

Committee	PLANNING COMMITTEE A	
Report Title	246A Brownhill Road, SE6 1AU	
Ward	Catford	
Contributors	Nathan Keenan	
Class		21 May 2015

Reg. Nos.

DC/14/88055

Application dated

19 June 2014 [as revised on 3 February 2015]

Applicant

Edgewater (Brownhill) Limited

Proposal

The demolition of the existing buildings and the construction of 5 two-storey, three-bedroom mews style houses at 246A Brownhill Road, together with associated works, private amenity space including parking with access onto Brownhill Road.

Applicant's Plan Nos.

IF 14-03-01, IF 14-03-400, IF 14-03-401, IF 14-03-402, IF 14-03-02 Rev A, IF 14-03-101 Rev A, IF 14-03-102 Rev A, IF 14-03-103 Rev A, IF 14-03-200 Rev A, IF 14-03-201 Rev A, IF 14-03-300 Rev A, IF 14-03-301 Rev A received 3 February 2015, Design and Access Statement, Transport Statement, Internal & External Daylight & Sunlight Amenity Report. Energy & Sustainability Assessment, Wheelchair Statement & Contamination Report (part superseded by plans IF 14-03-02 Rev A, IF 14-03-101 Rev A, IF 14-03-102 Rev A, IF 14-03-103 Rev A, IF 14-03-200 Rev A, IF 14-03-201 Rev A, IF 14-03-300 Rev A, IF 14-03-301 Rev A received 3 February 2015).

Background Papers

- (1) Case File LE/777/246/TP
- (2) Local Development Framework Documents
- (3) The London Plan

**1.0 Property/Site Description**

- 1.1 The application site is located on the south side of Brownhill Road, with the site entrance roughly equidistant between the junctions of Stainton Road (to the east) and Britton Close (to the west) on the north side of the Brownhill Road. Brownhill Road is part of the South Circular Road (A.205), which is a heavily trafficked A Classified Road.
- 1.2 There is a single-storey purpose-built vacant office building running along the southern boundary in the south-west corner of the site, backing onto the gardens

of the Arngask Road houses to the south. In addition, there are a few other small single-storey buildings on the application site, but they are mainly shed-type, garage or other storage structures, and most are in poor condition. There are a pair of heavy metal gates controlling access to the site, which are set back some way down the access road, over 20 metres back from the edge of pavement, and just behind the rear building line of 246 Brownhill Road.

- 1.3 On the street frontage immediately to the east of the site entrance are three pairs of semi-detached two-storey properties numbered 246-256 Brownhill Road. These have gardens measuring some 16 metres deep. No. 252 has a converted loft space, with rooms in the roof and a large rear dormer window. To the east of the site itself are the rear gardens of houses at 262 onwards Brownhill Road, which have longer gardens, measuring some 32 metres deep.
- 1.4 Adjoining to the west of the site entrance, on the Brownhill Road frontage, are a row of shops at 218-244 Brownhill Road. This is an elegant three-storey terrace, with commercial uses on the ground floor and residential on the two floors above. To the rear of these are a row of two-storey mews buildings, accessed via an alleyway under the front terrace at 230 Brownhill Road. These buildings have traditionally been in commercial use, but more recently, some residential elements have been permitted.
- 1.5 To the south of the application site are terraced residential properties in Arngask Road, which have gardens measuring 16 metres deep.
- 1.6 The land naturally slopes downwards away from Brownhill Road, such that the properties to the rear sit lower than the frontage buildings. The general land level also slopes downwards towards the west from the Torridon Road traffic lights towards central Catford, such that the application site slopes down to the west, whilst the properties on both Brownhill Road and Arngask Road generally step down this slope.
- 1.7 The site is not within a Conservation Area, there are no article 4(2) Directions, and there are no Listed Buildings within the immediate vicinity.

## 2.0 **Planning History**

- 2.1 An application was received in June 2003 for the change of use of K & D Chemical Services Ltd, 246a Brownhill Road, from industrial to dwelling house (C3 Use), to provide 6, two bedroom houses together with the provision of 6 car parking spaces and means of access onto Brownhill Road (DC/03/54210). Two objections were received, but the application was withdrawn in September 2003.
- 2.2 Pre-application discussions were held in mid-2013 about the possible residential development of this site. A letter was sent on 21st October 2013 outlining that the level of development proposed constituted over development and would be inappropriate in the context of the site. The applicant was advised that if an application was submitted in its current form then the application would likely be refused.
- 2.3 An application (DC/13/85925) was received in June 2014 to demolish the existing buildings onsite and construct 7 three-storey, four-bedroom mews style houses with roof terraces at 246A Brownhill Road SE6, together with associated works and private amenity space including parking with access onto Brownhill Road.

Four objections were received. This application was refused on 8 January 2014 due to the inappropriate scale and mass constituting an overdevelopment of the site and the impact that it would have on adjoining properties. In addition, impact in terms of privacy and amenity would have been unacceptable.

- 2.4 The current application (DC/14/88055) was received on 19 June 2014 to demolish the existing buildings onsite and construct 7 three-storey, four-bedroom mews style houses with roof terraces at 246A Brownhill Road SE6, together with associated works and private amenity space including parking with access onto Brownhill Road. The design had been slightly amended to that proposed by previous application (DC/13/85925). Six objections were received from adjoining properties. Following the receipt of these objections the applicant has amended the proposal to now propose 5 two storey, three bedroom mew style houses. The amended proposal is that which is being assessed within the current application.

### 3.0 **Current Planning Applications**

#### The Proposal

- 3.1 The application is for the demolition of the existing buildings and the construction of 5 two-storey, three-bedroom mews style houses at 246A Brownhill Road, together with associated works, private amenity space including parking with access onto Brownhill Road.
- 3.2 The new two-storey terrace of five houses would be aligned east-west across the site with parking located to the west of the terraced block. Entrances to the units will be via an entrance porch to the north of the units where refuse and cycle stores will also be located.
- 3.3 The ground floor of each house would have a single kitchen / living / dining room, plus WC. There would be three bedrooms and a bathroom on the first floor above.
- 3.4 In terms of the rear elevation, the ground floor would be stepped, such that the main living room window would be 6.6 metres from the site boundary of the Arngask Road houses, with the smaller window set a further 2.4 metres back, i.e. 9 metres from the rear boundary.
- 3.5 At first floor level, the building is effectively flat across the rear, with only a very small stepping to provide some vertical articulation while a stepped mono pitch roof is proposed across each of the five units.
- 3.6 The cladding materials will consist of predominantly London Stock Brick with elements of metal while the roof will be metal or similar. UPVC framed clear and obscure glass is also proposed.
- 3.7 Six car parking spaces are proposed to the west of the units while the provision of two cycle parks at the entrance of each of the units will be provided for.
- 3.8 Landscaping is proposed to the front and rear of the units in addition to two trees within the car parking area.

#### Supporting Documents

- 3.9 The applicant has submitted a Design and Access Statement, Transport Statement, Internal & External Daylight & Sunlight Amenity Report. Energy & Sustainability Statement, Wheelchair Statement & Contamination Report in support of the application. These were prepared on the basis of the original proposal for 7 three-storey, four-bedroom mews style houses with roof terraces. However, their content remains relevant to the revised scheme albeit that the amended plans have partly superseded some details within the documents.

*Design and Access Statement*

- 3.10 This report sets out an overview on the design rationale for the proposed development and details and how it relates to the locality. In essence the statement concludes that through the design, materials, landscaping and provision of amenity areas; the development will provide a high quality contemporary but sympathetic development that relates well to its surroundings.

*Energy and Sustainability Statement*

- 3.11 This report sets out design parameters in order to achieve the energy and sustainability requirements within the borough. In summary the report concludes that a Code for Sustainable Homes Level 4 can be achieved.

*Transport statement*

- 3.12 This report details the potential impact that the development will have in terms of parking, access and congestion. Overall this report concludes that the site is suitable for residential development and that no material residual impact will result.

*Internal & External Daylight & Sunlight Amenity report (as amended by the revised plans submitted)*

- 3.13 This report provides an analysis on the availability of sunlight to the development and the potential impact that the development would result. In summary the report concludes that a good level of light is available therefore providing future occupiers with good sunlight amenity.

*Wheelchair Statement*

- 3.14 This report assesses the proposal against the London Plan Wheelchair requirements and concludes that given the design; they would be easily adaptable for potential wheelchair users.

*Contamination report*

- 3.15 This report details that given the past use of the site (dry-cleaning business/storage) there is a moderate risk of site contamination. Further investigations were recommended in order to determine the specific level of contamination and if remediation works were required. A condition on any planning permission was volunteered.

4.0 **Consultation**

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The

Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

- 4.2 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors. The Environment Agency was also consulted due to potential site contamination.
- 4.3 Six objections were received with regards to the original scheme. The matters raised related to a loss of privacy, overshadowing and being overbearing, noise, strain on sewage system, adequacy of car parking, turning space, and access, not consistent with underlying character, adversely affect visual amenity, traffic congestion and contrary to Core Strategy.
- 4.4 Following the receipt of these objections, the applicant amended the scheme in order to seek to resolve many of the matters raised. Re-consultation was subsequently undertaken from the 3 February 2015 to 23 April 2015 following the revision of the proposal. Five objection letters have been received with regards to the revised scheme.

#### Written Responses received from Local Residents and Organisations

- 4.5 Five letters of objection have been received raising the following issues:
- Overlooking of neighbouring properties/privacy effects
  - Density of development will deprive residents of privacy and spatial awareness
  - Contrary with the legacy and ideals of Archibald Corbett to create space for families to live healthy lives.
  - Contrary to Core Strategy Objective 10.
  - Access is small and narrow
  - Lack of consultation about revised proposal
  - What level will the obscured glass be?
  - Development will be claustrophobic and open aspect affected.
  - Effect on additional strain on sewage system.
  - Impact on trees
  - What kind of night lighting is proposed?
  - Height issue appears resolved with removal of extra floor however houses at close quarters is still invasive.
  - Development does not reflect the character of the Corbett Estate.
  - The buildings would adversely affect the visual appeal of the neighbourhood.
  - Reduction in open space between flank elevations of Arngask and Brownhill Road buildings.
  - Effect on views.
  - Ground level changes have the potential for subsidence. Who maintains the retaining wall?
  - Traffic effects.
  - Detrimental effect on light to neighbouring properties.
  - Block of units will appear as a continuous mass and dominate skyline and surrounding low rise housing.
  - Consideration of householder insurance.

- Article 1 of the Human Rights Act 1988 states that a person has a right to peaceful enjoyment of all their possessions, which includes the home and other land.
- Article 8 of the Human Rights Act 1988 states that a person has a substantive right to respect family life

### Highways and Transportation

4.6 Unobjectionable in Principle

### The Environment Agency

4.7 No response was received for either of the proposals consulted on.

## 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.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

### National Planning Policy Framework

5.3 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 in paragraph 211, that 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)’.

- 5.4 Officers have reviewed the Core Strategy 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.

#### Other National Guidance

- 5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

#### London Plan (March 2015)

- 5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

The London Plan policies relevant to this application are:-

Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 5.3 Sustainable design and construction  
Policy 5.21 Contaminated land  
Policy 6.3 Assessing effects of development on transport capacity of the London  
Plan  
Policy 7.1 Lifetime Neighbourhoods  
Policy 7.4 Local character  
Policy 7.6 Architecture

#### London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)  
Sustainable Design and Construction (2006)

#### Core Strategy

- 5.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London 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:

Core Strategy Policy 1 Housing provision, mix and affordability  
Core Strategy Policy 5 Other employment locations

Core Strategy Policy 8 Sustainable design and constructions and energy efficiency  
Core Strategy Policy 12 Open space and environmental assets  
Core Strategy Policy 14 Sustainable movement and transport  
Core Strategy Policy 15 High quality design for Lewisham

#### Development Management Local Plan

5.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant policies from the Development Management Local Plan as they relate to this application:

The following policies are considered relevant to this application:

DM Policy 1 Presumption in favour of sustainable development  
DM Policy 11 Other employment locations  
DM Policy 22 Sustainable design and construction  
DM Policy 28 Contaminated land  
DM Policy 29 Car parking  
DM Policy 30 Urban design and local character  
DM Policy 32 Housing design, layout and space standards  
DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas

#### Residential Standards Supplementary Planning Document (August 2006)

5.10 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, and materials.

#### **6.0 Planning Considerations**

6.1 The main issues to be considered in respect of this application are:

- a) Principle of Development
- b) Design/Layout and Massing
- c) Standard of Accommodation
- d) Car Parking/Access/Serviceing
- e) Refuse storage / collection
- f) Infrastructure
- g) Contamination
- h) Impact on Adjoining Properties

#### Principle of Development

- 6.2 The previous application relating to the site (DC/13/85925) detailed a Marketing Report by Goodsir Commercial, which set out attempts made to market the premises. This report concluded that the location of the site behind existing houses is not ideal for commercial use, particularly storage.
- 6.3 Although DC/13/85925 was refused, the report concluded that given, the provisions contained within the NPPF, a refusal reason based on loss of unemployment would be difficult to uphold on appeal, particularly given the point made by the applicant that; "*There is no specific loss of employment, as the site was mainly used for storage and no employees were permanently located on site.*" As there has been no material change in terms of loss of employment to the previous application it is considered that this point is relevant and accepted.
- 6.4 The application site is also a backland site and represents difficult opportunities to attract tenants to the site as demonstrated by the previous marketing report and current lack of employment within the site. As such, the impact in loss of employment opportunities within the site is considered to be acceptable.

#### Design / Layout and Massing

- 6.5 The facades of the proposed buildings are considered interesting and well balanced. The overall design is imaginative and relates positively to the design constraints of this restricted site through building location, architecture and provision of amenity space. Policy 32 of the Development Management Plan requires that all new residential development is to;
- (a) *be attractive and neighbourly*
  - (b) *provide a satisfactory level of privacy, outlook and natural lighting both its future residents and its neighbours and*
  - (c) *meet the functional requirements of future residents.*
- 6.6 The proposed scheme is considered to have a satisfactory relationship to neighbouring dwellings through setbacks, height and provision of amenity areas. These elements ensure that views/outlook of neighbours is not disrupted while the predominant south facing amenity areas and dual aspect position ensure that a satisfactory level of natural light for indoor/outdoor living is provided for.
- 6.7 The design of the buildings through the limitation of height and mono pitch roof design provides a sleek vibrant finish that is subservient in terms of height with neighbouring buildings therefore relates well to its surroundings. DM Policy 30 supports the use of building features and roofscape in order to achieve a local distinctiveness, which this proposal does. While creating a local distinctness, it also is in keeping with its surroundings through the incorporation of traditional materials such as London Stock Brick. Contrasting elements such as UPVC windows and metal cladding contribute to a further enhancement of the building which will result in a positive relationship between the old and the new. Conditions relating to the submission of materials prior to commencement of development would ensure that the amenity of the locality is maintained.
- 6.8 Core Strategy Objective 10 seeks to Protect and enhance Lewisham's character by;

- (a) *Ensuring that new development achieves high standards of urban design and residential quality and contributes to a sense of place and local distinctiveness informed by an understanding of the historic context.*
- (b) *Ensuring the new development and alterations to existing buildings are sensitive, appropriate to their context, and make a positive contribution to the urban environment.*
- (c) *Preserving or enhancing the condition and historic significance of the borough's heritage assets and their settings and the other identified elements of the historic environment.*

- 6.9 The proposed development has responded positively to the character of the vicinity by achieving a high standard of design while the block formation of five units is in keeping with the Archibald legacy of blocks of 4-5 houses. While the gardens/amenity areas are not of the size of adjoining properties; it is considered that given the existing use of the site (dilapidated laundry/storage buildings) and proximity to other commercial sites; the proposed layout will provide a positive transition from the heavily built up commercial area to the residential surrounding. Proposed amenity areas and building design furthermore contribute to creating a sense of place within the site and enhance the underlying character of the Corbett Estate. As such, it is considered that the proposal is consistent with the desired outcome by Core Strategy 10.
- 6.10 Landscaping proposed would assist in breaking up car parking areas while softening the built form to the north and south. A condition is recommended requiring a more detailed landscape plan to be submitted prior to works commencing to ensure that suitable plant species, grades and management of the approved landscaping is undertaken.
- 6.11 While the initial proposal represented an overdevelopment of the site (7 three storey dwellings); the revised proposal represents a 'slimmed down' version that relates well to its surroundings. Given the development's relationship to adjoining buildings and sensitivity towards amenity space/privacy surrounding it; the development in its current form is considered to provide a complimentary element that is in keeping with surrounding development and that envisioned by the London Plan, Core Strategy and Development Management Plan Policy.

#### Standard of Accommodation

- 6.12 The proposed scheme has been designed in line with the London Plan Housing Supplementary Planning Guidance – Quality and Design Standards. Each residential is proposed to have a floor area of 103m<sup>2</sup> which is greater than the minimum of 96m<sup>2</sup> required by the London Plan. In addition, the room sizes proposed (10m<sup>2</sup> and 12m<sup>2</sup> respectively) meet minimum requirements of 8m<sup>2</sup> and 12m<sup>2</sup> for single and double rooms. As such, it is considered that the proposal would provide adequate living space for future inhabitants.
- 6.13 Minimum requirements such as floor to ceiling height (2.5m), lifetime homes, and recommended outlook/glazing comply with London Plan requirements.
- 6.14 Outdoor amenity space to the rear of the units with a depth of 9 metres meets minimum dimension requirements while also providing adequate play areas for children. The London Plan Supplementary Planning Guidance 'Providing for Children and Young Peoples Plan and Informal Recreation' sets out a minimum

space requirement of 10m<sup>2</sup> per child for adequate play space. An amenity/play space of 50m<sup>2</sup> is proposed for each unit therefore providing more than enough outdoor living space. Given the depth of the proposed outdoor living area, it is considered that this space additionally will also act as an important landscape buffer between the proposed buildings and neighbouring property.

- 6.15 As the proposed development complies with the London Plan accommodation standards, it is considered that the proposal through layout, use of space and design, provides a high quality living environment.

#### Car Parking/Access/Servicing

- 6.16 The proposal includes the provision of 6 car parking spaces within the western portion of the site which is considered appropriate for the development proposed and meets London Plan requirements. Adequate manoeuvring/turning areas within the site are provided for through the building layout and hard surfacing provided. A condition is recommended that all parking and manoeuvring areas are formed prior to occupation of the units in order to mitigate any potential impact on the adjoining highway.
- 6.17 Two covered and secured cycle parks are located at the entrance of each unit which meets the London Plan requirements.
- 6.18 Council's Highways & Transportation Officer initially raised an objection regarding the number of parking spaces, narrow access and tight manoeuvrability within the site however these issues have been resolved through the amended scheme plan submitted. Notwithstanding that, concerns regarding access, parking and traffic safety were raised within the objection letters received.
- 6.19 Council Highways & Transportation Officer however has assessed the revised proposal and considers that an adequate level of access/parking is provided and does not object to the revised development as proposed. Based on this advice, it is considered that the proposal is consistent with relevant provisions within Core Strategy Policy 14 and Policy 29 of the Development Management Plan.

#### Refuse storage / collection

- 6.20 In terms of refuse provision, the submitted drawings show a refuse store for each unit within the site, which would be located to the north of each unit. As the width of the access is narrow, it is not possible for a refuse truck to access these units and turn around. A refuse management scheme can be conditional to secure an appropriate and workable management of refuse within the site. Highways have no objections with regards to refuse storage/collection.

#### Infrastructure

- 6.21 No objections have been received from the relevant service providers therefore it is considered that there is sufficient supply for the proposed development. One objection was received raising concerns about the impact that will result on the sewage system. As no objections have been received by the relevant service providers and these connections will be looked at by Building Control, it is considered that no negative impact is anticipated.

#### Contamination

- 6.22 A technical report by Sub Surface South East Limited was submitted with regards to potential site contamination. The report entailed a walk over survey and desk top study and concluded that there is a moderate risk of contamination in the soil resulting from past building and demolition works, spillage of chemicals and asbestos in building materials. Due to this risk, the report recommends that further investigation be undertaken in the form of a phased study including remediation if required. This advice is accepted. A suitable condition requiring a more detailed investigation is recommended in order to mitigate adverse effects in terms of contamination guided by DM policy 28.

#### Impact on Adjoining Properties

- 6.23 Following the receipt of six objections relating to the initial scheme plan; the applicant amended the plans to 'slim down' the development from 7 three-storey, four-bedroom mews style houses with roof terraces to a 5 two-storey, three-bedroom mews style house development. Neighbouring properties were then re-consulted with five objections being received. Four of these objections being from adjoining residents and one from the Archibald Corbett Society. The comments made are listed in section 5.5 of this report.
- 6.24 The revised proposal has been assessed and is considered to significantly reduce any potential impact on neighbouring properties through the decrease in built form such as the height and overall mass of the development. In addition, an increased setback distance and amenity space provision ensures that adverse effects in terms of noise and dominance have been mitigated.
- 6.25 The proposed buildings are to be setback so that the main living room window at ground level would be at a minimum 6.6 metres from the site boundary held with the Arngask Road dwellings, with the smaller window set a further minimum of 2.4 metres back (9 metres from the boundary). To the north of the units; the kitchen window is setback a minimum 3.8 metres while the entrance is setback a minimum 4.5 metres from the property boundary. This distance in addition to proposed landscaping is considered sufficient in order to provide an adequate separation distance between the built form proposed and that on adjoining allotments. For example on the Arngask Road elevation, a minimum separation of 24.5 metres between the proposed building form and that on neighbouring properties is maintained. A minimum separation distance of 20.01 metres would be maintained on the northern elevation. While an objector raised the dramatic reduction in open space that will result from what currently exists between flank walls (which is accepted), the provision of a separation of at least 20 metres will retain an acceptable level of amenity.
- 6.26 Separation distances are an effective mechanism of ensuring privacy is retained. Limiting the height of built form to two storey in addition to the proposed separation distance between rear elevations helps to ensure that impacts such as dominance, views and outlook or limitation of natural/daylight does not result. Notwithstanding this separation distance along the north and southern boundaries, the built form along the eastern elevation is to be constructed up to the boundary. No windows however look out in this direction therefore ensuring that no privacy effects result. In order to ensure that any potential future extensions/alterations undertaken through Permitted Development rights do not negatively impact on the amenity of adjoining properties; a condition removing these rights with regards windows and extensions is recommended.

- 6.27 Objections were received from neighbours to the west on the original scheme plan with concerns being expressed about effects on privacy, daylight and dominance. In order to mitigate these effects, the built form of the development has now been moved back from that boundary with a setback of 11.3 metres from the flank wall of the proposed western unit to that building on the adjoining property. This separation is in line with the Lewisham Residential Supplementary Planning Documents standard of 9 metres. This distance is considered to lessen the impact on the neighbouring property and ensure that privacy, daylight and the amenity currently enjoyed by neighbours is retained.
- 6.28 Potential issues with land subsidence was identified within the objections with regards to the levels of gardens/need for retaining etc. A requirement for a landscape plan to be submitted and approved prior to construction will enable detailed drawings to be assessed so that these matters may be resolved. Through the imposition of this condition, land subsidence may be mitigated.
- 6.29 Due to development being proposed in close proximity to residential development, there is the potential for light spill to result. This has been raised with the objection letters received. To avoid significant light spill occurring, a condition is recommended that detailed design plans be submitted prior to occupation of the building.
- 6.30 Overall, it is considered that the provision of setbacks, amenity areas, and the two-storey height mitigates the impact on neighbouring properties to an acceptable level. As such, it is considered that the proposal in its current form is appropriate in its context and would successfully integrate with its surroundings.

#### Sustainability and Energy

- 6.31 The applicant has submitted a Sustainability Statement in support of the application, which satisfactorily addresses the sustainability issues. This applicant states that it is likely the development will include living roofs(where possible), solar panels and water harvesting. These elements in combination with the developments dual aspect well ventilated design is considered to satisfactory address sustainability issues. A condition is recommended that prior to construction, details of the proposed methods are submitted to Council for approval in order to ensure that the elements do not adversely affect the character/amenity of the locality.

#### **7.0 Local Finance Considerations**

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
  - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.

7.3 The Councils and Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

## 8.0 **Community Infrastructure Levy**

8.1 The above development is CIL liable.

## 9.0 **Conclusion**

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

9.2 The principal of the loss of employment land is considered acceptable given the marketability of the site, backland location and proximity to neighbouring properties. The proposed development in terms of layout and design has taken into account the sensitivities of the site constraints by ensuring that adverse effects on neighbouring properties are avoided, remedied or mitigated while at the same time ensuring high quality design. As such, it is considered that the development ensures consistency with the London Plan, Core Strategy and Development Management Local Plan therefore is appropriate subject to conditions.

## 10.0 **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:

IF 14-03-01, IF 14-03-400, IF 14-03-401, IF 14-03-402, IF 14-03-02 Rev A, IF 14-03-101 Rev A, IF 14-03-102 Rev A, IF 14-03-103 Rev A, IF 14-03-200 Rev A, IF 14-03-201 Rev A, IF 14-03-300 Rev A, IF 14-03-301 Rev A received 3 February 2015, Design and Access Statement, Transport Statement, Internal & External Daylight & Sunlight Amenity Report. Energy & Sustainability Assessment, Wheelchair Statement & Contamination Report (part superseded by plans IF 14-03-02 Rev A, IF 14-03-101 Rev A, IF 14-03-102 Rev A, IF 14-03-103 Rev A, IF 14-03-200 Rev A, IF 14-03-201 Rev A, IF 14-03-300 Rev A, IF 14-03-301 Rev A received 3 February 2015).

**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.
  - (a) The location and operation of plant and wheel washing facilities
  - (b) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
  - (c) Details of construction traffic movements including cumulative impacts which shall demonstrate the following
    - (i) Rationalise travel and traffic routes to and from the site.
    - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
    - (iii) Measures to deal with safe pedestrian movement.
  - (d) Security Management (to minimise risks to unauthorised personnel).
  - (e) The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

- (4) (a) Prior to any works commencing, full details of any living roofs proposed shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a 1:20 scale plan of the living roof(s) that includes contoured information depicting the extensive substrate build up and a cross section showing the living roof components and details of how the roof has been designed to accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings.
- (b) The development shall be carried out strictly in accordance with the details so approved under (a) and shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority. Evidence that the roof has been installed in accordance with (a) & (b) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

**Reason:** To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015) , Policy 10 managing and

reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

- (5) No development shall commence on site until a detailed schedule and specification of all external materials and finishes to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

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

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

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out

(including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

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

- (7) (a) The buildings 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 (2015).

- (8) (a) No development shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

- (9) A scheme of soft landscaping (including details of any change in levels, retaining, trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits,) and details of the

management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

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

- (10) All planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 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 Policy 12 Open space and environmental assets, and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (11) The whole of the car parking/manoeuvring area shown on drawing nos. 14-03-02 Rev hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter.

**Reason:** To ensure the permanent retention of the spaces for parking purposes, to ensure that the use does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Table 6.2 of the London Plan (July 2011).

- (12) 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. Once approved, all external shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

**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 DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

- (13) Prior to occupation of the residential units, details of refuse management/collection shall be submitted and approved in writing by the

local planning authority. Once approved, the management practices shall be complied with in perpetuity.

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

- (14) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in the elevations 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 DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (15) No extensions or alterations to the buildings hereby approved, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

**Reason:** In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

## **INFORMATIVES**

- (A) 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.
- (B) The applicant is advised that conditions 3, 4, 5 and 6 require details to be submitted prior to the commencement of works as they seek to manage the impact of the construction works and mitigate land contamination and secure design details, including of materials which are needed before works commence.