

Committee	PLANNING COMMITTEE B	
Report Title	Lee Court, Lee High Road SE13	
Ward	Blackheath	
Contributors	Monique Wallace	
Class	PART 1	4 February 2016

<u>Reg. Nos.</u>	(A) DC/15/93738
<u>Application dated</u>	16.09.2015
<u>Applicant</u>	Mr Burrell HFBT Architects on behalf of Mr Wright Grandpex Company Ltd
<u>Proposal</u>	Partial demolition of the single storey estates office at Lee Court, Lee High Road SE13 and the construction of a four storey, three bedroom dwelling house, together with the provision of bin storage.
<u>Applicant's Plan Nos.</u>	878 PL2 3000, 878 PL2 E 3000, 878 PL2 E 3001, 878 PL2 3001, 878 PL2 3002, 878 PL2 E 3002, 878 PL2 3003, 878 PL2 E 3003, 878 PL2 E 3004, 878 PL2 3004, 878 PL2 3005, 878 PL2 4000, 878 PL2 4001, 878 PL2 4002, 878 PL2 4003, 878 PL2 4004, Statement of intent, materials schedule, Design & Access Statement, Window details received 17/9/15; Heritage Statement received 21/12/15; 878 PL2 1000 REV B, 878 PL2 1001 Rev B, 878 PL2 1002 Rev A, 878 PL2 2000 REV A, 878 PL2 2001 REV A, 878 PL2 2002 REV A, 878 PL2 2003 REV A, 878 PL2 2004 REV A, 878 PL2 2010 REV A, 878 PL2 2011 REV A, 878 PL2 2012 REV A, 878 PL2 2013 REV A, received 16/1/16.
<u>Background Papers</u>	(1) Case File LE/451/N/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Existing Use

1.0 Property/Site Description

- 1.1 The application site is a single storey annex attached to the western end of a four storey residential block located on the western side of Lee High Road.
- 1.2 The site abuts the vehicular and pedestrian entrance to a private housing development known as Halley Gardens, while the closest residential block being 43-48 Halley Gardens is 19m north of the application building.
- 1.3 Directly opposite the site is the junction with Manor Park and Lee High Road to the south.

- 1.4 The application site has a Public Transport Accessibility Level of 2/3 and is within an Area of Archaeological Priority.

Historic description

- 1.5 Lee Court is an Art Deco purpose-built mansion block, probably dating from the early 1930s, and a relatively rare building type in the borough. This four storey building is articulated along Lee High Road in six sections, with eight flats in each section and each section comprising five bays. The two outer bays and the two inner bays feature pairs of windows; Crittall steel framed windows of which some of the original remain. The central bay is a stair tower which is approached under a half moon canted reinforced concrete canopy. The staircase towers form vertical accents in the street. The main façade is of red brick under a flat roof with stepped parapet.
- 1.6 Mansion blocks were frequently located on main roads and were designed to be best appreciated when sweeping by in the car, the movement creating a fuller appreciation of their massing and articulation. The building is a good example for its time and has landmark and streetscape value.
- 1.7 The subject building is not nationally or locally listed, nor is it in a Conservation Area. However, during the course of the development management process, the application site has been considered as an undesignated heritage asset of significance for the following reasons:
- It is a well preserved and good example of an inter-war mansion block of architectural quality;
 - It has streetscape value as a positive historic building on a prominent curving site providing a strong reference point in an area where there has been much change and re-development during the 20th century.

2.0 Planning History

- 2.1 A planning application was submitted in May 2014 in respect of the demolition of the single storey estates office at Lee Court and the construction of a four storey, three bedroom dwelling house with an integral garage and the provision of bin and cycle stores.
- 2.2 During the course of the application, 7 objections and 2 comments were received in response to the consultation exercise carried out for the planning application.
- 2.3 After reviewing the proposals, Officers advised the applicant that they were minded to recommend refusing planning permission as the full demolition of the Estate Office was considered to be unacceptable. The Estate Office has historic and architectural significance. In historic terms, the inter-war period saw a decline in the use of domestic servants. A solution to this for the middle classes was the mansion block. A small number of staff were shared between the flat occupants and would typically have undertaken tasks such as cleaning, minor maintenance, security and taking in post. The Estate Office was the base for such staff at Lee Court and it is therefore significant in reflecting these social changes and a now largely-forgotten solution. In architectural terms, the entrance to the Estate Office, although subsidiary, was designed to match those of the stair towers and features the same type of white painted reinforced concrete detailing. The loss of one

such detailed entrance to the development would disrupt the rhythm of the main façade.

- 2.4 In light of the above considerations, the proposal would have been contrary to Policies 7.4 Local Character and 7.8 Heritage Assets of the London Plan (2015), including modifications since 2011 which was adopted in March 2015 (hereinafter referred to as the London Plan) and, Objective 10: Protect and enhance Lewisham's character, Policy 15: High quality design for Lewisham and Policy 16 'Conservation areas, heritage assets and the historic environment of Core Strategy (June 2011), and Development Management Local Plan Policies 31 Alterations and extensions to existing buildings including residential extensions, 33 Development on infill sites, backland sites, back gardens and amenity areas and DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest and DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets (November 2014).
- 2.5 The above proposal was referenced DC/14/87685 and was withdrawn in November 2014.
- 2.6 On 6 August 2015 under reference PRE/15/01973, Officers provided a formal pre-application response in respect of a revised version of the previously withdrawn scheme. The pre-application proposal was for the alteration, extension and conversion of the existing estate office to provide a new dwelling.
- 2.7 The letter concluded that Officers were in support the overall design, scale and mass of the proposal, subject to the detailing of the proposed extension being achieved to the necessary high standard. The current application is broadly the same as the pre-application version, with further detail provided.

3.0 Current Planning Application

The Proposal

- 3.1 The annexe attached to the western end of the mansion block, would be partially demolished, altered and extended to create a four storey extension to Lee Court in order to provide a new single family dwelling.
- 3.2 The extension would continue the parapet of the main building, concealing a flat roof. The front and rear elevations would return to the flank with distinctive curved corners, with the windows turning the corner in this same curved design feature. A prism feature window detail would be to the front, while a curved glass block detail would be to the rear.
- 3.3 Each floor is approximately 32m², and the overall floor area for the building would be approximately 128m². The accommodation would comprise a kitchen/dining room at ground floor level, with a w/c; a living space and study at first floor level; 2 bedrooms and bathroom at 2nd floor level; and a third, larger bedroom with a further bathroom at 3rd floor level.

Level	Room	Size
Ground	Kitchen/Dining	19.48m ²
First	Living	21.66m ²
Second	Bedroom 2 (twin)	11.6m ²
	Bedroom 3 (single)	8m ²
Third	Bedroom 1 (double)	19.42m ²
Roof terrace	External amenity space	15m ²

3.4 A roof top terrace would serve as the amenity space for the new dwelling.

3.5 Refuse storage is proposed at ground floor level to the front, and cycle parking is proposed within the new dwelling.

Supporting Documents

Design and Access Statement

3.6 This document describes the application site and its environs and the planning history leading to the current submission. It then describes the proposal in detail, including landscaping and materials. The final Chapter 6 discusses matters pertaining to sunlight, daylight and overlooking, highways and refuse, sustainability and flood risk.

Crittall

3.7 A booklet explaining the Crittall steel window range was submitted with the application. These are the windows to be used in the new development to match what was originally installed in the main building. The booklet gives the technical details of the windows and provides images of where they have been installed in other locations.

Materials Schedule

3.8 The schedule advises that it is to be read in conjunction with the Design and Access Statement, and lists out the proposed materials, which include Crittall Windows, brick walls and a mild steel balustrade.

Statement of Intent

3.9 The statement sets out the proposed chronology of the build programme which was predicted to start in January 2016 and last for 40 weeks.

Heritage Statement

3.10 The Statement summarises the sequence of events leading up to the identification of the application building as a non-designated heritage asset. The Statement

disagreed with Council Officers about the designation arguing that the application building had 'low' historic value but stated that the modern design as originally proposed would 'jar' with the existing building and therefore may not win at appeal. The Statement then confirms that the scheme was therefore revised in line with Officer's comments which has resulted in the current submission.

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 business in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents

4.3 Four objections were received to the proposals from 35 Celestial Gardens, Flats 5, 7 and 20, Lee Court (the application building). The objections are summarised as follows:

- Loss of privacy and noise disturbance from the roof terrace
- Lack of adequate parking for a family sized dwelling
- The proposed new building would result in the loss of a fire escape/alternative access to the rear
- The proposal results in overdevelopment of the application site
- Inappropriate massing, design and use of materials

Written Responses received from Statutory Agencies

Transport for London

4.4 Transport for London (TfL) provided the following comments to the proposals: The footway and carriageway on Lee High Road must not be blocked during construction. Temporary obstructions must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on Lee High Road.

- During the demolition and construction works, the developer should comply with the parking, loading and unloading restrictions on this section of the TLRN (Transport for London Road Network).
- Two cycle parking spaces have been shown in what appears to be a cupboard under the stairs near the main entrance. This space does not comply with the requirements of the London Plan (2015) and London Cycle Design Standards (2014). The cycle parking should be reviewed against these requirements and then secured by condition.
- The Council may wish to consider whether it would be appropriate to secure an undertaking whereby future occupiers are exempt from being able to obtain CPZ permits – to support the car free nature of the proposal.

Thames Water

- 4.5 Thames Water raised no objections to the proposals on the grounds of sewerage or water flow capacity but requested that the applicant contact Thames Water should building works be carried out within 3 meters of pipes managed by Thames Water.

Amenities Societies Panel

- 4.6 The frontage that faces upon the approach going down Lee High Road from West to East is an uninspired blank wall of bricks. This design (with its curved corner, crittal-style windows and matching the existing as closely as possible) would improve that aspect. Concerns however are raised regarding the proposed height - whether it would be better to step down a storey.
- 4.7 Attention should be paid to the promised quality and detailing.

Lewisham Highways and Transportation

- 4.8 No objection.

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:

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.14 Existing housing
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.13 Sustainable drainage
Policy 6.9 Cycling

Policy 6.13 Parking
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2012)

Sustainable Design and Construction (2006)

Core Strategy

- 5.7 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:

Spatial Policy 5 Areas of Stability and Managed Change

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

Development Management Local Plan

- 5.8 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 strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

DM Policy 1 Presumption in favour of sustainable development

DM Policy 29 Car parking

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

DM Policy 32 Housing design, layout and space standards

DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas

DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest

Residential Standards Supplementary Planning Document (August 2006)

5.9 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) Scale and Design
- c) Housing
- d) Highways and parking
- e) Noise
- g) Impact on Adjoining Properties
- h) Sustainability and Energy

Principle of Development

6.2 The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

6.3 The application site is within an area of stability and managed change, as designated by the Core Strategy proposals map. Spatial Policy 5 Areas of Stability and Managed Change states that such areas will provide quality living environments supported by a network of local services and facilities. Policy 5 requires developments in these locations to protect and enhance the character of the Lewisham, especially with regard to properties of historic significance. The policy encourages the provision of small scale infill development of a scale, layout and design complementary to its immediate environments and provided that it is designed to make suitable residential accommodation, and it provides for garden and amenity space.

6.4 The existing annexed building was constructed for the sole purpose of, and was used as, an estate office supporting the running of the residential flats in Lee Court. The employees of the estate office would usually receive parcels, and packages for the occupiers and be contacted/visited in the first instance regarding maintenance of Lee Court. The management of such large properties is now typically off-site and therefore such estate offices have become redundant, as is the situation with the application site.

- 6.5 Even though office has been vacant for some time, officers consider that the estate office currently falls under C3 use as it has always been ancillary to the main C3 use at Lee Court.
- 6.6 In light of the above, officers raise no objections to the principle of continuing the residential use to create a dwelling house at the application site.

Scale and Design

- 6.7 London Plan Policy 7.6 Architecture requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design. Core Strategy Policy 15 High quality design for Lewisham repeats the necessity to achieve high quality design but also confirms a requirement for new developments to minimise crime and the fear of crime. Development Management Local Plan Policy 30, Urban design and local character also states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas states that planning permission will not be granted 'unless the proposed development is of the highest design quality and relates successfully and is sensitive to the existing design quality of the streetscape, and is sensitive to the setting of heritage assets.' Development Management Local Plan Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest states that non-designated heritage assets may be identified during the development management process. This is what happened when officers reviewed the proposals for application reference DC/14/87685. Policy 37 also states that the Council will protect the local distinctiveness of non-designated heritage assets and that the significance of non-designated heritage assets should be sustained and enhanced by any development affecting it. Policy 38 states that proposals for demolition or substantial harm to designated heritage assets will be refused unless it can be demonstrated that these are necessary to achieve substantial public benefits that outweigh the harm or loss.
- 6.8 The NPPG addresses conserving and enhancing the historic environment defines a non-designated heritage asset as a 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.' Since the building is identified by the Council as a non designated heritage asset, conservation concerns are a material planning consideration in this instance.
- 6.9 Officers consider Lee Court to be an undesignated heritage asset, which should be preserved, enhanced and complemented, as per the requirements of Development Management Local Plan 37.
- 6.10 The amenities Societies suggested that the building should perhaps be stepped down from Lee Court by a storey. However the vast width of the Lee Court is interrupted by slight bays which break the mass of the building in alignment with the curve of this section of Lee High Road. Further, officers consider that part of the attractiveness of the undesignated heritage asset is its width and mass and adding stepped, lower addition to the building would result in a visual contradiction, rather than complement the distinctive and unique style of Lee

Court. For this reason Officers consider that the scale and mass of the proposals to be acceptable.

- 6.11 In terms of the curved design, and specific use of Crittall windows, and protruding prism detailing to the front all result in detailing which would reflect the existing features and architectural language of Lee Court. Officers consider that the proposed extension to Lee Court would in itself still be a striking corner feature extension, which complements the remainder of the undesignated heritage asset.
- 6.12 There is currently a small sign above the entrance door to the estate office. This is an integral and important part of the heritage asset, denoting how the annexe was originally used. This sign is to be retained during the extension works and should be clearly visible when the extension has been completed, thus preserving one of the telling historic features of the application site.
- 6.13 The south eastern corner of the application building (where the proposed works are to take place) are prominent in the streetscape and therefore it is important that all of the detailing is of a high quality.
- 6.14 The depths of the reveals and the projections in the brickwork detail are important features of the existing building which are to be repeated in the proposed extension. The current application has been submitted with drawings scaled at 1:5 where there are changes in the levels of the façade. Officers are satisfied with the level of detail provided which would result in the quality of development as envisaged.
- 6.15 1:10 drawings, together with a brochure from the Crittall window company who are to create the curved windows, have been submitted with the planning application which again confirm that the proposed development would be constructed in materials and of a level of detail which would result in the quality of development necessary for the undesignated heritage asset.
- 6.16 The application was submitted with 1:10 scaled drawings of the roof balustrade, the details of which are considered to be acceptable.
- 6.17 The proposed scale, materials and detailing as set out in the drawings, Design and Access Statement and Materials Schedule are considered to be acceptable.
- 6.18 Overall, officers support the proposed design, scale and detailing proposed, of which its quality has been assured by the provision of the information submitted regarding sections and materials.

Housing

- 6.19 Development Management Local Plan Policy 32 is consistent with the NPPF which states that developments should result in 'high quality design and a good standard of amenity for all existing and future occupants of land and buildings' (paragraph 17) the Core planning principles (paragraph 11) and Section 7, Requiring good design.
- 6.20 Policy 3.5 in the London Plan requires new housing developments to be of the highest quality in terms of making new dwellings 'a place of retreat' by ensuring safe access, adequate room sizes and practical layouts. The policy also refers to ensuring that the design of new dwellings has a clearly defined 'point of arrival' so

that occupiers take ownership of their dwellings. Further detail about what is necessary in order to create the high standards of accommodation, are found in the Housing Technical Standards, the London Plan Housing SPG and Lewisham's Residential Standards SPD.

- 6.21 The London Plan and DMLP Policies provide guidance on the housing design, layout and space standards of new development. In general they direct that the siting and layout of new-build housing development will need to respond positively to the site specific constraints and opportunities as well as to the existing and emerging context for the site and surrounding area. DMLP Policies (Policy 32 in particular) expect that all new residential development to meet the functional requirements of the future residents.
- 6.22 On 11 May 2015 the Mayor of London published for consultation Minor Alterations to the London Plan, Housing Standards, which will bring the London Plan in line with the new national housing standards. It should be adopted in Spring 2016.
- 6.23 The Technical housing standards – nationally described space standard March 2015, together with the London Plan housing standards policy transition statement (October 2015) and Lewisham's Residential Standards SPD (2012) sets out the standard of accommodation required from new housing development.
- 6.24 The overall floor area and room sizes within the proposed new dwelling adhere to necessary minimum standards and essential furniture layouts have been annotated on the drawings which show an acceptable layout.
- 6.25 The required standards compared to the floor areas proposed are set out below:

	Minimum required	Proposed	Difference
Overall dwelling size	99m ² (3 bed/5 person)	128m ²	+29m ²
Living/Kitchen/ Dining	29m ² (5 person)	41.14m ² (L= 21.66m ² + K/D= 19.48)	+12.14m ²
Bedroom 1 (double)	11.5 m ²	19.42m ²	+7.92m ²
Bedroom 2 (twin)	11.5m	11.6m ²	+0.1m ²
Bedroom 3 (single)	7.5m ²	8m ²	+0.5m ²
Roof terrace	8m ²	15m ²	+7m
Internal floor to ceiling heights	2.3-2.5m	Ground floor = 2.85m First floor = 2.75m Second floor = 2.75m Third floor 2.8m	+0.25m/0.35m

- 6.26 Outlook to the front and rear of the property is considered to be acceptable as repeats views from the host building, being Lee Court. Further, the front and rear elevations face east and west respectively, resulting in good levels of sunlight reaching all habitable rooms throughout the days.

- 6.27 London Plan Housing SPG baseline Standard 4.10.1 requires new dwellings to have external, private amenity space, and officers support the innovative provision of the roof terrace to create the necessary amount of amenity space, which optimises the external space available at the application site.
- 6.28 The proposed new dwelling would be built to Lifetime Home standards which could be secured during the Building Control process should planning permission be granted.
- 6.29 Officers consider the proposed standards of accommodation for the new dwelling to be acceptable.

Highways and parking

- 6.30 The NPPF includes as one of the 12 core land-use principles, a requirement for Boroughs to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. Regarding the promotion of sustainable transport para. 29 states that the transport systems needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.
- 6.31 Policy 6.1 in the London Plan (Strategic Approach) sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and development by: encouraging patterns and nodes of development that reduce the need to travel, especially by car; seeking to improve the capacity and accessibility of public transport, walking and cycling; supporting measures that encourage shifts to more sustainable modes and appropriate demand management; and promoting walking by ensuring an improved urban realm. Core Strategy Policy 14 (Sustainable Movement and Transport) states that there will be a managed and restrained approach to car parking provision to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities. A network of high quality, connected and accessible walking and cycling routes across the Borough will be maintained and improved. London Plan Tables 6.2 and 6.3 which provide maximum and minimum cycle and car parking requirements should be used as a basis for assessment.
- 6.32 TfL have not objected to the principle of the development but have requested that the footway and carriageway on Lee High Road be kept clear during construction works where practicable and the loading and unloading restrictions on this section of the TLRN are observed.
- 6.33 The nearby residents have objected on the grounds that the lack of parking provision would exacerbate existing on-street parking in nearby streets and that a family sized dwelling should be provided with its own parking accommodation.

a) Access and servicing

- 6.34 Stepped pedestrian access to and from the proposal site would be from Lee High Road. A secondary level access is proposed through a side entrance leading on to Halley Gardens (access road). Any deliveries for the site would use existing points of delivery for the remainder of Lee Court or Celestial/Halley Gardens which is either from the nearby loading bays, or within the vehicular entrance area

into Celestial/Halley Gardens. Emergency vehicles can readily access the site from Lee High Road. This arrangement accords with the comments from TfL and Officers are satisfied with the proposed access and servicing arrangements.

c) Cycle Parking

- 6.35 London Plan Table 6.3 Cycle Parking minimum standards requires a minimum of 2 cycle spaces for dwellings with more than 1 bedroom.
- 6.36 The proposal is for two cycle parking spaces within a cupboard under the stairs near the main entrance. This space does not comply with the requirements of the London Plan (2015) and London Cycle Design Standards (2014). The cycle parking should be located to the front of the property, in a dry and secure location; the cycle parking should not be within the dwelling.
- 6.37 During the pre-application discussions, the cycle storage was proposed to be within the front garden of the new dwelling and for reasons of clutter and the subsequent harm to the appearance of the building, the cycle storage was re-located. In having the cycle parking within the building at ground floor level, little storage space is left at ground floor level for the occupiers which could in turn reduce the desire to own bikes. Officers are concerned about the proposals as they currently stand with regard to the cycle parking but on balance, this matter can be addressed by way of a condition given that there is additional storage space within the remainder of the dwelling and the space to the front which can be landscaped to minimise any visual impact.

d) Car Parking

- 6.38 London Plan Table 6.2 Car Parking standards provides maximum levels of parking for developments, and not minimums. DM Policy 29 Car parking states that the Council will take a restrained approach to car parking provision.
- 6.39 Lewisham's Highway's Officers did not object to the proposals as the site is for a car free scheme, and is minor in nature being only one dwelling. Further Lee High Road forms part of the Transport for London Road Network (TLRN) which is managed by TfL. TfL suggested that Officers consider adding a condition prohibiting future occupiers of the proposed development applying for parking permits.
- 6.40 As only one dwelling is being proposed, Officers do not consider that the ability of future occupiers to apply to use the local Controlled Parking Zones would significantly impact the existing on street parking levels. Furthermore, whilst the site has a PTAL rating of 2 it is within 30m of a PTAL zone 4 reflecting the high accessibility of local bus routes. Therefore Officers consider that there are no policy reasons to object on the grounds of a car free development.

f) Refuse

- 6.41 A bin store is proposed to be located at the front of the application property. The existing occupiers within Lee Court store and have their refuse collected from the rear of the application building. The design and access statement states that refuse would be collected from the front of the property, but in line with the comments from TfL, any proposals to block/interrupt the TLRN should be minimised. It is not to say that refuse cannot be collected from the front of the

site, as the refuse collection truck would only block the road for a short period of time to collect for the new dwelling. However, it would be advantageous if the proposed new dwelling could share the refuse collection arrangements with the remainder of the dwellings within the immediate vicinity. For this reason, Officers consider it pertinent to add a refuse management plan condition to the decision notice should Members be minded to grant planning permission.

Noise

- 6.42 DM Policy 31 seeks to ensure that residential alterations should result in no significant loss of privacy and amenity to adjoining houses and their back gardens.
- 6.43 Neighbours have objected on the grounds that the new dwelling would result in additional noise and disturbance for the existing neighbouring occupiers.
- 6.44 43-48 Halley Gardens which is the closet residential block to the immediate north of the application site is approximately 19m away from the application site.
- 6.45 Officers are satisfied that any noise generated from the proposed dwelling, whether from within or from the proposed roof terrace, would be in keeping with the noise levels of the surrounding domestic properties. Therefore Officers raise no objections to the proposals on these grounds.

Impact on Adjoining Properties

- 6.46 Core Strategy Policy 15 states that new development should be designed in a way that is sensitive to the local context. It must therefore be demonstrated that proposed alterations are neighbourly and that significant harm would not arise with respect to overbearing impact, overshadowing, loss of light, loss of outlook or general noise and disturbance.
- 6.47 Neighbours have objected to the proposal on the grounds of a loss of privacy and outlook, sunlight and daylight and the loss of a fire escape/alternative access to the rear.

Privacy

- 6.48 43-48 Halley Gardens have south windows facing windows and therefore there would be views from the proposed new dwelling into those dwellings.
- 6.49 However, the apertures from the proposed extension would repeat the locations and alignment of those within the remainder of Lee Court. In addition, the rear of Lee Court has external steps and landings intended for use as a means of escape but also used for amenity space. Further, there are established trees inhibiting the views to and from 43-48 Halley Gardens and Lee Court. By extending the proposed extension westwards, the level of outlook would be similar to the existing properties within Lee Court and therefore officers are satisfied that any level of overlooking into other nearby properties would be of a similar and acceptable level.
- 6.50 The proposed height of the parapet from the floor level of the roof terrace would be 0.91m which could result in overlooking to nearby occupiers. However, the 1.65m height of the roof terrace access enclosure would restrict views towards 43-

48 Halley Gardens to the north. Westerly views would be onto the flank of 20 Manor Park Parade which does not have any windows. The properties on the opposite of Lee High Road are in excess of 20m away and therefore any overlooking from the proposed development to those properties would be to an acceptable level.

Sunlight and daylight

- 6.51 With regard to a loss of outlook and sunlight from the proposed extension, the three storey extension (four storey in height in total) would protrude beyond the rear elevation of Lee Court by 1.3m to the north. Officers consider that the 1.3m depth, albeit at 4 storeys in height would result in a minimal impact to outlook to the existing, northernmost occupiers of Lee Court. The use of glass blocks for this part of the extension would further minimise any sense of enclosure/overbearance.
- 6.52 The proposed northerly 1.3m projection would result in some loss of sunlight during the late afternoons/evenings also to northernmost occupiers of Lee Court but again, the relatively shallow depth of the element of the extension which is to project beyond the rear elevation of Lee Court would render any loss, marginal.

Means of access/escape

- 6.53 Objections raised to the proposal included the reduction of space to the rear and side of the Lee Court which objectors state is used as an alternative means of access to Lee Court from the rear and as a means of escape. Currently there is a gate to the side of the estate office within the site which provides access to the rear of the building. However the applicant has confirmed that whilst there is a gate it is locked and not in use as a means of access or escape by residents. The proposed development would result in the access around the side of the building to the west being removed, although there would be no impact on the access to Halley Gardens. The rear of the building would however still be accessible from the east side of the building, as a means of access and escape. Officers are therefore satisfied that the proposed extension would not render the rear of Lee Court inaccessible or make it unsafe for users.

Sustainability and Energy

- 6.54 Core Strategy Policy 7 seeks to apply the London Plan policies relevant to climate change including those related to: air quality, energy efficiency, sustainable design and construction, retrofitting, decentralised energy works, renewable energy, innovative energy technologies, overheating and cooling, urban greening, and living roofs and walls.
- 6.55 The proposal is for the alteration and extension of an existing property and therefore there are limitations to the sustainability measures available. That said, page 33 of the Design and Access Statement states that the extension would achieve Level 4, Code for Sustainable Homes but would strive to achieve Level 5 through applying 'fabric first' principles to the construction of the extension.
- 6.56 Officers consider that the sustainability measures proposed are acceptable for a development which is resulting from the extension of an existing property as is the instance in this case.

Other matters

- 6.57 The application site is within an Area of Archaeological Priority and the proposal involves an element of demolition. If Members were minded to grant planning permission, a condition would be placed on the decision notice requesting that measures to be put in place in order to look out for any archaeological remains.

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 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 Conclusion

- 8.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 8.2 On balance, Officers consider that the proposed development would result in an attractive and sustainable form of development while providing a new dwelling of an acceptable standard and resulting in a complimentary addition to a non-designated heritage asset and would have minimal impact to neighbour amenity. Officers also consider that the proposals would not result in any detriment to the TLRN, nor the local parking capacity and therefore the scheme is considered acceptable.

9.0 RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

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:
878 PL2 3000, 878 PL2 E 3000, 878 PL2 E 3001, 878 PL2 3001, 878 PL2 3002, 878 PL2 E 3002, 878 PL2 3003, 878 PL2 E 3003, 878 PL2 E 3004, 878 PL2 3004, 878 PL2 3005, 878 PL2 4000, 878 PL2 4001, 878 PL2 4002, 878

PL2 4003, 878 PL2 4004, Statement of intent, materials schedule, Design & Access Statement, Window details received 17/9/15; Heritage Statement received 21/12/15; 878 PL2 1000 REV B, 878 PL2 1001 Rev B, 878 PL2 1002 Rev A, 878 PL2 2000 REV A, 878 PL2 2001 REV A, 878 PL2 2002 REV A, 878 PL2 2003 REV A, 878 PL2 2004 REV A, 878 PL2 2010 REV A, 878 PL2 2011 REV A, 878 PL2 2012 REV A, 878 PL2 2013 REV A, received 16/1/16.

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 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) The development shall be constructed in those materials as proposed namely:

External Walls Generally Including Garden Walls

IBSTOCK West Hoathley Medium Multi Stock bricks to match existing building at Lee Court.

Quadrant Shaped Enclosure Above Rear Entrance

Cement render painted white.

Glazed Stair Enclosure

Clear insulating glass blocks.

Windows

Crittall Corporate 2000 Berkeley pattern mild steel windows with clear double glazing ppc finished in white to match original windows in Lee Court.

Entrance Doors

Pale Oak by Spirit Doors Ref Zara from the Naturelle Range.

Balustrading

Tubular purpose designed galvanised mild steel balustrading ppc finish white.

External paving to front and roof gardens

Marshalls Fair Stone Granite Paving colour 'light' generally, with 'dark' edge trims.

- (b) The scheme shall be carried out in full accordance with those details, as approved.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

5. (a) Notwithstanding the details hereby approved, no development shall commence on site until proposals for the storage of refuse and recycling facilities, together with a refuse management plan for the new dwelling has been submitted to and approved in writing by the local planning authority.
- (b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

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

6. a) Notwithstanding the details hereby approved, a minimum of 2 secure and dry cycle parking spaces shall be provided within the curtilage of the new dwelling, details of which shall be submitted to the local planning authority and approved, prior to the commencement of works.
- (b) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

Reason: In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

7. (a) A scheme of soft landscaping (including details of any trees or hedges to

be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

- (b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

8. The boundary treatments hereby approved including the gates and walls shall be implemented prior to occupation of the new dwelling and retained in perpetuity.

Reason: To ensure that the proposed development is fully completed prior to first occupation, to maintain the appearance of the adjoining non-designated heritage asset, being Lee Court and in the interests of residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest of the Development Management Local Plan (November 2014).

9. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no flues, plumbing or pipes, including rainwater pipes, shall be fixed on the external faces of the extension hereby approved.

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character and DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest of the Development Management Local Plan (November 2014).

10. No extensions or alterations to the building hereby approved, whether or not permitted under Article 3 to Schedule 2 of 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) and DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest of the Development Management Local Plan (2014).

11. 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 created in the dwelling hereby approved 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 visual amenity in accordance with DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest of the Development Management Local Plan (2014).

12. No development shall commence on site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority.

Reason: To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (July 2011)

13. The residential unit hereby approved shall achieve the following energy efficiency and water efficiency standards :
 - Energy efficiency - a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations;
 - Water efficiency - 110 litres per person per day (including a 5 litre allowance for external water use).

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 (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

INFORMATIVES

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. Further information regarding the heritage status of Lee Court was submitted

in support of the application during the course of the application process rendering the proposal to be in accordance with the pre-application discussions and in accordance with the Development Plan.

- B. The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works take place.
- C. 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. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myserVICES/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- D. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- E. In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.
- F. The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.

G. Thames Water

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground,

water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

H. Refuse management plan

The applicant is advised to contact the Council's refuse team when preparing the refuse management team.