

Committee	PLANNING COMMITTEE C	
Report Title	44-46 Bromley Hill, BR1 4JU	
Ward	Downham	
Contributors	Geoff Whittington	
Class	PART 1	10 October 2013

Reg. Nos. DC/12/81740

Application dated 10 September 2012, amended 25 June 2013

Applicant Kundra Holdings

Proposal The demolition of the existing buildings on the site of 44-46 Bromley Hill BR1 and the construction of a three-storey building incorporating terraces/ balconies to provide 2, three bedroom and 4, two bedroom self-contained flats, together with the provision of 4 car-parking spaces, and bicycle and refuse stores.

Applicant's Plan Nos. Design and Access Statement including Sustainability Statement (received 24/9/2012), Planting/Paving details (received 25/6/2013), and 000, 100, 110B, 111B, 112C, 114C, 115B, 210C, 212, 310B, 311B, 312B, 313B, 314B (received 27/9/2013)

Background Papers

- (1) Case File LE/268/C/TP
- (2) Lewisham Development Framework: Core Strategy (2011)
- (3) Unitary Development Plan (July 2004)
- (4) The London Plan (February 2011)

Zoning Adopted UDP - Existing Use
PTAL 2
Local Open Space Deficiency

1.0 Property/Site Description

1.1 The appeal site lies on the western side of Bromley Hill, currently occupied by a pair of semi-detached dwelling-houses.

1.2 The immediate area is mostly residential, characterised by 2-storey dwellings to the south, the opposite side of Bromley Hill, and Coniston Road to the west. Directly to the north of the appeal site is a 3-storey block of terraced properties that comprises commercial uses at ground floor and residential above. This section of Bromley Hill is relatively flat, in comparison with the slope further to the south.

1.3 Bromley Hill (A21) is a busy highway, forming part of the link between Catford and Bromley town centres. This section of Bromley Hill is red routed, however dwellings on the west side of Bromley Hill have front driveways that provide off-street parking. The application site lies within an area that has a PTAL rating of 2.

- 1.4 The site is not located within a conservation area and there are no listed buildings within the vicinity. The site is designated as being within an area of Local Open Space Deficiency.

2.0 Planning History

- 2.1 On 28 February 2012, a Hearing was held due to a non-determination Appeal relating to 44-46 Bromley Hill, whereby a planning application was submitted to the Council proposing the construction of a 3-storey building accommodating 9 self-contained flats, together with associated parking spaces, refuse storage, cycle store and landscaping.
- 2.2 On 11 May 2012, the Planning Inspectorate refused permission for the proposed development on grounds of poor design, visual impact upon neighbouring Coniston Road occupiers and harm to highway safety.

3.0 Current Planning Application

- 3.1 The current application proposes the demolition of the existing dwellinghouses, and the redevelopment of the site for residential purposes. The development would take the form of a three-storey building fronting Bromley Hill. Six residential dwellings would be provided, including 4, two bedroom and 2, three bedroom self-contained flats.
- 3.2 The scheme has been amended since the original submission, therefore further consultation procedures were undertaken in July 2013 advising neighbouring occupiers of the changes undertaken.
- 3.3 All units would be built to Lifetime Homes standards, and would meet Code Level 4 for Sustainable Homes.
- 3.4 The application also includes associated landscaping to the front and rear of the site, and provision of refuse/ recycling stores, secure cycle parking for 10 bicycles, and 4 off-street car-parking spaces.

4.0 Consultation

Neighbours & Local Amenity Societies etc.

- 4.1 Letters of consultation were sent to 33 local residents on 30 November 2012, together with a notice displayed on site. Ward Councillors were also consulted.
- 4.2 A second full consultation period was undertaken on 2 July 2013 in response to alterations undertaken to the development proposal.
- 4.3 Subsequently 26 letters and a petition signed by 16 residents were received from 17, 25, 27, 29, 31, 33, 34, 37, 39, 41, 49, 54 & 56 Bromley Hill, 1, 11, 21, 23, 25 & 29 Coniston Road, 314 Lewisham High Street and 218 Ravensbourne Avenue, objecting to the proposed development on the following grounds:
- Loss of existing houses and resulting precedent;
 - Proposal would be gross overdevelopment of the site;
 - Three storey height of proposed building out of context with existing two storey height;

- Increase on street car parking problems in the area;
- Reversing cars from the parking area to the front on to the highway;
- Overlooking caused to properties to the rear;
- Increased noise and disturbance to neighbouring properties;
- Rear garden space not enough for six families;
- Screening of development would be insufficient;
- Impact upon natural light.

(letters are available to Members)

- 4.4 In light of the number of objections received, a local meeting was held on 15th July 2013, a local meeting was held at the Civic Suite in Catford. The Panel was comprised of :

Cllr Fletcher (Chair)

Miheer Mehta (Planning consultant)

Sean O'Sullivan (Planning officer)

Catherine Patterson (Highways officer)

- 4.5 In the event, four local residents were in attendance.

- 4.6 The minutes of the meeting may be viewed in the appendices attached to this report. The main issues discussed included parking concerns, the principle of demolishing the existing dwellings and impact upon visual amenity.

Transport for London

- 4.7 No objections to the proposal, however they have reiterated that all vehicles exiting the driveway should do so in a forward gear only, thereby ensuring vehicular safety for oncoming traffic.

Highways and Transportation

- 4.8 Unobjectionable in principle.

Environmental Health

- 4.9 No objections raised to the proposed number of off-street parking.

Design Officers

- 4.10 Officers have raised no objections to the appearance or layout of the proposed development.

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. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

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 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;

Policies 3.3 Increasing housing supply; 3.4 Optimising housing potential; 3.5 Quality and design of housing developments; 3.6 Children and young people's play and informal recreation facilities; 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; 5.11 Green roofs and development site environs; 5.12 Flood risk management; 5.13 Sustainable drainage; 6.9 Cycling; 6.13 Parking; 7.3 Designing out crime; 7.4 Local character; 7.5 Public realm, 7.6 Architecture & 7.19 Biodiversity and access to nature, in the London Plan (June 2011).

Core Strategy

5.8 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; 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 & Policy 15: High quality design for Lewisham.

Unitary Development Plan (2004)

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

URB 3 Urban Design; URB 12 Landscape and Development; URB 13 Trees; HSG 4 Residential Amenity; HSG 5 Layout and Design of New Residential Development & HSG 7 Gardens.

5.10 Referring to the Council's UDP Proposals Map adopted with the UDP in July 2004, the application site is not designated land.

Residential Development Standards SPD (August 2006)

5.11 In August 2006, the Council adopted the Residential Standards Supplementary Planning Document. 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, back land development, 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 and materials.

Emerging Plans

- 5.12 According to paragraph 216 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:
- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
 - The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 5.13 The following emerging plans are relevant to this application.

Development Management Plan

- 5.14 The Development Management Local Plan – Proposed Submission Version, is a material planning consideration and is growing in weight. Following the close of public consultation on 4 October 2013 the Proposed Submission Version will be submitted to the Planning Inspectorate for an Examination in Public. Therefore, in accordance with the NPPF, the weight decision makers should accord the Proposed Submission Version should reflect the advice in the NPPF paragraph 216.
- 5.15 The following policies are considered to be relevant to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 27	Lighting
DM Policy 30	Urban design and local character

6.0 Planning Considerations

- 6.1 The main issues to consider in regard to this application include the principle of redeveloping the site for residential purposes, the scale, height, massing and appearance of the proposed building, density, the level of impact upon the amenities of neighbouring occupiers and the streetscene generally, the standard of residential accommodation, sustainable measures, landscaping, access and parking issues.
- 6.2 Matters raised in the Planning Inspector's statement toward the previous application that was refused in May 2012 will also be addressed in this report.

Principle of Development

- 6.3 The application proposes the demolition of the existing 2-storey dwelling-houses, with the construction of a 3-storey building that would accommodate 6 self-contained flats.

- 6.4 The applicant has confirmed they own nos 44 and 46, and both are currently vacant. At the time of writing this report, officers were unable to establish whether the properties were occupied or vacant, however this matter alone should not influence the outcome of this application. The existing houses are considered to be structurally sound, with no urgent need for their demolition. The loss of existing family sized dwellings would generally be resisted by the Council, however in this case, the development would include the provision of two generous sized 3 bedroom family units, thereby resulting in no net loss of such tenure.
- 6.5 The Development Plan seeks to retain buildings that are termed as 'heritage assets', i.e. listed or locally listed buildings. Buildings that are not heritage assets cannot be protected from demolition in their own right.
- 6.6 Officers have assessed the character of the existing buildings, and consider that they are of limited architectural or heritage interest, and are not of sufficient quality to justify being acknowledged as a heritage asset, therefore Core Strategy Policy 15 (f), which seeks to ensure any development conserves and enhances the borough's heritage assets, is not applicable in this case.
- 6.7 The nature of the site and immediate area determines that a residential development upon this site is appropriate, subject to design, scale and visual impact upon existing occupiers.
- 6.8 Objectors have raised concern toward the precedent the proposed development would set should permission be granted. The applicant has encountered many difficulties in proposing a development appropriate for this setting that does not significantly harm the amenities of neighbouring occupiers, whilst providing sufficient off-street parking that does not compromise highway safety. Such issues may serve to deter similar development along this particular section of Bromley Hill, however any future applications would be assessed on a case by case basis.
- 6.9 It is also acknowledged the Planning Inspector did not raise objections to the principle of demolishing the existing houses or redeveloping the application site for a scheme that proposes a greater density than the existing dwelling-houses.

Design, Scale, Siting – Impact upon the character of the local area

- 6.10 Paragraph 15 of the National Planning Policy Framework (p15) states: "local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- 6.11 Planning permission was refused at Appeal in May 2012 for the demolition of the existing buildings, and the construction of a 3-storey residential property providing 9 self-contained units. In that case, a traditional design approach was undertaken, which included a pitched roof with front and rear dormers, in an attempt to reflect the appearance of the neighbouring dwellinghouses.
- 6.12 However, the development would measure a height of approximately 3.5 metres greater than the existing houses, to which the Planning Inspector observed;

'The building would be similar in overall height to the adjacent commercial properties, but due to the proposed gable end and dormer windows, it would be perceived as a four storey building. It would be considerably higher than the dwelling at 48 Bromley Hill, and would introduce an abrupt change in scale within an area characterised by predominantly two storey housing. As a consequence, it would fail to provide a satisfactory transition between the properties on either side of the appeal site, or reflect the manner in which the roofline of the neighbouring dwellings step down the hill.'

- 6.13 'A building of the height and depth proposed would detract from the suburban character of the surrounding rear gardens.....Whilst in some respects the proposed building may provide an interesting architectural composition, due to its cramped appearance and failure to respect the distinctive character of the locality, it would fail to deliver the high quality design sought by Policy URB 3 of the Lewisham UDP.'
- 6.14 Had the Council been afforded the opportunity to determine the application, a refusal would have been issued, raising similar concerns to the Inspector, including mediocre design and poor relationship with neighbouring dwellings.
- 6.15 Subsequently, the applicants have engaged in pre-application discussions with officers to seek advice on what would constitute an acceptable form of development upon the site. Officers were presented with a number of initial plans, but at no stage was a suitable design agreed upon prior to the formal resubmission in 2012. The proposal again raised a number of design related concerns amongst officers, which were expressed to the applicants. Further plans were received in June 2013, which were consulted upon and now forms the current proposal.
- 6.16 The proposed building would not seek to replicate the design and appearance of the existing or neighbouring buildings, preferring a modern approach that would attempt to respect the height, width and depth proportions of the neighbouring dwellings, albeit the footprint would extend approximately 1.5 metres beyond the front and rear building lines of the 2-storey dwellings.
- 6.17 The proposal is considered to represent good, modern design, whilst being respectful of the character of the surrounding area. In comparison with the existing building, the new building would measure 7.8 metres in height, as opposed to the existing 6.9 metres, incorporating a flat roof rather than replicating the existing pitches. In comparison with the refused scheme, the proposed development would measure 4 metres less.
- 6.18 The external face of the building would be mostly of red brick, which would be used to all elevations, with use of timber cladding (Oakatech or Oca skin) to the upper floors at the front and rear. All door and window frames would be white powder coated.
- 6.19 It is suggested a condition be included to request samples of the facing materials for further assessment, however in principle, the proposed materials are considered to be appropriate, contributing positively to the appearance of the development, whilst relating well with existing properties. The provision of balconies/ terraces contributes to the overall outdoor feel and modern design of the development.

- 6.20 Officers consider the proposed flat roof to be acceptable in appearance, resulting in a significant reduction in overall bulk when compared to the refused development. The provision of a pitched roof would have been likely to compromise the modern appearance of the building, therefore officers raise no objections to this aspect.
- 6.21 In summary, the development is considered to be appropriate in scale, height and massing, respecting the general form of development within the immediate area, and befitting of this location. The applicants will be requested by way of a planning condition to provide external material samples, together with detailed plans of the windows, entrances and brick detailing.

Density

- 6.22 The Council's former density policy (HSG 16) was not among those saved by the Secretary of State, therefore the London Plan now contains the detailed density policies for Development Plan purposes.
- 6.23 The Council's assessment of the nature of the immediate area is that the site falls within a suburban setting, albeit adjacent to a busy highway, therefore any development upon this site must respect the existing character.
- 6.24 The London Plan refers to 'suburban' as being areas with predominantly lower density development such as, for example, detached and semi-detached houses, predominantly residential, small building footprints and typically buildings of two to three storeys.
- 6.25 Guidance states that the Council should make the best use of previously developed land, however such aspirations should not negate the requirement for developments to blend with the surrounding character. Bromley Hill experiences high vehicular movement, providing part of the main route between Catford and Bromley town centres, whilst the Public Transport Accessibility Level (PTAL) for the area is 2. The London Plan Matrix table 3.2 advises that densities in suburban areas should be between 150-250 habitable rooms per hectare.
- 6.26 The density of the proposed scheme is 250 habitable rooms per hectare. Whilst this is the upper limit of the density range given in the London Plan, officers consider that the density would not result in demonstrable harm to the character of the local area or the amenities of neighbouring residential occupiers. Together with the overall quality of the proposal, it is considered that the scheme is compliant with density policies and is therefore acceptable.

Impact Upon Neighbouring Occupiers

- 6.27 Officers have visited the area on several occasions, including the Coniston Road gardens abutting the application site. The Planning Inspector when assessing the previous scheme concluded that its height and proximity to the rear boundary would have an 'obtrusive and dominating impact on outlook of the occupants of the dwellings with Coniston Road.'

- 6.28 The 2-storey projecting element at the rear of the proposed building would be sited 8 metres from the rear boundary, similar to the refused development. As addressed earlier, the proposed building would be 7.8 metres high compared to the refused development which measured a height of 11.7 metres, thereby demonstrating the significant reduction undertaken.
- 6.29 Existing trees close to the rear boundary within the garden of no.21 Coniston Road would be retained, therefore providing natural screening that would serve to further reduce the visual impact of the building, however the occupier of no.21 has stated the trees are overgrown and need to be reduced in height, whilst the development would be more apparent when the trees are bare.
- 6.30 In light of this, the nearest Coniston Road occupiers are concerned that the rear facing living rooms within the proposed development would result in unacceptable overlooking and loss of privacy as occupiers would be more likely to congregate there during daytime and evening hours rather than the bedrooms.
- 6.31 In response, the applicant has agreed to reposition the upper floor living rooms to the front of the building, with the larger bedrooms and kitchens being rear facing.
- 6.32 Officers are satisfied this would address privacy concerns, whilst the scale of the development would avoid being obtrusive and overdominant to neighbouring occupiers on Coniston Road, and would not be to the detriment of their general outlook.
- 6.33 In regard to Bromley Hill dwellings, considering the proposed development would measure only 0.95 metres higher than no.48, whilst sited 6 metres away - further away than no.46 currently is - the visual impact of the proposed building is not considered to be significant upon those occupiers.
- 6.34 All upper floor external balconies/ terraces would be located to the front of the building facing Bromley Hill. The first floor balconies are shown to be fully screened at either end by the flank walls, thereby reducing potential overlooking to the neighbouring Bromley Hill occupiers, however this is not provided to the second floor terraces. It is therefore suggested a condition be included requesting screening details to the terraces, whilst seeking their permanent retention.
- 6.35 Juliette balconies would be provided to the upper floor units at the rear, which at second floor level would serve to prevent access to the flat roof of the 2-storey projecting element. Conditions will ensure these are provided prior to first occupation, whilst preferably, the screens would be frosted to reduce overlooking into the ground floor gardens and neighbouring amenity spaces.
- 6.36 Overall, officers are satisfied the level of visual impact, including overshadowing and overlooking, to existing occupiers would not be significant, and therefore the development would be in compliance with policies.

Standard of Residential Accommodation/ Amenity Space

- 6.37 The Council requires all new residential development to be built to Lifetime Home Standards, in accordance with London Plan policies. The applicants have confirmed the development is fully compliant with these standards.

- 6.38 The layout and circulation of the proposed dual aspect units is considered to be acceptable, and would provide a good standard of accommodation for future occupiers, in accordance with London Plan (2011) standards. Each habitable room would be assured of sufficient natural light intake and outlook.
- 6.39 The application proposes the provision of 2 and 3 bedroom units, thereby in accordance with the adopted Core Strategy which requires a mix of residential units to be provided in schemes to meet housing needs.
- 6.40 The two, 3 bedroom family units would be arranged on the ground floor, with direct access to private rear gardens, both measuring 9 metres deep.
- 6.41 Whilst the upper floor units would have no access to the garden at the rear, all four flats would have use of screened private terraces/ balconies located to the front of the building, measuring 1.2 metres deep. Alternative outdoor space is located at nearby Beckenham Place Park 300 metres to the west, and Shaftesbury Park Recreation Ground 600 metres to the east.
- 6.42 The Planning Inspector raised no objections to the previous scheme not providing outdoor amenity space for the upper floor occupiers, and also identified the 'short distance from a local park'.
- 6.43 Officers raise no concerns to the proposed standard of accommodation within the development.

Highways and Parking

- 6.44 The development proposes four off-street parking spaces within a newly landscaped area to the front of the building. The parking layout responds to previous concerns raised by officers to cars reversing onto Bromley Hill and potential safety concerns to oncoming traffic.
- 6.45 Bromley Hill is a well used road, and is located on a Red Route. All neighbouring dwellings along the side of the application site have front driveways, with some vehicles able to turn within the site to exit in a forward gear. Where there are single track driveways and so a car has to reverse out, the pavement is of a sufficient width to allow the vehicle to wait for a safe opportunity to complete the manoeuvre onto the highway.
- 6.46 With the application site, considering this would be a new build development with four vehicles parked to the front, a layout should be proposed to discourage reverse parking onto the highway. Officers were keen, however, to ensure the frontage would not be comprised entirely of hard landscaping, which would serve to impact negatively upon the immediate area.
- 6.47 The applicant has therefore proposed a mix of hard and soft landscaping, with grass and planting along the side boundaries, and paving to the parking bays and pathway. A central crossover would be formed, with a turning space allowing cars to exit the site in a forward gear.
- 6.48 This is considered to be an acceptable approach, and would significantly reduce the prospect of collisions with oncoming vehicles. This is further assisted by an existing speed camera located nearby.

- 6.49 Objections have been raised toward insufficient off-street parking proposed in the scheme, however officers are satisfied with the provision of four spaces. The frontage cannot accommodate more parking without encouraging reversing onto Bromley Hill. There is unrestricted on-street parking to neighbouring streets, although existing parking pressures are acknowledged.
- 6.50 Policy 6.13 of The London Plan states; 'The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car-parking provision that can undermine cycling, walking and public transport use.' 'In locations with high PTAL, car-free developments should be promoted.'
- 6.51 The PTAL rating for this area is 2, with bus routes operating along Bromley Hill and Bromley Road, whilst Beckenham Train Station lies within a relatively short distance.
- 6.52 The development seeks to encourage cycling as an everyday means of transport for future occupiers, with the provision of secure parking for 10 bicycles.
- 6.53 Officers subsequently raise no objections to the development on Highways grounds, attributed to the parking provision and cycle parking proposed, together with the good public transport within the area.

Landscaping

- 6.54 A 9 metre deep garden would be located at the rear of the building, to be used by the ground floor occupiers only. Existing trees to the rear of the garden would be retained.
- 6.55 At the front of the site, a 0.5 metre high brick wall would be built to the boundary abutting the pavement. The existing driveway coverage would be replaced by permeable paving (Tegula Priora) to alleviate rain water run-off.
- 6.56 Soft landscaping on either side of the driveway would include Acer and Prunis trees, hedges and lawn.
- 6.57 Officers are satisfied with the principle of proposed landscaping works.

Sustainability

- 6.58 The London Plan requires that all new residential developments meet Code Level 4 for Sustainable Homes, together with a reduction in carbon emissions.
- 6.59 In this case, the applicant has advised that the development would meet Code Level 4, with measures including the use of double glazing, water efficient devices to reduce water consumption and energy efficient lighting.
- 6.60 Officers are satisfied with the sustainability methods proposed, and is considered compliant with London Plan policies.

Refuse

- 6.61 An enclosed refuse and recycling store would be located to the side of the building. The applicant has not confirmed, however, where the collection point would be located, therefore it is suggested a condition be included requesting this information.

Community Infrastructure Levy

- 6.62 The Community Infrastructure Levy (CIL) is a levy which was implemented by the London Mayor on 1 April 2012.
- 6.63 This development is considered to be CIL liable. The chargeable development is £35 per m², which must be paid to the Council prior to the commencement of building works.

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.

8.0 Conclusion

- 8.1 Officers consider the design and massing of the proposed development to be acceptable, respecting the general character of the area and an appropriate replacement for the existing building. The proposal accords with Policy URB 3 Urban Design, which expects a high standard of design that seeks to complement the scale and character of existing development and its setting, and HSG 5 Layout and Design of New Residential Development, which expects all new residential development to be attractive, to be neighbourly and to meet the functional requirements of all future inhabitants. The standard of proposed accommodation and on-site parking provision is in compliance with guidelines.
- 8.2 For these reasons, it is therefore recommended that planning permission be granted.

9.0 RECOMMENDATION GRANT PERMISSION, subject to the following conditions:

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

Design and Access Statement including Sustainability Statement (received 24/9/2012), Planting/Paving details (received 25/6/2013), and 000, 100, 110B, 111B, 112C, 114C, 115B, 210C, 212, 310B, 311B, 312B, 313B, 314B (received 27/9/2013)

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) No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
- (a) Dust mitigation measures.
 - (b) The location and operation of plant and wheel washing facilities
 - (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
 - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
 - (e) Security Management (to minimise risks to unauthorised personnel).
 - (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

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 Saved Policies ENV.PRO 9 Potentially Polluting Uses and HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

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

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).

- 5) (a) The building hereby approved shall achieve a minimum Code for Sustainable Homes Rating Level 4.

- (b) No development shall commence until a Design Stage Certificate for each residential unit (prepared by a Code for Sustainable Homes qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the residential units, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Code for Sustainable Homes qualified Assessor) to demonstrate full compliance with part (a) for that specific unit.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- 6) The proposed refuse facilities 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 Saved Policies URB 3 Urban Design and HSG 4 Residential Amenity in the Unitary Development Plan (July 2004) and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

- 7) (a) A minimum of 10 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) 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 14: Sustainable movement and transport of the Core Strategy (2011).

- 8) 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. 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 Saved Policies URB 3 Urban Design, URB 12 Landscape and Development and URB 13 Trees in the Unitary Development Plan (July 2004).

- 9) (a) Details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) The approved boundary treatments shall be implemented prior to occupation of the buildings and retained in perpetuity.

Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Saved Policies URB 3 Urban Design and HSG 4 Residential Amenity in the Unitary Development Plan (July 2004) and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

- 10) (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with Saved Policies ENV.PRO 12 Light Generating Development and HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

- 11) Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in any elevation of the building other than those expressly authorised by this permission.

Reason: To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties in accordance with Saved Policy HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

- 12) The whole of the amenity spaces (including terraces and balconies) hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

Reason: In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy HSG 7 Gardens in the Unitary Development Plan (July 2004).

- 13) Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed element to the rear of the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Saved Policy HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

- 14) The whole of the car parking accommodation shown on drawing no.111B hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter. In the interests of safety, details shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development that proposes measures to ensure future occupiers are advised to exit the site in forward gear only.

Reason: To ensure the permanent retention of the space for parking purposes, to ensure that the use of the building does not increase on-street parking in the vicinity, to ensure highway safety, and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011) and Table 6.1 of the London Plan (July 2011).

- 15) The proposed rainwater run-off measures, including the laying of permeable paving shall be implemented in full prior to first occupation of the residential units.

Reason: To ensure the development is in compliance with Policies 8 Sustainable Design and Construction and Energy Efficiency and 10 Managing and Reducing the Risk of Flooding of the adopted Core Strategy (June 2011).

- 16) Details of second floor terrace screening shall be submitted to and approved in writing by the local planning authority, and shall thereafter be fully installed and maintained prior to first occupation of the residential units hereby approved.

Reason: To avoid the direct overlooking of neighbouring properties and consequent loss of privacy thereto and to comply with Policy 15 High quality design for Lewisham of the adopted Core Strategy (2011), and saved policies URB 3 Urban Design and HSG 5 Layout and Design of New Residential Development in the adopted Unitary Development Plan (2004).

Informatives

- 1) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- 2) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. The Council will issue you with a CIL liability notice detailing the CIL payable shortly. For CIL purposes, planning permission permits development as at the date of this notice. However, before development commences you must submit a CIL Commencement Notice to the council. More information on the CIL is available at: -
<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11> (Department of Communities and Local Government) and
<http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>
- 3) The applicant is advised to contact Transport for London in respect of works relating to the formation of a new crossover, the reinstatement of kerbs to the existing crossovers and the repositioning of the existing lamppost.