wildlife-friendly features, and include the following:

- a) purpose and objectives for the proposed works including but not limited to the installation of bird and bat boxes;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);

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c) extent and location of proposed works shown on appropriate scale maps and plans;

d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;

e) persons responsible for implementing the works.

f) disposal of any wastes arising from works. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To comply with Policy G6 Biodiversity and access to nature of the London Plan (2021) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

5) **SOFT LANDSCAPING**

a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) with native and/or wildlife-friendly species 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 any 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).

6) **DELIVERY AND SERVICING PLAN (CAFÉ)**

a) The café hereby approved shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.

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- b) The Plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.
- c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

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

7) CYCLE PARKING PROVISION

- a) Prior to first occupation of the development hereby approved, 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) REFUSE STORAGE

- a) Prior to first occupation of the development hereby approved, details of proposals for the storage of refuse and recycling facilities, shall be 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 design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

9) ELECTRIC VEHICLE CHARGING POINT

- a) Details of the number and location of electric vehicle charging points to be provided at the accessible parking bay and a programme for its installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to its first use. The EV charging point should be enabled to provide rapid charging.

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- b) The electric vehicle charging point as approved shall be installed prior to the first occupation of the accessible parking bay and shall thereafter be retained and maintained in accordance with the details approved under (a).

Reason: To reduce pollution emissions in an Area Quality Management Area in accordance with Policy SI1 Improving air quality in the London Plan (March 2021), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

10) **PROPOSED RAMP**

(a) Notwithstanding the plans hereby approved, no development shall commence until details of the proposed ramp to the Nature Trail have been submitted to and approved in writing by the local planning authority.

(b) The details approved in (a) shall be implemented in full accordance prior to first occupation of the development hereby granted.

Reason: To meet the needs of the wider community and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

11) **SOUTH DOWNS FOOTPATH**

a) Notwithstanding the plans hereby approved, no development shall commence until details of a revised footpath at the South Downs to demonstrate that it would be compliant with DfT's Inclusive Mobility guidance have been submitted and approved in writing by the Local Planning Authority.

b) The details approved in (a) shall be implemented in full accordance prior to first occupation of the development hereby granted.

Reason: To meet the needs of the wider community and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

12) **EXTERNAL LIGHTING**

a) Prior to the first occupation of the development hereby approved a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority. The scheme should identify areas on site that are particularly sensitive for bat species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access their territory

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- b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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

13) **DUST MANAGEMENT PLAN**

Prior to the commencement of development hereby approved, a Dust Management Plan (DMP), based on an AQDRA (Air Quality and Dust Risk Assessment), shall be submitted to and approved, in writing, by the local planning authority. The DMP shall be in accordance with The Control of Dust and Emissions during Construction and Demolition SPG 2014. The DMP will need to detail the measures to reduce the impacts during the construction phase. The development shall be undertaken in accordance with the approved plan.

Reason: To manage and prevent further deterioration of existing low-quality air across London in accordance with London Plan Policy SI 1 'Improving air quality' and Policy T7 'Deliveries, servicing and construction' of the London Plan (March 2021), and paragraph 181 of the NPPF.

14) **HERITAGE INTERPRETATIONS**

No works shall commence on site until details of heritage interpretation at the new glasshouse and the café have been submitted to and approved in writing by the local planning authority. The heritage interpretations shall be installed in accordance with the approved details prior to the first occupation of the glasshouse and café.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

15) **NATURE TRAIL INTERPRETATION SIGNS**

No works shall commence on site until details of the proposed Nature Trail interpretation signs, including holes for solitary bees have been submitted to and

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approved in writing by the local planning authority. The Nature Trail interpretation signs shall be installed prior to the first occupation of the development hereby approved.

Reason: To comply with Policy G6 Biodiversity and access to nature of the London Plan (2021) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014), Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

16) **PV PANELS (CAFÉ & COMMUNITY SPACE ROOF)**

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

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

17) **TREE PROTECTION PLAN**

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

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

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18) **HARD LANDSCAPING**

- a) Prior to any works taking place 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 hereby approved and maintained for the lifetime of the development.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies SI 12 Flood risk management in the London Plan (March 2021), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

19) **SURFACE WATER**

No development (other than demolition of above ground structures) shall commence on site until a scheme for surface water management, including specifications of the surface treatments, management plan and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority. Thereafter, the approved scheme shall be implemented in full accordance, prior to first occupancy of the development hereby approved and maintained for the lifetime of the development.

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

20) **WASTE MANAGEMENT PLAN**

(a) No above ground works shall commence until a waste management plan has been submitted for the proposed refuse facilities and approved in writing by the Local Planning Authority. The Plan shall include details of how the proposal will ensure how maximum drag distances are not exceeded for waste operatives.

(b) The waste management plan under part (a) shall be provided and implemented prior to the occupation of the development and shall thereafter be maintained.

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

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22) **SITE CONTAMINATION**

If, during any works on the site, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a Method Statement, and obtained written approval from the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with.

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

23) **AIR SOURCE HEAT PUMP**

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

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

24) **VENTILATION SYSTEM**

(a) Prior to the commencement of external works to the existing building, detailed plans and a specification of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s) and anti-vibration mountings where necessary) shall be submitted to and approved in writing by the local planning authority.

(b) The ventilation system shall be installed in accordance with the approved plans and specification before use of the ancillary cafe hereby permitted first commences and shall thereafter be permanently maintained in accordance with the approved specification.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Policy 17 Restaurants and cafes (A3 uses) and drinking establishments (A4 uses) of the Development Management Local Plan (November 2014).

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11.1.2 LISTED BUILDING CONSENT – DC/23/130988

1) LISTED BUILDING CONSENT 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) DEVELOP IN ACCORDANCE WITH APPROVED PLANS

641-JLG-XX-XX-DR-L-00100-REV P01; 641-JLG-NE-XX-DR-L-00100-REV P01;
641-JLG-NE-XX-DR-L-00101-REV P01; 641-JLG-NE-XX-DR-L-00102-REV P01;
641-JLG-NE-XX-DR-L-00200-REV P01; 641-JLG-NE-XX-DR-L-00201-REV P01;
641-JLG-NE-XX-DR-L-00202-REV P01; 641-JLG-NE-XX-DR-L-00203-REV P01;
641-JLG-NE-XX-DR-L-00204-REV P01; 641-JLG-NE-XX-DR-L-00300-REV P01;
641-JLG-NE-XX-DR-L-00301-REV P01; 641-JLG-SG-XX-DR-L-00302-REV P01;
641-JLG-SG-XX-DR-L-00303-REV P01; 641-JLG-NE-XX-DR-L-00400-REV P01;
641-JLG-NE-XX-DR-L-00401-REV P01; 641-JLG-SG-XX-DR-L-00402-REV P01;
641-JLG-SG-XX-DR-L-00403-REV P01; 641-JLG-NE-XX-DR-L-00500-REV P01;
641-JLG-SG-XX-DR-L-00601-REV P01; 641-JLG-SG-XX-DR-L-00100-REV P01;
641-JLG-SG-XX-DR-L-00101-REV P01; 641-JLG-SG-XX-DR-L-00102-REV P01;
641-JLG-SG-XX-DR-L-00200-REV P01; 641-JLG-SG-XX-DR-L-00201-REV P01;
641-JLG-SG-XX-DR-L-00202-REV P01; 641-JLG-SG-XX-DR-L-00203-REV P01;
641-JLG-SG-XX-DR-L-00204-REV P01; 641-JLG-SG-XX-DR-L-00300-REV P01;
641-JLG-SG-XX-DR-L-00301-REV P01; 641-JLG-SG-XX-DR-L-00400-REV P01;
641-JLG-SG-XX-DR-L-00401-REV P01; 641-JLG-XX-XX-DR-L-00200-REV P01;
NLP-FF-00-XX-DR-A-00100-REV P00; NLP-FF-00-XX-DR-A-00101-REV P00;
NLP-FF-00-XX-DR-A-00111-REV P00; NLP-FF-00-XX-DR-A-10101-REV P00;
NLP-FF-00-XX-DR-A-10103-REV P00; NLP-FF-00-XX-DR-A-10104-REV P00;
NLP-FF-00-XX-DR-A-10107-REV P00; NLP-FF-00-XX-DR-A-10111-REV P00;
NLP-FF-00-XX-DR-A-10113-REV P00; NLP-FF-00-XX-DR-A-10121-REV P00;
NLP-FF-00-XX-DR-A-10123-REV P00; NLP-FF-00-XX-DR-A-10124-REV P00;
NLP-FF-00-XX-DR-A-10127-REV P00; NLP-FF-00-XX-DR-A-10131-REV P00;
NLP-FF-00-XX-DR-A-10133-REV P00; NLP-FF-00-XX-DR-A-10134-REV P00;
NLP-FF-00-XX-DR-A-10201-REV P00; NLP-FF-00-XX-DR-A-10202-REV P00;
NLP-FF-00-XX-DR-A-10203-REV P00; NLP-FF-00-XX-DR-A-10204-REV P00;
NLP-FF-00-XX-DR-A-10301-REV P00; NLP-FF-00-XX-DR-A-10401-REV P00;
NLP-FF-00-XX-DR-A-10402-REV P00; NLP-FF-00-XX-DR-A-10403-REV P00;
NLP-FF-00-XX-DR-A-10404-REV P00; NLP-FF-00-XX-DR-A-10421-REV P00;
NLP-FF-00-XX-DR-A-10422-REV P00; NLP-FF-00-XX-DR-A-10423-REV P00;
NLP-FF-00-XX-DR-A-10424-REV P00; NLP-FF-00-XX-DR-A-10431-REV P00;
NLP-FF-00-XX-DR-A-10432-REV P00; NLP-FF-00-XX-DR-A-10433-REV P00;
NLP-FF-00-XX-DR-A-10434-REV P00; NLP-FF-00-XX-DR-A-11101-REV P00;
NLP-FF-00-XX-DR-A-11103-REV P00; NLP-FF-00-XX-DR-A-11104-REV P00;
NLP-FF-00-XX-DR-A-11301-REV P00; NLP-FF-00-XX-DR-A-11303-REV P00;
NLP-FF-00-XX-DR-A-12101-REV P00; NLP-FF-00-XX-DR-A-12102-REV P00;
NLP-FF-00-XX-DR-A-12103-REV P00; NLP-FF-00-XX-DR-A-12104-REV P00;
NLP-FF-00-XX-DR-A-13101-REV P00; NLP-FF-00-XX-DR-A-14001-REV P00;
NLP-FF-00-XX-DR-A-14002-REV P00; NLP-FF-00-XX-DR-A-14003-REV P00;
NLP-FF-00-XX-DR-A-14004-REV P00; NLP-FF-00-XX-DR-A-15201-REV P00;

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NLP-FF-00-XX-DR-A-15202-REV P00; NLP-FF-00-XX-DR-A-15203-REV P00; NLP-FF-00-XX-DR-A-15204-REV P00; NLP-FF-00-XX-DR-A-15205-REV P00; NLP-FF-00-XX-DR-A-20101-REV P00; NLP-FF-00-XX-DR-A-21001-REV P00; NLP-FF-00-XX-DR-A-21001-REV P00; NLP-FF-00-XX-DR-A-22101-REV P00_Proposed South and East Elevations; NLP-FF-00-XX-DR-A-22101-REV P00_Proposed North and West Elevations; NLP-FF-00-XX-DR-A-30100-REV P00; NLP-FF-00-XX-DR-A-31001-REV P00; NLP-FF-00-XX-DR-A-31003-REV P00; NLP-FF-00-XX-DR-A-31002-REV P00; NLP-FF-00-XX-DR-A-31011-REV P00; NLP-FF-00-XX-DR-A-32101-REV P00_Proposed North and East Elevations; NLP-FF-00-XX-DR-A-32101-REV P00_Proposed South and West Elevations; NLP-FF-00-XX-DR-A-32111-REV P00; NLP-FF-00-XX-DR-A-32112-REV P00; NLP-FF-00-XX-DR-A-32111-REV P00_Proposed Nature Trail Pavilion North and East Elevations; NLP-FF-00-XX-DR-A-33101-REV P00; NLP-FF-00-XX-DR-A-33102-REV P00; Arboricultural Impact Assessment; Ecological Appraisal; Historic Buildings Report; Landscape Heritage Assessment; STUDIO MB CASE SCHEDULE; Noise Impact Assessment; Planning Statement; Soil Resource Survey; Statement of Community Involvement (Received 29/03/2023)

SD18.3 - Condition Survey of Significant Fabric; Gazetteer and Schedule of Significance (Received 25/04/2023)

Gateway Plinth - Controlling Nature (Weeds); Gateway Plinth - Extinction and on the Brink (Human Impacts); Gateway Plinth - Naming Nature; Gateway Plinth - Protecting Nature; Gateway Plinth - Extinction and on the Brink (Cretaceous-Tertiary); NHG 02 003; Construction Management Plan (Received 05/06/2023)

Design And Access Statement (Received 06/06/2023)

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

3) PROTECTION DURING CONSTRUCTION WORKS

- a) No works shall commence on site until details of how fixtures and fittings in the North Hall are to be protected during works, including display cases, balustrades, flooring and the Apostle Clock are to be protected during works have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
- b) If removal is necessary, full details of method of removal, location of storage, methodology for their safe transport and storage, reinstatement and repair will be required.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

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4) **ARTWORK/BRANDING TO THE NORTH GALLERY**

No works shall commence on site until details of all artwork/branding to the North Gallery ceilings (noting that lighting will be preferable to fixed finishes) have been submitted to and approved in writing by the Local Planning Authority. The artwork/branding shall be carried out in accordance with the approved details and maintained for the lifetime of the development.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

5) **UPDATED CONSERVATION PLAN**

An updated and completed Conservation Plan shall be submitted to and approved in writing by the local planning authority prior to the reopening of the Gallery.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

6) **ROOFTOP FALL RESTRAINT SYSTEM**

No works shall commence on site until details of the new rooftop fall restraint system have been submitted to and approved in writing by the local planning authority. The rooftop system shall be installed in accordance with the approved details and maintained for the lifetime of the development.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

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7) **HANDRAIL**

No works shall commence on site until details of the following works have been submitted to and approved in writing by the Local Planning Authority:

- a) alterations to the balustrade to fix the new handrail;
- b) any other new items fixed to it.
- c) The works shall be carried out in accordance with the approved details and maintained for the lifetime of the development.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

8) **SALVAGE STRATEGY**

No works shall commence on site until a completed Salvage Strategy has been submitted to and approved in writing by the Local Planning Authority. The Salvage Strategy shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the acceptability of the Salvage Strategy and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

9) **DIGITAL DISPLAY**

No works shall commence on site until details of a digital display about the existing North Gallery exhibition, including details of how it will be promoted physically within the Museum, have been submitted to and approved in writing by the Local Planning Authority. The digital display shall be installed in accordance with the approved details and maintained for the lifetime of the development.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed

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buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

10) **MECHANICAL SERVICES - NOISE CONTROL**

- a) The plant hereby permitted shall be installed in strict accordance with the details provided in the acoustic report submitted by Sound Matters Acoustics Ltd ref. 020-SM-R01 dated 7th March 2023. The plant shall thereafter be retained as approved. The plant shall not be used unless the equipment is installed in compliance with these details.
- b) A commissioning acoustic test report shall be undertaken within two weeks of the mechanical services installation in order to demonstrate the limiting noise levels detailed in the above report have been achieved. The results of the tests shall be submitted to and approved in writing by the Local Planning Authority.

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).

11) **WORKS TO THE FORMER BOATING POND**

No works shall commence on site until details of the works required to construct the café and play equipment to the Old Boating Lake and the run services to and from them have been submitted to and approved in writing by the Local Planning Authority. The café and play equipment shall be constructed 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 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens, Development Management Local Plan (November 2014).

12) **PV PANELS (NATURAL HISTORY GALLERY)**

- a) Details of the proposed PV panels on the Gallery shall be submitted to and approved in writing by the local planning authority prior to first installation.
- b) The PV panels approved in accordance with (a) shall be installed in full prior to reopening of the Gallery and retained in perpetuity.

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

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11.2 INFORMATIVES

1) POSITIVE AND PROACTIVE STATEMENT

The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. As the proposal was not fully in accordance with these discussions, positive discussions took place which resulted in further information being submitted.

2) CONSTRUCTION

You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.

12 BACKGROUND PAPERS

- 413 Submission drawings
- 414 Submission technical reports and documents
- 415 Statutory consultee responses

13 REPORT AUTHOR AND CONTACT

- 416 Report author: Antigoni Gkiza (Planning Officer)
- 417 Email: antigoni.gkiza@lewisham.gov.uk
- 418 Telephone: 020 8314 8396

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