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| Committee | PLANNING COMMITTEE (A) | |
| Report Title | 55-59 HONOR OAK PARK, SE23 | |
| Ward | Crofton Park | |
| Contributors | Geoff Whittington | |
| Class | PART 1 | Date: 30 AUGUST 2012 |

Reg. Nos. DC/11/79057

Application dated 12 December 2011 completed 31 May 2012.

Applicant Cantel Investments Ltd

Proposal The part demolition, alterations and conversion of the ground floor shop units to form one retail unit (Use Class A1) at 55-59 Honor Oak Park SE23, together with the construction of a part single/ part two-storey extension at the rear, provision of 1.6 metre high timber fences at first floor level, installation of new windows and doors in the rear elevation, residential and commercial refuse/ recycle storage at the rear and the reconfiguration of the upper floor flats to provide 3, one bedroom self-contained flats.

Applicant's Plan Nos. Design and Access Statement (8 May 2012), Delivery & servicing Plan (31 May 2012), 182-OS-001, 182-A-100, 101, 102, 103, 104, 105, 106, 107, 182-A-200, 201A, 202A, 203, 204, 205, 206, 207 & 301.

Background Papers

- (1) Case File LE/340/57/TP
- (2) Lewisham Development Framework: Core Strategy (2011)
- (3) Adopted Unitary Development Plan (July 2004)
- (4) The London Plan (2011)
- (5) Lifetime Homes Standards
- (6) Residential Development Standards: SPD adopted 2006)

Designation Adopted UDP - Existing Use

1.0 Property/Site Description

- 1.1 The application site is located within a shopping parade on the south side of Honor Oak Park, close to its junction with Grierson Road. The site is comprised of three, 3-storey adjoining buildings, with commercial units at ground floor and residential flats above.
- 1.2 No.55 Honor Oak Park is currently in use for retail purposes, no.57 was formerly a restaurant but is now vacant, whilst no.59 is also in A3 restaurant use.
- 1.3 Accessed from the rear of no.55 is a 1 bedroom maisonette (flat A), together with a 2 bedroom maisonette above the commercial unit (flat B).

- 1.4 At the rear of no.57 is a 2-storey element that accommodates a 2 bedroom maisonette (flat A). Flat B is a 1 bedroom maisonette that is also accessed from the rear. Flat C is accessed from an entrance to the front, but does not form part of this application.
- 1.5 Flat A above no.59 is a 3 bedroom maisonette that is accessed from the rear.
- 1.6 Honor Oak Park comprises a range of commercial units within the parades on either side between Lessing Street and Grierson Road, however 7 of the units appear to have been converted into residential accommodation. Apart from nos. 57, 59, and 78 Honor Oak Park, no other commercial units are currently vacant.
- 1.7 The surrounding areas are predominantly residential, characterised by terraced properties. Permission was granted in 2010 for the demolition of the former garages on the site at the rear of 45-63 Honor Oak Park and the construction of 1 one bedroom, 1 two bedroom and 2 three bedroom two-storey houses fronting Ballina Street and Grierson Road, and a one bedroom single storey courtyard house, the provision of 3 car parking spaces at the rear of 49-51 & 59 Honor Oak Park with access onto Ballina Street. At the time of writing this report, construction works were ongoing.
- 1.8 The site is not located within a conservation area, neither are the buildings listed.
- 1.9 The area is well served by public transport, with bus routes operating locally on Honor Oak Park and Stondon Park to the east, whilst Honor Oak train station lies a short walking distance away. Short term parking is available on Honor Oak Park, whilst there is an existing loading bay close to the application premises.

2.0 Planning History

- 2.1 In 1978, permission was granted for the amalgamation and use of the ground floor shops at 57 and 59 Honor Oak Park as a photographers studio with ancillary offices together with alterations to the shop fronts.
- 2.2 Permission was granted in 1992 for the change of use of 57 and 59 Honor Oak Park to a fitness studio with ancillary retail area, changing facilities, office and kitchen.
- 2.3 In 1993, permission was granted for the change of use of 57 and 59 Honor Oak Park as a restaurant.
- 2.4 Permission granted in 1995 for the use of 57B Honor Oak Park as a one bedroom dwelling.
- 2.5 In 1994, permission was granted for the use of part of the ground floor of 55 Honor Oak Park to provide two chapels of rest and preparation room for the existing Funeral Directors business.
- 2.6 Permission granted in 1997 for the change of use of the ground floor of 57/59 Honor Oak Park to Class A3 to include takeaway use, together with the erection of an extract duct on the rear elevation.
- 2.7 In 1998, permission was granted for the installation of a new shopfront at 59 Honor Oak Park.

3.0 Current Planning Application

- 3.1 The application proposes the undertaking of partial demolition works within and to the rear of nos 55-59 Honor Oak Park, including the removal of internal walls, loss of part of flat A to the rear of no.57 and commercial floorspace at the rear of no.59. A proportion of the external yard areas would also be lost.
- 3.2 This would allow for the construction of a part single/ two-storey extension, of which the ground floor element would span across the rear of nos.55-59, set-back approximately 5 metres from the edge of the rear passageway between Ballina Street and Grierson Road.
- 3.3 The existing and proposed ground floor space would allow for the amalgamation of the 3 commercial units into one retail space, measuring 319 sq.metres, with storage and plant areas at the rear. Sainsbury's have expressed an interest in occupying the store should permission be granted, however it must be acknowledged they are not the applicants in this case.
- 3.4 Refuse and recycling stores and secure cycle stores would be provided separately within the rear yard for staff and residents.
- 3.5 At first floor, the existing 2-storey freestanding element would be extended to link with the main body of no.57, with flat A becoming a one bedroom unit, accessed from the rear passageway.
- 3.6 External alterations to the existing 2-storey element to the rear of no.59 would include the formation of entrances to two residential units, together with the erection of 1.6 metre high boundary fencing between, and to the rear of nos.57 and 59.
- 3.7 Flats A and B, which are accessed from the rear of no.55, would be retained, with only minor internal alterations to Flat A that would include the removal of an existing ground floor bathroom to create an enlarged living room area.
- 3.8 Alterations to the front of the building would include the removal of existing signage, replacement glazing to nos.55 and 57 whereby their existing entrances would be removed, whilst the entrance to the new store would be from no.59. Existing features including the stallrisers, fascias and pilasters would largely be retained.
- 3.9 Lorries and vans delivering goods to the store would park on the existing loading bay close to the application site on Honor Oak Park.

4.0 Consultation

Neighbours & Local Amenity Societies etc.

- 4.1 Letters of consultation were sent to local residents and shop owners within a 50 metre radius, and the Forest Hill Society on 20 January 2012, together with a notice displayed on site. Ward Councillors were also consulted.

4.2 During the original consultation period, 91 letters were received from the occupiers of 14b, 21a, 27, 28, 41, 49, 55b, 60, 64a, 66, Flat C 105, 106, 120, 121, Flat 1 129 & 194 Honor Oak Park, 14b, 92, 109, 111, 115, 117, 120, 144, 145, 154, 155 & 178 Grierson Road, 6 & 16 Gabriel Street, 94b, 94-96, 102, 125, 165, 177, 183 & 189 Brockley Rise, 28 & 59 Codrington Hill, 41 & 45 Brockley View, 211a, 257, 262, 290 & 320 Devonshire Road, 19a & 91 Stillness Road, 73 Duncombe Hill, 28 Agnew Road, 76 Gladiator Road, 10, 19 & 34 Garthorne Road, 219 Manwood Road, 11, 69b & 104a Bovill Road, 189a Crofton Park Road, 2a Elsworth Street, 160 Gavestone Road, 82 Stondon Park, 3 Osborn Lane, 109 Bexhill Road, 1 & 31 Maclean Road, 5, 6 & 30 Ballina Street, 48 Riseldine Road, 54 Ackroyd Road, 87 Boveney Road, 5 Walters Way, 19 Garthorne Road, 28 Stockwell Park Crescent and 87 Junction Road, objecting to the proposal on the following grounds:

- (1) already a sufficient number of retail shops in the locality;
- (2) additional on-street parking;
- (3) excessive parking already experienced within the area, due in part to commuters driving to the nearby train station;
- (4) a supermarket such as Sainsbury's is not required;
- (5) impact upon existing smaller outlets;
- (6) Honor Oak Park is not suitable for large delivery vehicles, and will result in congestion;
- (7) the thought of a large chain dominating the high street is soul destroying and the Council should be helping local people maintain their jobs and their dignity as business people;
- (8) Honor Oak is a local community with small shops all trying to make a living;
- (9) there are three Sainsbury's within a 5-10 minute drive from the site;
- (10) it would damage the health of the population – Sainsbury's is not conducive to healthy living or a healthy environment;
- (11) will result in an increase in vacant commercial premises;
- (12) Honor Oak Park is a major thoroughfare, with a flow of traffic that is constant;
- (13) it would be perverse for the Council to grant permission having refused the Dominos application opposite the application site;
- (14) existing shops would close and the parade would turn into a slum.

4.3 The Forest Hill Society raised no objections to the proposed supermarket, but were concerned with the proposed standard of residential accommodation.

4.4 Three petitions were also received, with a total of 216 signatures objecting to the proposed supermarket.

- 4.5 44 letters of support were received from the occupiers of 19a, 42 & 61 Codrington Hill, 3 Segal Close, 1, 36a & 42 Garthorne Road, 34a Ballina Street, 47b, 80a, 86a & 88a Bovill Road, 44 Honor Oak Park, Flat 2 174 & 263 Devonshire Road, 94 Days Lane, 17 Herschell Road, Flat 21 14 Boveney Road, 15 Wyleu Street, 37 Chapter Road, 37 Stillness Road, 29 & 31 Tatnell Road, 16 Maclean Road, 24 & 40 Whatman Road, 7, 11 & 29 Parbury Road, 35 Merchland Road, 16 Ebsworth Street, 33 Dunoon Road, 5 Agnew Road, 7 & 52 Gabriel Street, 20 Torcross Drive, 2 Walters Way, 27 Ringmore Rise, 31 Ewart Road, and 18 & 41 Hengrave Road.
- 4.6 In light of the number of objections received, a local meeting was held at St. Cyprians Hall, Brockley Road on 19 April 2012. In the event, 24 residents attended the meeting, with a panel comprised of Cllr Morrison (Chair), planning agent, applicant, Sainsbury's representatives and the Council's planning officer.
- 4.7 The main concerns raised included additional traffic and on-street parking, servicing and deliveries, Sainsbury's occupying the premises and the impact it would have upon existing shops in Honor Oak Park, the ethics of Sainsbury's as a business and how they operate.
- 4.8 There was also support shown to the proposal, including the benefits Sainsbury's would have upon the parade, employment and the convenience it would provide to local people.
- 4.9 The minutes of the meeting are attached in the appendices of this report.
- 4.10 In May 2012, a second consultation period was undertaken in light of an error within the original description, which referred to nos. 57-59 Honor Oak Park rather than 55-59. An updated Design and Access Statement and a Delivery & Servicing Plan were made available for public viewing on the Council's web-site.
- 4.11 A further 26 letters were received from the occupiers of Flat 2 - 2, 14a, 50a, 66, 105 & 121 Honor Oak Park, 34b Ballina Street, 6 & 16 Gabriel Street, 144 & 155 Grierson Road, 236b, 300 & 320 Devonshire Road, 47 Tatnell Road, 91 Bovill Road, 38 Codrington Hill, 22 Maclean Road, 8 Walters Way, 56 Montem Road, 45 Stillness Road and 52 & 53 Riseldine Road, objecting on grounds similar to those addressed earlier. Further concerns raised include:
- (1) The Sainsbury people at the (local) meeting told us there would be minimal disruption to the traffic with deliveries – they said there would be one delivery a day, but after discussions, there would be at least four deliveries each day made by a large lorry – depending on the time of day, it would gridlock Honor Oak (Park) more than once a day;
 - (2) Existing and proposed flats do not have dedicated parking facilities – implies more on-street parking;
 - (3) The plans imply a very high rear extension – the whole extension will appear to be 2-stories;
 - (4) Refuse concerns.

Honor Oak Park Residents Association

- 4.12 HOPRA have reiterated their objections particularly as it includes three existing separate units. The large shop may affect the saleability of the new residential units being constructed at the rear of the application site.
- 4.13 The proposal will mean that a very substantial shop will require servicing daily. The potential for disruption to traffic and the annoyance to residents from an estimated five deliveries a day will be substantial.
- 4.14 The problems for residents close to the proposed development far outweigh the potential benefits for other residents.
- 4.15 A considerable amount of money has been spent in the last few years on traffic calming measures for Honor Oak Park. The development will take away the benefits gained from this work and is also likely to lead to added pressure on parking locally.
- 4.16 In response to the reconsultation, 27 letters of support have been received from the occupiers of 101 Honor Oak Road, 24 Honor Oak Rise, 36 & 40 Hengrave Road, 14 & 36 Agnew Road, 101a Stondon Park, 147 Crofton Park Road, 1, 36 & 52 Gabriel Street, 3 & Flat b 3 Stillness Road, 25 Ebsworth Street, 2 Austin Close, 88a Bovill Road, 29 Tatnell Road, 58 & 61 Codrington Hill, 23 & 40 Whatman Road, 62 Garthorne Road, 1 Courtrai Road and 30 Brockley View.

(Letters are available to Members)

Highways and Transportation

- 4.17 Unobjectionable in principle.

Environmental Health

- 4.18 No objections raised.

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.
- 5.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham UDP (July 2004) that have not been replaced by the Core

Strategy and policies in the London Plan (July 2011). The National Planning Policy Framework does not change the legal status of the development plan.

National Planning Policy Framework (NPPF)

- 5.4 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary this states that (paragraph 211), policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. In summary, this states, that for a period of 12 months from publication of the NPPF decision takers can give full weight to policies adopted since 2004 even if there is limited conflict with the NPPF. Following this period weight should be given to existing policies according to their consistency with the NPPF.
- 5.5 Officers have reviewed the Core Strategy and saved UDP policies for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, 214 and 215 of the NPPF.

Ministerial Statement: Planning for Growth (23 March 2011)

- 5.6 The statement sets out that the planning system has a key role to play in rebuilding Britain's economy by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Government's expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

London Plan (July 2011)

- 5.7 The London Plan policies relevant to this application are;

Policy 1.1 Delivering the strategic vision and objectives for London, 3.3 Increasing housing supply; 3.4 Optimising housing potential; 3.5 Quality and design of housing developments; 3.8 Housing choice; 3.16 Protection and enhancement of social infrastructure; 4.8 Supporting a successful and diverse retail sector; 5.2 Minimising carbon dioxide emissions; 5.3 Sustainable design and construction; 5.7 Renewable energy; 5.12 Flood risk management; 5.13 Sustainable drainage; 6.9 Cycling; 6.13 Parking; 7.1 Building London's neighbourhoods and communities 7.3 Designing out crime; 7.4 Local character; 7.5 Public realm and 7.6 Architecture in the London Plan.

London Plan Supplementary Planning Guidance (SPG)

- 5.8 The London Plan SPG's relevant to this application are:

Accessible London: Achieving an Inclusive Environment (2004); Housing (2005) & Sustainable Design and Construction (2006).

London Plan Best Practice Guidance

- 5.9 The London Plan Best Practice Guidance's relevant to this application are:

Control of dust and emissions from construction and demolition (2006); Wheelchair Accessible Housing (2007) & London Housing Design Guide (Interim Edition, 2010).

Core Strategy

- 5.10 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and the saved policies of the Unitary Development Plan, is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Objective 1 Physical and socio-economic benefits, Objective 2 Housing provision and distribution, Objective 3 Local housing need, Objective 5 Climate change, Objective 6 Flood risk reduction and water management, Objective 7 Open spaces and environmental assets, Objective 8 Waste management, Objective 9 Transport and accessibility, Objective 10 Protect and enhance Lewisham's character, Objective 11 Community well-being, Spatial Policy 1: Lewisham Spatial Strategy; Spatial Policy 2: Regeneration and Growth Areas; Spatial Policy 5: Areas of Stability and Managed Change; Core Strategy Policy 1: Housing provision, mix and affordability; Policy 7: Climate change and adapting to the effects; Policy 8: Sustainable design and construction and energy efficiency; Policy 9: Improving local air quality; Policy 10: Managing and reducing the risk of flooding; Policy 14: Sustainable movement and transport & Policy 15: High quality design for Lewisham.

Unitary Development Plan (2004)

- 5.11 The saved policies of the UDP relevant to this application are;

STR URB 1; The Built Environment; URB 3: Urban Design; URB 12: Landscape and Development; HSG 4: Residential Amenity; HSG 5: Layout and Design of New Residential Development; HSG 7: Gardens; HSG 8: Backland and In-fill Development, ENV.PRO 11: Noise Generating Development; STC 1: The Shopping Hierarchy; STC 8: Local Shopping Parades and Corner Shops and STC 9: Restaurants, A3 Uses and Take Away Hot Food Shops.

Residential Standards Supplementary Planning Document (August 2006)

- 5.12 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility.

6.0 Planning Considerations

- 6.1 The main issues to consider in this case include the nature of the locality, the formation of a single retail unit and associated highways/ delivery and servicing issues, the scale and appearance of proposed extensions and alterations, together with their impact upon the visual amenities of neighbouring occupiers and the streetscene generally, standard of proposed residential accommodation, and refuse matters.

Principle of Development

- 6.2 During the course of this application the main focus has centred upon the provision of the new retail unit, which is understood to be Sainsbury's. Existing shopkeepers in Honor Oak Park have raised a number of concerns toward the amalgamation of the 3 units, and the impact a supermarket, would have upon their livelihoods. In their opinion, increased retail competition on such a scale would serve to harm already struggling businesses within the vicinity, resulting ultimately in an increase of vacant commercial units. Many residential occupiers support this view, and have questioned the need for a Sainbury's within the area.
- 6.3 A number of local residents have confirmed they are in favour of a supermarket, within the parade, and consider that it would improve the parade and attract new businesses, rather than impacting negatively.
- 6.4 However, one of the three units in A1 Retail use at the moment, while the other double unit is in restaurant A3 use. A change of use to retail from a restaurant use is permitted development in accordance with the Town and Country Planning (Use Classes) Order 1987, and therefore does not require planning permission.. Additionally, permission is not required to amalgamate the three units into one - only the external alterations need consent.
- 6.5 The only other planning issue concerning the new retail unit is the size; the extensions proposed would create an increase in commercial space from 189.5 square meters to 316 square meters. Crofton Park is designated as a Neighbourhood Local Shopping Centre (NLSC) under Spatial Policy 5 of the Core Strategy, and there are no policies to restrict retail development in NLSC. The policy considers that these local parades represent a sustainable resource for residents who can minimise unnecessary journeys to shop.
- 6.6 Officers cannot recommend a refusal of permission based upon the type of retailer being the likely future occupiers of the store, or increased commercial competition their presence would create. During the local meeting, objections were raised in regard to the ethics of certain retailers, however such views are not planning considerations. A larger retail unit would have different servicing needs from smaller shops and these are discussed below.
- 6.7 Planning policy actively encourages residential use above shops and the new flats are considered acceptable in principle subject to providing acceptable standards of accommodation.
- 6.8 Overall, Officers do not consider that the principle of the uses are acceptable subject to acceptable details. These are discussed below.

Delivery, Servicing and Parking

- 6.7 London Plan Policies 6.9: Cycling & 6.13 Parking seek to develop walking and cycling in London while keeping car parking to a minimum. Policies require that development proposals that generate a large volume of traffic or person movement must be located close to good public transport facilities.
- 6.8 During the local meeting, representatives from Sainsbury's were in attendance, and advised that the majority of customers would be local, and so would walk to the store rather than drive. Many local residents have stated such retail provision would be welcomed within the area, reducing the need to drive elsewhere to do their shopping, whilst those who commute from Honor Oak Station would be able to shop for their evening meal at the new store on their way home rather than in central London before they board the train.
- 6.9 For those driving past, there are short term parking opportunities along Honor Oak Park. Unrestricted parking to neighbouring residential streets is possible, however it is acknowledged that even during daytime hours, availability of spaces are minimal.
- 6.10 The issue of retail servicing is addressed within the Delivery and Service Plan (May 2012) produced by Sainsbury's Supermarkets Ltd. The suggested arrangements for servicing from Honor Oak Park are set out in paragraph 3 to 3.14 of the report;
- The store will open between the hours of 07.00 – 23.00 7 days a week, therefore daily deliveries are required, with fresh produce deliveries needed each day to maintain supply. Servicing will be undertaken directly from Honor Oak Park outside the site – an existing loading bay of approximately 15 metres in length is situated adjacent the site.
 - This allows all deliveries to be undertaken at an off peak period – it is Sainsbury's standard practice that such deliveries take place away from the AM and PM peak hours.
 - Sainsbury's have forecast that two depot deliveries will be sufficient for daily customer trade. The store will be serviced by an 11 metre rigid vehicle with tailgate lift. The use of 11 metre rigid vehicle allows for transportation of recyclable materials and food waste in empty vehicles back to the depot, whilst reducing servicing trips and making efficient use of fuel.
 - A small number of direct deliveries will be made each day by third-party suppliers, such as bread and newspapers. Such deliveries are often undertaken from panel or box vans, and would be delivered from the existing front loading bay.
 - To ensure health and safety of pedestrians, stock cages and pallets would not be held on the footway at any time – the store manager would ensure the footway is kept clear.
- 6.11 Sainsbury's have confirmed that any waste would be taken through the store and collected from the front only by either the delivery truck or a Sainsbury's refuse vehicle.

- 6.12 Based on the information provided, Highways officers have stated that the Delivery and Servicing Plan is acceptable – if implemented, ‘it will reduce the impact of the servicing activity and will ensure that the number of deliveries and the delivery times associated with the proposal will be controlled.
- 6.13 ‘The site is within a local shopping parade and close to a train station, so most of the trips to the site will be pedestrian and cycle trips. The application will generate some additional short term parking demand adjacent to the site, but when compared to the existing use, the proposal would not have an adverse impact on traffic flow or on car parking in the vicinity of the site.
- 6.14 ‘Therefore, the the application, is unobjectionable subject to the site operating in accordance with the Delivery and Servicing Plan submitted with the application.’
- 6.15 ‘The waste storage/collection details are considered acceptable’, considering refuse would be collected from the front of the premises by a Sainsbury’s vehicle.
- 6.16 Five separate deliveries may occur daily, however the majority of deliveries would take no longer than 10 minutes, whilst the main deliveries would take a maximum of 40 minutes, which would include the loading of refuse/ waste.
- 6.17 In light of the above information and comments, it is considered that the application demonstrates sufficiently that the proposed retail unit can be adequately serviced without either significant impact on adjoining residents, highway safety or bus service provision.

Extensions and Alterations

- 6.18 Policy URB 3 Urban Design states that the Council will expect a high standard of design in new development, whilst ensuring that schemes are compatible with or complement the scale and character of the existing development and its setting.
- 6.19 Policy HSG 4 Residential Amenity expresses the desire to improve and safeguard the character and amenities of residential areas in a number of ways. These include the siting of new dwellings appropriately seeking higher standards of design and landscaping in all new development in residential areas.
- 6.20 Officers are satisfied that the scale of the part single/ 2-storey extension to the rear of the properties are acceptable, appropriately sized for a site of this nature, and would not compromise the appearance of the existing buildings or the streetscene generally. The applicants have advised external facing materials would match the existing, which a planning condition would seek to ensure.
- 6.21 The proposed siting of the extensions would not result in a significant visual impact upon the amenities of neighbouring occupiers. The first floor extension to the rear of no.59 was originally intended to extend 4.8 metres beyond the rear elevation of no.61, however this element has since been removed in light of concerns raised by officers toward the visual impact upon the adjoining occupiers.
- 6.22 The appearance of alterations to the front of nos 55-59 are considered acceptable. Existing pilasters, stallrisers and fascias would be largely retained, whilst an enlarged entrance would be formed to the front of no.59.

Standard of Accommodation

- 6.23 The layout and circulation of the proposed units are considered to be acceptable and would provide a good standard of accommodation for future occupants, in accordance with the minimum standards set out within the London Plan (2011) and Residential Development Standards SPD. Each habitable room would be afforded sufficient outlook and natural light intake.
- 6.24 Proposed fencing have been reduced in height to 1.6 metres to avoid sense of enclosure and poor outlook to the occupiers.
- 6.25 Policy HSG 7: Gardens of the UDP seeks to encourage private amenity space for all new dwellings where possible, and for family units or new build development this is an essential requirement. For conversions and smaller units it is not always possible to provide such facilities, however in this case, 3 units would make use of the newly created flat roof to provide private amenity areas. Whilst the principle of this is acceptable, further plans by way of a condition shall be formally submitted that demonstrates how measures can be undertaken to assist in the avoidance of loss of privacy to adjoining residential occupiers from users of the flat roof areas.
- 6.26 Core Strategy Policies require all new dwellings to meet Lifetime Homes criteria. However, when dealing with conversions it is not always possible for dwellings to meet these standards due to the constraints of the existing building. The proposed reconfiguration of the units would largely be accommodated within the existing fabric of the building, therefore Code 4 would not necessarily be expected in this case.
- 6.27 No dwellings would be afforded car parking spaces, which has raised concern from a neighbour that it would result in additional on-street parking pressures. The PTAL for this area is 4, which is attributed to good access to public transport services, including a number of bus routes and Honor Oak train station. Secure cycle provision would also be provided within the rear yard, which is subject to a planning condition. For these reasons, officers raise no objections to off-street parking provision not forming part of this application.

Refuse Storage

- 6.28 The submitted plans show the siting of refuse and recycling bins at the rear of the building, with separate areas for the commercial units and residential occupiers.
- 6.29 The applicant has confirmed that commercial waste would be taken through the shop to be collected by a waiting vehicle on the loading bay space.
- 6.30 In regard to residential waste, it is understood that bins were located within the rear passageway and collected. However, considering the development that is currently being constructed at the rear, whereby a section of the passageway has been significantly reduced in width, siting bins in the same area may serve to restrict pedestrian movement. It is therefore appropriate to include a condition that ensures bins would be located safely close to the nearest highway on collection day.

Sustainable Measures

- 6.31 The London Plan requires that boroughs should ensure developments meet the highest standards of sustainable design and construction.
- 6.32 The applicant has confirmed the new commercial element would seek to comply with BREEAM Very Good to Excellent criteria. It is suggested a condition be included that requests details be formally submitted demonstrating that such measures have been achieved.

Community Infrastructure Levy

- 6.33 The Community Infrastructure Levy (CIL) is a levy which was implemented by the London Mayor on April 1 2012. In this case, the development is not considered to be CIL liable as proposed additional floorspace would be less than 100sq.m.

7.0 Consultations

- 7.1 With regard to procedural matters, neighbour notifications have been carried out in accordance with the Council's usual procedure. Officers are satisfied that all statutory Council procedures have been followed and all neighbour concerns have been addressed.
- 7.2 Some occupiers complained they were not formally advised of the application during the first consultation period. The Council consulted occupiers within a 50 metre radius of the application site, which is a statutory distance usually expected for major applications. Site notices were also displayed within the parade.

8.0 Conclusion

- 8.1 Whilst it is accepted that many residents and shopkeepers object to the principle of an enlarged shop that may be occupied by Sainsbury's, as addressed earlier in this report, officers cannot recommend a refusal on these grounds as retail is a permitted form of use that does not require planning consent.
- 8.2 Officers have undertaken a thorough assessment of the Service and Delivery Plan submitted by the applicant, and have visited the immediate area on several occasions to observe parking patterns during the day. It is acknowledged that parking levels to neighbouring residential streets are high, however there are short-term on-street parking opportunities to the corners of those roads and Honor Oak Park. The applicant has also suggested the provision of secure cycle spaces to the front of the shop.
- 8.3 An existing loading bay is positioned close to the shop, and can accommodate an 11 metre long delivery vehicle. Due to the size of the shop, the larger deliveries would take between 30-40 minutes, which would include taking away refuse waste. Other deliveries should take no more than 10 minutes.
- 8.4 It is considered the design and massing of the proposed extensions are acceptable, and would respect the general character of the building and the area generally.

8.5 The level of impact upon the visual amenities of neighbouring occupiers would be minimal, however further details are required relating to use of the first floor private amenity areas, whilst the standard of proposed accommodation is acceptable. It is therefore recommended permission be granted.

9.0 Summary of Reasons for Grant of Planning Permission

9.1 The decision to grant planning permission has been taken having regard to the policies and proposals in the London Plan (2011), the adopted Core Strategy and saved policies in the Unitary Development Plan (July 2004), as set out below and all relevant material considerations, including comments received in response to third party consultation.

9.2 The local planning authority has considered the particular circumstances of the application against relevant planning policy set out in the London Plan (2011), the adopted Core Strategy (2011) and saved policies in the Council's Unitary Development Plan (July 2004). The local planning authority has further had regard to the Mayor of London's Supplementary Planning Guidance and Best Practice Guidance; as well as Government Planning Policy Guidance and Statements, and other material considerations including the conditions to be imposed on the permission.

9.3 On balance, it is considered that the proposal satisfies Council's policies and will not result in any material harm being in accordance with 3.3 Increasing housing supply; 3.4 Optimising housing potential; 3.5 Quality and design of housing developments; 3.8 Housing choice; 3.16 Protection and enhancement of social infrastructure; 5.2 Minimising carbon dioxide emissions; 5.3 Sustainable design and construction; 5.7 Renewable energy; 5.12 Flood risk management; 5.13 Sustainable drainage; 6.9 Cycling; 6.13 Parking; 7.4 Local character; 7.5 Public realm & 7.6 Architecture in the London Plan (2011), Objective 1 Physical and socio-economic benefits, Objective 2 Housing provision and distribution, Objective 3 Local housing need, Objective 5 Climate change, Objective 6 Flood risk reduction and water management, Objective 7 Open spaces and environmental assets, Objective 8 Waste management, Objective 9 Transport and accessibility, Objective 10 Protect and enhance Lewisham's character, Objective 11 Community well-being, Policy 1 Housing provision, mix and affordability, Policy 7 Climate change and adapting to the effects, Policy 8 Sustainable design and construction and energy efficiency, Policy 10 Managing and reducing the risk of flooding, Policy 12 Open space and environmental assets, Policy 14 Sustainable movement and transport and Policy 15 High quality design for Lewisham of the adopted Core Strategy (2011), saved policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 7 Gardens in the Council's Unitary Development Plan (July 2004) and the Residential Development Standards SPD (August 2006).

10.0 RECOMMENDATION GRANT PERMISSION subject to the following conditions:-

- (1) B02 Materials to Match Existing
- (2) B07 Reveals (1) - Extensions
- (3) L01 Planting, Paving, Walls Etc

- (4) Details of the construction, including facing materials, of the proposed commercial and residential refuse and bicycle storage chambers shall be submitted to and approved in writing by the local planning authority, and the chambers shall be constructed in accordance with the approved details before the commercial unit or any of the residential units hereby approved are occupied.
- (5)
 - (i) The commercial unit shall achieve a BREEAM rating of minimum 'Very Good'.
 - (ii) Within three months of first occupation of the commercial unit, evidence shall be submitted to demonstrate full compliance with the requirements of this condition, which shall include a Post Construction BREEAM Certificate.
- (6) The premises shall not be open for customer business between the hours of 11 pm and 7 am on any day of the week.
- (7) Details of any external lighting 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 before first occupation of the commercial and residential units. Any such external lighting shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently. 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.
- (8) Secure parking for bicycles to the Honor Oak Park frontage shall be provided for customers of the retail unit, in accordance with details to be submitted to and approved in writing by the local planning authority. Such provision as may be approved under this condition, shall be provided before the shop unit is first occupied and retained permanently thereafter.
- (9) DS5 - Disabled Shopfronts
- (10) N01 - Sound Insulation – Commercial
- (11)
 - (i) The rating level of the noise emitted from fixed plant and from the premises on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made by a suitably qualified acoustic consultant according to BS4142:1997.
 - (ii) Development shall not commence until details of the scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.
 - (iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity."
- (12) No deliveries shall be taken at or despatched from the site outside the hours of 7 am and 8 pm on Mondays to Fridays, 9 am and 1 pm on Saturdays and Sundays, nor at any time on Public Holidays.

- (13) The development shall be operated in all aspects in accordance with the approved Delivery and Service Plan.
- (14) Details shall be submitted and approved in writing by the LPA prior to first occupation of the residential units hereby permitted illustrating domestic refuse / recycling storage and collection points where on collection day. The provision shall be implemented as per the approved plans and permanently maintained thereafter.
- (15) Commercial refuse shall not be collected from the existing passageway at the rear of the application premises between Grierson Road and Ballina Street, unless confirmed in writing by the local planning authority.

Reasons

- (1) B02R
- (2) B07R
- (3) L01R
- (4) In order that the local planning authority may be satisfied as to the appearance of the refuse chamber and to comply with Policy 15 High quality design for Lewisham of the adopted Core Strategy (June 2011) and Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).
- (5) To ensure the development achieves the maximum possible in respect of energy and carbon emissions and to comply with Policy 8: Sustainable design and construction and energy efficiency of the adopted Core Strategy (2011).
- (6) To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to comply with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development, HSG 4 Residential Amenity and STC 9 Restaurants, A3 Uses and Take Away Hot Food Shops in the adopted Unitary Development Plan (July 2004).
- (7) 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 neighbouring properties and to comply with Policies ENV.PRO 12 Light Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).
- (8) In order to ensure adequate provision for cycle parking and to comply with Policy 14 Sustainable movement and transport of the adopted Core Strategy (June 2011).
- (9) DS05R
- (10) N01R
- (11) N02R

- (12) In order to safeguard the amenities of adjoining residents and to comply with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).
- (13) To ensure that the local planning authority may be satisfied as to the adoption and operation of the Delivery & Servicing Plan and to ensure that the use of the building does not increase on-street parking in the vicinity and reduces the impact of servicing activity.
- (14) To avoid prejudicing the enjoyment by neighbouring occupiers of their properties, and to comply with HSG 4 Residential Amenity of the adopted UDP (2004).
- (15) To avoid prejudicing the enjoyment by neighbouring occupiers of their properties, and to comply with HSG 4 Residential Amenity of the adopted UDP (2004).

Informatives

Construction Sites Code of Practice or any other such codes applicable at the time of construction.

The applicant is advised that the provision of advertisements relating to the commercial use would require separate permission.

Assessment of the noise scheme should be carried out by a suitably qualified acoustic consultant.

Minutes of Meeting:

Local meeting held at St. Cyprians Hall, Brockley Road on 19 April 2012

| | |
|-----------------------------|----------------------|
| Panel: Cllr Morrison (Cllr) | - Chair |
| Robin Inglis (RI) | - Applicant |
| Christian Grooth (CG) | - (Agent) |
| Rob Mellor (RM) | - (Sainsbury's) |
| C. Ogden (CO) | - (Sainsbury's) |
| Geoff Whittington (GW) | - (Planning Officer) |

7pm start:

Cllr Morrison explains procedure of meeting.

RM: Introduces himself, and explains this is not a Sainsbury's planning application. A lease will only be signed should permission be granted by the Council. This is a developer led application. The opportunity was presented to Sainsbury's.

CG: Describes application, including the residential element.

Obj: Why is no.55 not included in the original description? I was under the impression that the application involved only two shop units, not three.

Obj: Two units is bad enough, but three is unacceptable.

GW: Acknowledges the error, and confirms reconsultation will be undertaken.

Obj: Three units – how is that meant to enhance the parade – it will not. There would be a whole string of issues. High rents pushed former occupiers out. I'm upset that it is now three units. Why isn't the person who bought the properties here tonight?

RI: It will not be the case that local shopkeepers will be affected. No-one has been forced out. When occupied, the units were under market rent – there was nothing underhand in the unit becoming vacant.

Cllr: There have been a number of objections and support. In terms of the incorrect description, where do we stand legally?

GW: A second consultation will be undertaken, and all those who have written to the council to comment will be formally notified.

Obj: A range of shops in the parade will be affected. Sainsbury's are within close proximity of the area already. There will be more harm than good – shops will lose trade.

CO: There are no Sainsbury's within 1km of the site. This is a brilliant location due to passing trade and the train station nearby. It will provide convenience for local residents. Sainsbury's would generally sell items that are not already sold in existing shops. There would be no bakery as there is already one nearby. Sainsbury's wants to be part of the community.

- Obj: (local shopkeeper) Commuters tend to buy food near their work, for example at London Bridge, and then travel into Honor Oak train station. A Sainsbury's will mean existing shops will close, resulting in anti-social behaviour.
- Obj: Not convinced there would be no urban blight should Sainsbury's occupy the unit. They are a capitalist organisation that makes money for its shareholders – it is not community led. The proposal is a monstrosity. It will not address healthy eating initiatives.
- CO: Sainsbury's are proud of healthy eating initiatives. (CO refers to a case study that supports this.)
- Sup: Many units have closed down in the area – what do objectors want to see instead? This would be convenient – I support local supermarkets.
- RI: Difficult to fill shops with specific trades – butchers etc, whatever the rent levels are.
- Obj: I've seen a lot of change – dead against a Sainsbury's, seeing what they have done elsewhere – all about shares value. Sainsbury's have no knowledge of the area. It is gridlocked at 4pm. Sainsbury's should work with the local community, and buy produce from local allotments.
- CO: The shop would be geared toward footfall, more so than car users. People walking past the shop to or from the train station – does not envisage people driving to it.
- Sup: Does not understand financial points being raised. Where can I buy good quality chicken and steak in Honor Oak Park? Local quality is not good. There are empty shops in the parade – nothing to do with Sainsburys. People will come to area, which will help local shops. I hope it will provide a cash point machine.
- Obj: 30 years ago, there were few empty shops – the area has been rising in recent years. Bus stops on either side will result in congestion. Deliveries and refuse collection will not help either. Three units forming part of this application causes concerns.
- RM: Deliveries would be made from the existing loading bay outside the shop. There is no advantage to delivering during peak hours. There would be one Sainsbury's delivery a day, outside of peak times, taking no longer than 45 minutes, with rubbish taken away for recycling. The delivery lorry would be an 11 metre rigid type. There would be two bread deliveries a day – 15 minutes to unload. Tobacco and liquor also – small van delivery. 4-5 deliveries a day.
- Obj: This is confusing – you initially said there would be one delivery a day. Now you are saying 4-5. Can you confirm how many deliveries a day there would be.
- RM: There would be up to 5 deliveries a day.
- Obj: That's not what you said initially.
- RM: Explains that the main delivery would be from a Sainsbury's lorry once a day. There would be other deliveries made by smaller vehicles later in the day.
- Obj: Raises concerns toward the number of deliveries.

Obj: The deliveries will compromise pedestrian safety, and will create traffic obstacles, particularly when buses pass by.

Sup: Sainsbury's will not take my custom away from local shops.

Obj: Access to rear has been diminished. Concerned that new development at rear will interfere with shop.

RI: Access will remain from rear – no right of way for vehicles. There will be no interference from new development upon the shop.

Obj: I meant in terms of construction works.

RI: The main access is from the front.

Obj: From a planning point of view, I have concerns, including Sainsbury's occupying the premises.

GW: The Council has no influence on who occupies the unit for retail purposes.

Obj: Parking is a nightmare around surrounding streets – it will get worse as a consequence, in addition to more empty shops.

RI: There will be no increase in residential units.

Obj: (Shopkeeper) There is no accountability on behalf of Sainsbury's – decisions are made miles away from here. From a safety point of view, I am concerned with the 11 metre long trucks. A Highways officer should be at this meeting.

GW: Confirms further discussions will be held with Highways officers after this meeting.

Obj: Not happy with the choice of venue – why so far from the application site?

GW: The alternative was the Civic Suite in Catford – this was the most local venue available.

Obj: Will highways issues be taken on board by the Council and the size of the shop?

GW: The size of the shop, ie the combination of three shops into one is not a concern. Highways will be advised of information forthcoming from the Sainsbury's representatives.

Obj: Delivery cages left on the pavement will cause a hazard for pedestrians.

RM: Cages will be taken straight into the shop – empty cages would not be stored on the street before being collected.

GW: Explains consultation and committee processes.

8pm: Cllr closes meeting.