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| Committee    | PLANNING COMMITTEE C                                    |               |
| Report Title | Land Adjacent to Railway, Doggett Road, London, SE6 4PZ |               |
| Ward         | Rushey Green Ward                                       |               |
| Contributors | Luke Mannix   |               |
| Class        | PART 1  | 17 March 2016 |

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|------------------------------|--|
| <u>Reg. Nos.</u>             | DC/15/93763  |
| <u>Application dated</u>     | 21.09.15 [as revised on 05.01.16]  |
| <u>Applicant</u>             | Milan Babic Architects [on behalf of Central London Homes (Catford) Ltd]   |
| <u>Proposal</u>              | Approval of reserved matters relating to Appearance, Landscaping and Scale of the Outline approval granted on appeal APP/C/5690/A/12/2182849 dated 7 May 2013 for the construction of a part two/three/part four storey building comprising 3 commercial units (Use Class B1) on the ground floor, 9 two bedroom self-contained flats above, incorporating balcony/terraces on land adjacent to railway at Doggett Road SE6, together with associated landscaping and provision of bin and bicycle stores (DC/12/79846).   |
| <u>Applicant's Plan Nos.</u> | JDD/DRC-E01; JDD/DRC-E02; PA 775/L01; Design and Access Statement Rev A; Sustainable Urban Drainage Systems and Below Ground Drainage; Tree Pit Detail (Received 21st September 2015); PA 775/206 Rev B; PA 775/207 Rev B Proposed East Elevation with Boundary; PA 775/208 Rev B; PA 775/301 Rev A (Received 28th October 2015); PA 775/200 Rev C; PA 775/201 Rev C; PA 775/202 Rev C; PA 775/203 Rev C; PA 775/204 Rev C; PA 775/205 Rev B; PA 775/209; PA 775/210 Proposed Section; PA 775/302 Rev B; PA 775/303 Rev A; PA 775/400 Rev B (Received 5th January 2016); PA 775/207 Rev B Proposed East Elevation with Boundary (detail); PA 775/210 Rev A Proposed Section (detail) (Received 11th February 2016) |
| <u>Background Papers</u>     | (1) Case File LE/889/B/TP<br>(2) Local Development Framework Documents<br>(3) The London Plan  |
| <u>Designation</u>           | Catford Major Town Centre<br>Area of Archaeological Priority   |
| <u>Screening</u>             | N/A  |

## **1.0 Property/Site Description**

- 1.1 The application site lies on the western side of Doggett Road adjacent to the railway line and Catford Bridge station platform. The site is a vacant triangular plot of land which was previously owned by Network Rail and used for storage purposes.
- 1.2 The site lies in a predominantly residential street albeit on the edge of Catford Town Centre. The site is adjoined to the south by three storey residential dwellings and the west by the station platform. On the eastern side of Doggett Road there are two storey terraced properties. The application site is the last section of land on this side of Doggett Road, beyond the site to the north there is only a pedestrian footpath leading to Ladywell Arena and Park.
- 1.3 The site is not located within a conservation area and there are no listed buildings within the vicinity.
- 1.4 Doggett Road slopes gently south to north but the application site is mainly flat sitting at the same level as the adjacent railway line.
- 1.5 Doggett Road is a one way road northbound accessed from the A205 South Circular Road. Car parking is restricted along Doggett Road to residential permit holders only. In addition, two car club spaces are located at the front of the site. Being on the edge of the centre and within easy walking distance of both Catford and Catford Bridge stations the site has a high PTAL rating of 6a.

## **2.0 Planning History**

- 2.1 An application for outline planning permission was refused in 2010 (DC/10/74978) for the construction of a part three/part four storey building comprising three commercial units on the ground floor, 6 two bedroom and 3 three bedroom self-contained flats above, incorporating balcony/terraces on land adjacent to railway at Doggett Road SE6, together with associated landscaping and provision of bin and bicycle stores.
- 2.2 The reason for refusal is as follows:-
  - 1) *The proposed development fails to demonstrate appropriate and achievable site coverage, internal layout and adequate standard of accommodation for future occupiers, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004) and the Residential Development Standards: SPD (August 2006).*
- 2.3 A follow up application was received in 2011 (DC/10/76144) for the construction of a part two/three/part four storey building comprising 3 commercial units (Use Class A1, A2/B1 & A3) on the ground floor, 3 one bedroom, 4 two bedroom and 2 three bedroom self-contained flats above, incorporating balcony/terraces on land adjacent to railway at Doggett Road SE6, together with associated landscaping and provision of bin and bicycle stores.
- 2.4 The application was not determined within the statutory period and an appeal against non-determination was submitted (APP/C5690/A/11/2154747/NWF). Regardless, the Council raised the following matters as reasons for refusal:-

1) *The proposal is unacceptable in principle as the site lies outside of the core or secondary retail frontages of Catford Town Centre. The site is not a designated strategic or local employment location but is designated as wholly residential. It has not been demonstrated that the proposed commercial uses would not harm designated commercial centres. Consequently the proposed mixed use scheme would be contrary to Policies EMP6 New Office Development, STC1 The Shopping Hierarchy and STC2 Location of New Stores (Sequential Test) and Schedule 1, Site Allocation 26A in the adopted Unitary Development Plan (July 2004) and PPS4: Planning for Sustainable Economic Growth.*

2) *The proposed layout would result in inappropriate site coverage giving rise to a cramped form of development, inadequate internal layout and poor standard of accommodation and amenity for future occupiers. The proposal represents overdevelopment of the site contrary to Policies 4.B.8 Respect Local Communities and Context in the London Plan 2008 (Consolidated with Alterations since 2004), HSG5 Layout and Design of New Residential Development, HSG7 Gardens, HSG8 Backland and Infill Development in the adopted Unitary Development Plan (July 2004), SPD: Residential Standards and PPS3: Housing.*

- 2.5 The Inspector found the development was unacceptable as the retail units do not comply with the Council's local plan. In addition, the standard of accommodation does not meet the standards of the London Plan at the time.
- 2.6 A third application for outline planning permission was received in 2012 (DC/12/79846) for the construction of a part two/three/part four storey building comprising 3 commercial units (Use Class B1) on the ground floor, 9 two bedroom self-contained flats above, incorporating balcony/terraces on land adjacent to railway at Doggett Road SE6, together with associated landscaping and provision of bin and bicycle stores.
- 2.7 The application was not decided within the statutory time period and subsequently an appeal against non-determination was submitted (APP/C/5690/A/12/2182849) on 7<sup>th</sup> May 2013. The Council raised the same reasons for refusal as the previous application.
- 2.8 In this instance, the Inspector found the principle of ground floor commercial building acceptable and the layout and access appropriate. Therefore outline planning permission in relation to layout and access was granted for the above development. Comments were also given with respect to the scale and impact on the character and neighbouring amenities based on indicative plans and elevations.
- 2.9 19 conditions were added within the appeal decision. Condition 1 stated that details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins. Condition 2 stated that the application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

### **3.0 Current Planning Applications**

#### The Proposals

3.1 The current application seeks permission for the reserved matters in relation to appearance, landscaping and scale of the outline approval granted through appeal APP/C/5690/A/12/2182849 (DC/12/79846).

3.2 Article 2 of the Town and Country Planning (Development Management Procedure) (England ) Order 2015 defines the reserved matters of appearance, landscaping and scale as follows:

*Appearance - the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;*

*Landscaping - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features; and,*

*Scale - the height, width and length of each building proposed within the development in relation to its surroundings.*

3.3 The proposed scale follows the indicative elevations submitted with the approved outline application. The building would be two storey at the northern and narrowest end of the site before expanding to four storeys towards the southern end. The third floor would be slightly set back on the southern edge and in sections along the northern edge of the building.

3.4 In terms of appearance, the primary building material would be brick with the specific materials being Smoked Forum Cromo, Prata and Branco all made by Weinerberger company. Double soldier course layers would define the change in floor levels between ground and first and second and third floors. On the ground floor, perforated mesh bond Blanco brickwork would define the refuse store and residential entrances.

3.5 The windows would be tilt and turn to the front elevation with side opening casement with a single pane to the rear. The windows would be double glazed and made of composite material with aluminium RAL 7006 Beige Grey coating to the outer frame. Balcony balustrades would be finished in the same material. The first and second floor windows would have pre-cast Ivory white cills whilst the third floor would have recessed soldier courses to the head and foot of the window.

3.6 The roof would be flat with amenity space on the lower roof levels. The third floor roof would include photovoltaic arrays. The coping would be finished to match the windows and balustrades.

3.7 The building footprint matches that granted approval for layout at the outline permission stage. As such the front building line would be stepped to the front, with the southern section of the building matching the existing terrace row. Between the front elevation and the highway, the landscaping would be mixed soft and hard landscaping, with low level shrubs and lawn in raised planters with

Woburn Rumbled permeable paving to the entrances. The front boundary walls and areas of raised planting would be finished in Blanco brickwork.

- 3.8 At the northern end, a Robin Hill medium sized tree would be planted with a protective grill and surrounded by Woburn Rumbled permeable paving. To the rear and southern side, the landscaping would primarily be hard landscaping, consisting of Charcon Europa Grey permeable paving. There would be moveable planters located to the rear together with a commercial refuse store with a timber screening. The rear boundary treatment would consist of red cedar slatted timber panels facing onto the railway platform.

#### Supporting Documents

- 3.9 Submitted with the application have been existing site survey together with proposed plans, sections and elevations, as well as the following documents:-
- Design and Access Statement;
  - Drainage Strategy;
  - Energy Statement, appendices and sustainability form; and,
  - Planning Statement.

#### **4.0 Consultation**

- 4.1 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant Ward Councillors were also notified. In addition statutory agencies and relevant Council departments were consulted.
- 4.2 Below is a summary of the responses received. All written responses are available for members to view.

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

- 4.3 Three letters of objection were received from residents in Doggett Road. The following concerns were raised:-
- The development, in conjunction with other residential development in the area, is placing a strain on infrastructure;
  - The appearance of the building, through it's materials and scale, would not be appropriate in its setting;
  - Adverse impacts on existing amenity in terms of noise, sunlight/daylight, pollution and disturbances. It is considered that the commercial units would also increase these impacts on neighbours;
  - Adverse highway impacts in terms of residential parking, traffic, refuse and emergency vehicles and construction traffic;
  - The rear refuse area would attract vermin from the railway land; and,
  - Disturbance to the digital television signal.

## Written Responses received from Statutory Agencies

### *a) Transport for London (TfL)*

4.4 TfL raised no objections

### *b) Network Rail*

4.5 The developer must ensure that their proposal, both during construction and after completion of works on site, does not:-

- encroach onto Network Rail land;
- affect the safety, operation or integrity of the company's railway and its infrastructure;
- undermine its support zone;
- damage the company's infrastructure;
- place additional load on cuttings;
- adversely affect any railway land or structure;
- over-sail or encroach upon the airspace of any Network Rail land; and,
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.

4.6 The comments in general do not impact on the planning application. Therefore the comments have been forwarded to the applicant and an informative should be added advising the applicant to contact Network Rail for consent to works affecting their land.

4.7 It is also noted that comments have been received in regard to fencing along the railway platform. It is noted that the applicant has worked with Network Rail to ensure there is no adverse impact on their operations.

### *c) Environmental Agency (EA)*

4.8 The EA do not object to the proposed development on the basis of conditions added in relation to flood risk and groundwater protection in the outline planning permission.

## **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 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy  
Policy 5.12 Flood risk management  
Policy 6.9 Cycling  
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: Accessible London: Achieving an Inclusive Environment (2004)

Housing (2012)

#### 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:

Spatial Policy 1 Lewisham Spatial Strategy  
Spatial Policy 2 Regeneration and Growth Areas  
Core Strategy Policy 1 Housing provision, mix and affordability  
Core Strategy Policy 8 Sustainable design and construction and energy efficiency  
Core Strategy Policy 10 Managing and reducing the risk of flooding  
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 strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

- 5.10 The following policies are considered to be relevant to this application:

DM Policy 22 Sustainable design and construction  
DM Policy 25 Landscaping and trees  
DM Policy 30 Urban design and local character  
DM Policy 32 Housing design, layout and space standards

### **6.0 Planning Considerations**

- 6.1 The principle of the proposed ground floor commercial and upper floor residential development was granted at outline planning permission stage in 2013, along with

access and layout. It is also noted that the appeal decision included conditions to be submitted prior to commencement of development which have not yet been discharged.

6.2 Taking this into account, the main issues to be considered in respect of this application for reserved matters in relation to scale, appearance and landscaping are:

- a) Design
- b) Housing
- c) Highway and Traffic Issues
- d) Impact on Adjoining Properties
- e) Flooding

### Design

6.3 The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

6.4 The London Plan and Core Strategy design policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design. Specifically the Core Strategy Policy 15 states that high quality, well-designed new development is a key factor that will contribute to the long-term sustainability of communities in Lewisham. In order to be successful new development must meet the qualities required by national and regional policy and guidance and also reflect and be sympathetic to the local physical and social characteristics of the borough.

6.5 DM Policy 30 states that where relevant, development proposals will need to be compatible with and/or complement the urban typologies and address the design and environmental issues identified in Table 2.1. The site adjoins onto Knighton Park Road, being an urban terrace typology, and, according to Table 2.1, new development should not disrupt the regularity of the street form and the unity of the architecture.

6.6 The policy also outlines detailed design issues and states that an adequate response to the following relevant matters will be required in planning applications to demonstrate the required site specific design response:-

- the creation of a positive relationship to the existing townscape, natural landscape, open spaces and topography to preserve and/or create an urban form which contributes to local distinctiveness such as plot widths, building features and uses, roofscape, open space and views, panoramas and vistas including those identified in the London Plan, taking all available opportunities for enhancement;
- height, scale and mass which should relate to the urban typology of the area as identified in Table 2.1;
- layout and access arrangements. Large areas of parking and servicing must be avoided;

- how the scheme relates to the scale and alignment of the existing street including its building frontages;
- the quality and durability of building materials and their sensitive use in relation to the context of the development. Materials used should be high quality and either match or complement existing development, and the reasons for the choice of materials should be clearly justified in relation to the existing built context;
- details of the degree of ornamentation, use of materials, brick walls and fences, or other boundary treatment which should reflect the context by using high quality matching or complementary materials; and,
- how the development at ground floor level will provide activity and visual interest for the public including the pedestrian environment, and provide passive surveillance with the incorporation of doors and windows to provide physical and visual links between buildings and the public domain.

6.7 The site is currently a vacant parcel of land adjoining Catford Bridge railway station. The area is primarily residential in nature with the predominate typology being late Victorian/Edwardian terrace dwellings along Doggett Road. However it is noted that the blocks as part of the redevelopment of the old Catford Greyhound Stadium over the railway line have been completed and are occupied providing a new typology in the vicinity.

6.8 The scale of the nearby terrace dwellings are three storey on the western side of Doggett Road and two storey on the eastern side. These dwellings are set within narrow plots with matching architectural qualities such as simple material palettes and dual pitched roofs. This gives the street regularity and unity of architecture.

6.9 On the otherhand, the redevelopment at Catford Greyhound Stadium has introduced a more modern approach. The scale ranges from three to eight storeys with flat roofs and balconies. However the materials are simple in nature but of high quality with only two types of brick with mixture in blends and header varieties to provide some detail.

#### a) Scale

6.10 The outline planning application granted at appeal included an indicative elevation to show the scale of the development. On this matter, the Council felt the proposal was overdevelopment of inappropriate scale, however the Inspector made mention of scale and its impact in his report. It is stated that:

*“the parapet line of the proposed third storey, as shown, would not be out of kilter with the adjacent three storey terrace, along which building line it would stand. The floor plans and elevations indicate that the two upper storeys facing Doggett Road would be progressively stepped back, to provide visual relief. Overall, therefore, whilst the proposed building would, inevitably, be taller than the existing houses in the street, it would not be over-dominant when viewed from either Doggett Road or the railway station, in the context of the site’s unusual, tapering shape.”*

6.11 It is noted that the plans and elevations now submitted for approval match the scale of the indicative plans. The proposed development would be part two, part

three and part four storeys in scale. The two storey element would be located towards the northern end where the building tapers to match the shape of the plot. The building then steps in height towards the southern end to four storeys before stepping down again to three storeys. In relation to the existing terrace row, the building would be 1.75m higher than the eaves height at three storey level and 1.85m higher than the total height at four storey.

- 6.12 The proposed building is stepped in its design, and taking the Inspector's comments on board, it is considered that the scale would be appropriate in this location. Furthermore, the top floor is also noted as being slightly recessed at the front elevation, with the lighter Branco brick being used and articulation of the brick work providing detail to the recessed area. Therefore, while the building would be larger than the nearby terrace row, the articulation of the design would reduce any adverse harm.
- 6.13 Therefore, whilst concerns were raised by officers at outline planning stage, taking on board the appeal decision, stepped design and the high quality of materials, it is considered that the scale is acceptable.

*b) Appearance*

- 6.14 The appearance of the proposed building has changed significantly from that shown in the indicative elevations at outline stage.
- 6.15 The current application shows a more simple material palette with the principle material being Weinerberger Forum Smoked bricks. This is then divided into three types of brick, being Prata, Cromo and Branco with samples provided to officers. The bricks share the same texture however differ in colour and tonal variety with Branco being lighter, Prata having a 'sandy' appearance and Cromo being grey, similar in colour to the bricks used in the Catford Greyhound Stadium. The building is then provided with detailing such as soldier courses in the floor divisions and on the third floor and perforated brick panelling to the entrances and refuse area. The bricks are then complemented by beige/light grey coloured aluminium windows and balcony balustrades.
- 6.16 Taking into account the building layout follows a more modern approach when compared to the Victorian terrace, given the unique plot layout it is considered that the use of a more simple material palette would be appropriate to reflect the materials used in the redevelopment of Catford Greyhound Stadium. Furthermore the bricks are considered to be of high quality. Considering the above, the materials are considered to be appropriate.
- 6.17 The proposed articulation of the windows would be more generous than the indicative elevations approved at outline stage, which were narrow and mismatched windows, adding little visual interest or cohesion to the appearance. This is considered to be an improvement on the design as it would break up the mass of the four storey brick building and give it a more residential character. Furthermore, reveals are provided however the sections show variation in depths. Well proportioned reveals are considered to provide depth to the building and improve the visual appearance and therefore the reveals should be conditioned to be 200mm deep.

- 6.18 The proposed building has also removed the protruding glazed first floor bay, which was shown on the indicative elevations at outline stage. It should be noted that this was originally to be retained, however was removed on officer advise.
- 6.19 It was considered that the protrusion would be an anomaly to the otherwise simple design of the building and therefore detracted from the quality of the scheme. Its removal is considered to therefore be in line with the overall design and therefore would be appropriate.
- 6.20 Overall, the details submitted in terms of materials and articulation of the design is considered appropriate to provide an acceptable appearance.

*c) Landscaping*

- 6.21 The proposed development includes a landscaping plan and details of the hard paving and planting. Given the approved building layout covers much of the site, together with restrictions on what Network Rail find acceptable in terms of access to the adjoining platform, the level of landscaping is limited.
- 6.22 The area between the building and the highway would be a mixture of hard and soft landscaping with permeable pavers defining the route to the commercial and residential entrances. Small shrubs and lawn would be planted to soften the overall appearance, including raised planters constructed of Cromo bricks.
- 6.23 At the northern end, a Robin Hill tree would be planted. The tree would be small-medium in size growing to 2.5m in canopy girth and 7m in height. A protective grill would be placed around the tree.
- 6.24 To the rear, the landscaping consists of mostly permeable paving with small amounts of movable planters to allow access for Network Rail in the event of maintenance. The planters would include climbers to improve the green coverage and soften the appearance of the rear yard. The commercial refuse store would be to the rear surrounded by a timber screen. The boundary treatment to the rear would be closed timber boards.
- 6.25 The hard landscaping would comprise of Charcon Europa to the side and rear. To the front the paving would be Woburn Rumbled to highlight the commercial and residential entrances. The proposed materials are shown in the Design and Access Statement.
- 6.26 The scheme also includes information relating to external lighting with two types of wall mounted lighting proposed. To the front, the lighting would be directed down and up through a tubular design while to the rear, the lighting would be directed out towards the railway platform.
- 6.27 The proposed planting to the front and rear is considered to adequately soften the appearance of the development, especially given the restrictions on the land not covered by buildings. In addition, the hard materials proposed are considered to be of satisfactory quality to complement the overall appearance.
- 6.28 Therefore the landscaping details are considered appropriate in terms of design.

Housing

- 6.29 Core Strategy Policy 1, Development Local Plan Policy 32, London Plan Policy 3.5 and the London Plan Housing SPG seek to ensure that all new residential development meets minimum size standards.
- 6.30 The nationally described space standards have been released in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation and remains solely within the planning system as a new form of technical planning standard.
- 6.31 The national housing standards are roughly in compliance with the space standards of the London Plan. However there are differences in the spacing of individual rooms as well as floor to ceiling heights. In the instance of conflict, the national housing standards take precedent.
- 6.32 In terms of internal floor area, table 1 assesses the proposed dwellings against the national housing standards.

**Table [ 1 ]: Unit Size**

|                      | <b>Proposed Internal Floor Area<br/>(national housing standard)</b> |
|----------------------|---|
| <b>Flat 1 (2b4p)</b> | 71.3 (70)   |
| <b>Flat 2 (2b3p)</b> | 61.1 (61)   |
| <b>Flat 3 (2b4p)</b> | 78 (70)   |
| <b>Flat 4 (2b3p)</b> | 61.5 (61)   |
| <b>Flat 5 (2b4p)</b> | 71.3 (70)   |
| <b>Flat 6 (2b3p)</b> | 61 (61)   |
| <b>Flat 7 (2b4p)</b> | 78.8 (70)   |
| <b>Flat 8 (2b4p)</b> | 82.7 (70)   |
| <b>Flat 9 (2b4p)</b> | 97.4 (70)   |

- 6.33 As outlined above, the proposed development meets the requirements of the national housing standards.
- 6.34 The national standards include minimum room standards for single and double bedrooms as well as internal storage. In these cases, single bedrooms should be 2.15m wide and 7.5sq m in area and double bedrooms should be 2.75m wide and 11.5sq m in area. The minimum area for storage is 2sq m.
- 6.35 The majority of the dwellings meet these standards. However it is noted that proposed flat 4 would provide a double bedroom 2.3m wide and only 1.8m of storage space. However it should be noted that this flat has been reduced in floor space and size to remove the projecting bay which officers objected to on the basis of design. Therefore, while this room would not meet all the internal

standards, it is considered that, on balance, the proposed unit would be acceptable in terms of housing standards overall.

- 6.36 In addition to the internal floorspace, external amenity should also be provided to new residential development with standard 4.10.1 of the London Housing SPG setting out the baseline requirements for private open space. The standard requires a minimum of 5sq m to be provided for 1-2 person dwellings and an extra 1sq m for each additional occupant.
- 6.37 All of the proposed units has acceptable amenity area, with the exception of flat 4 which has only 3.4sq m. However, as outlined above, this was to factor in an acceptable design with appropriate internal floor area. Furthermore, at second floor level there is 56sq m of communal external amenity to offset the reduced amenity for flat 4. Therefore the level of external amenity space is considered acceptable.
- 6.38 The Council's DM Policy 32 outlines a minimum floor height of 2.5m. Whilst it is noted that the national housing standards has a minimum ceiling height of 2.3m over 75% of the gross internal area, the Mayor of London has issued a statement recommending that a minimum ceiling height of 2.5m for at least 75% of the gross internal area. This is to address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.
- 6.39 The proposed units would be provided with a floor to ceiling height of 2.5m and therefore complies with both the housing standards, Mayoral standards and Council policies.
- 6.40 DM Policy 32 outlines that new residential development shall provide accommodation of a good size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. There will be a presumption that residential units provided should be dual aspect. Any single aspect dwellings provided will require a detailed justification as to why a dual aspect dwelling is not possible and a detailed demonstration that adequate lighting and ventilation can be achieved. North facing single aspect flats will not be supported.
- 6.41 All units are dual aspect, in addition to some triple aspect units in flats 4, 8 and 9. Taking this into account, the level of sunlight/daylight, outlook and ventilation is considered acceptable.
- 6.42 It is noted that the rear of the building is located 3.5m from the boundary and the Catford Bridge station platform 1, 9m from the centre line of the Hayes railway line and 12m from platform 2. Given the residential windows in the rear elevation on the first, second and third floor levels, there is the possibility of overlooking from commuters and noise from trains adversely impacting on the amenity of future residents.
- 6.43 The issue of overlooking was raised in the previous applications by planning officers and it was felt it added to the reasons for refusal on the basis of overdevelopment. However, with regard to this matter, the Inspector stated that the visual relationship between the building and the railway would not be very different to that between a pedestrian on a street and first floor residential

windows in a building set back slightly from it. He goes on to state that this is justification for flexibility in guidelines on set backs for privacy.

- 6.44 It is also implied that with design matters reserved, measures such as window and balcony design, obscure glazing and screening could be implemented to overcome any issue of overlooking from platform level. The Inspector concluded that an acceptable degree of privacy, given the urban location, would be likely to be achievable through detailed design of the scheme.
- 6.45 The current design under reserved matters includes a solid timber fencing with climber planting with a height of 2.1m along the boundary with platform 1 of the station. The platform is 300mm higher than the site in term of ground level, however is narrow along boundary with the site. Due to the height and solid design, together with the angle view from eye level, it is considered that the proposed boundary treatment would adequately reduce overlooking into the residential windows along the rear elevation.
- 6.46 However, the proposed windows in the rear elevation have increased in number with a wider design. Furthermore, there is no obscure glazing. As described above, wider and more regular windows are considered to improve the design and therefore is an improvement on the indicative elevations which showed narrower windows. This is considered to complement the overall modern design and the introduction of another glazing bar to allow part obscure glazing would degrade this design element. Therefore the current design and articulation of windows is considered to outweigh the need for obscure glazing.
- 6.47 Taking into account the comments of the Inspector, the proposed windows in the rear elevation are considered to improve natural surveillance from living spaces within the dwellings over the station platforms. This is similar to windows overlooking a highway in front elevations or windows fronting a public park. Furthermore the rooms are primarily bedrooms and living rooms providing dual aspect together with the windows facing Doggett Road.
- 6.48 Therefore, due to the benefit in design and allowing dual aspect, obscure glazing is not considered necessary. For this reason, coupled with the screening of the boundary treatment, the level of privacy for future residents is considered to be acceptable on balance.
- 6.49 With respect to noise, no information has been provided to ensure the development would comply with the Council's guidance on internal noise levels for residential buildings. For this reason it is considered that a condition could be added requiring glazing to meet the internal standards on all residential windows within the scheme in order to make the development acceptable. This condition should be worded to ensure units achieve levels not exceeding 30dB LAeq (night) and 45dB LAm<sub>ax</sub> (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided.
- 6.50 Therefore, with the addition of the above condition, the proposed development is considered to be acceptable in terms of noise.
- 6.51 Overall, with the reserved matters now submitted for approval, the development is considered to provide acceptable standard of accommodation for future residents.

### Highways and Traffic Issues

- 6.52 The issue of highway impacts and the principle of car-free development was considered at outline permission stage. The Inspector made comments with respect of these matters.
- 6.53 The scheme has not changed in terms of quantum of development or servicing/access arrangements. Therefore these matters cannot be revisited at reserved matters stage.
- 6.54 It should also be noted that conditions were added from the outline planning permission with respect to an agreement preventing future occupiers from obtaining parking permits, cycle and refuse stores. These conditions are yet to be discharged.

### Impact on Adjoining Properties

- 6.55 London Plan Policy 7.6 states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings. In addition, DM Policy 32 requires all new residential development to be neighbourly and provide a satisfactory level of privacy, outlook and natural lighting for its neighbours.
- 6.56 It is noted that the objections from residents along Doggett Road relate to the scale of the building and reduced amenities in terms of loss of light and loss of views.
- 6.57 With respect to this matter, the Inspector stated the following:-

*Whilst residents are concerned that the proposed building would block the partly open aspect from Doggett Road over the railway line to trees beyond, a scheme for development of the land on the far side of the railway has already gained consent. The main parties disagree about the eventual height of that scheme, but the fact remains that it would alter the built form within the area and change the view which residents seek to protect. Although the appeal scheme might affect late evening sunlight reaching the dwellings on the opposite side of the street, and restrict views of sunsets, at certain periods of the year, I am satisfied, as is the Council, that those impacts would not be significantly harmful to the living conditions of occupiers and that there would be no adverse effect on levels of daylight reaching the dwellings.*

- 6.58 Since the appeal decision was made, the redevelopment of Catford Greyhound Stadium has been complete in the section opposite the subject site. As such, it is noted that the view the residents are concerned about has ultimately been changed, as stated by the Inspector.
- 6.59 The Inspector determined that the indicative scale was acceptable. As this is unchanged in the reserved matter application, and given the improvement in the design, this is considered to be unobjectionable.
- 6.60 Objections were also received with respect to the appearance and the visual amenities of residents. As noted above, the design is considered appropriate within its context given the redevelopment of the Catford Greyhound Stadium. Therefore it is considered that the development would be of acceptable quality and no adverse impact on visual amenities is likely.

- 6.61 With respect to other objections from neighbours in terms of disturbances, it should be noted that a Construction Management Plan has been conditioned by the Inspector. In addition, a condition with respect to dust suppression has been added. Whilst these conditions have not been discharged, it is considered that as they are required to be discharged prior to construction the impact can be mitigated and is therefore considered to be acceptable.
- 6.62 It should also be noted that the Inspector has discussed other issues previously raised in terms of noise, vermin, refuse etc. which included the commercial use. In these matters the proposal was not considered to be harmful. Officers consider this to still be the case.
- 6.63 Overall the matters now for approval do not result in increased harm to the amenities of neighbouring properties compared with the scheme approved at outline stage.

#### Flooding

- 6.64 It is noted that flooding has been assessed under the outline permission. This included conditions in relation to mitigation of flood risk and a scheme for the disposal of foul and surface water drainage prior to the commencement of development.
- 6.65 Taking the above into account, together with the response from the EA stating no objection to the development, officers consider the reserved matters are acceptable in terms of flooding.

### **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. In addition to the Mayoral CIL, the Council's local CIL has been adopted and is also a material consideration.
- 7.4 CIL is payable on this application and the applicant has completed the relevant form.

### **8.0 Equalities Considerations**

- 8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 8.4 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

## **9.0 Conclusion**

- 9.1 The current application relates to the discharge of reserved matters following the grant of outline planning permission through appeal in 2013 (APP/C/5690/A/12/2182849). The reserved matters include scale, appearance and landscaping.
- 9.2 The proposal is considered to be in keeping with the scale of the indicative elevations granted approval in 2013. Taking into consideration the comments from the Inspector on this matter, the scale is considered appropriate in terms of design and impact on neighbouring amenities.
- 9.3 Changes have been made to the appearance of the proposed building from the outline planning permission stage. The building is considered to relate directly to the now constructed buildings at Calford Green and complement this typology taking into account the modern approach to the materials and design articulation. Furthermore, the standard of accommodation provided through this articulation is considered to be acceptable for future residents.
- 9.4 The proposed landscaping has been dictated through its minimal amount of external space set out at outline stage and the building’s proximity to Network Rail land. Taking these matters into account, the design and appearance of the landscaping is considered to be appropriate
- 9.5 Overall, officers consider that the reserved matters are considered acceptable.

## **RECOMMENDATION**

**GRANT PERMISSION** subject to the following conditions:-

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

JDD/DRC-E01; JDD/DRC-E02; PA 775/L01; Design and Access Statement Rev A; Sustainable Urban Drainage Systems and Below Ground Drainage; Tree Pit Detail (Received 21st September 2015); PA 775/206 Rev B; PA

775/207 Rev B Proposed East Elevation with Boundary; PA 775/208 Rev B; PA 775/301 Rev A (Received 28th October 2015); PA 775/200 Rev C; PA 775/201 Rev C; PA 775/202 Rev C; PA 775/203 Rev C; PA 775/204 Rev C; PA 775/205 Rev B; PA 775/209; PA 775/210 Proposed Section; PA 775/302 Rev B; PA 775/303 Rev A; PA 775/400 Rev B (Received 5th January 2016); PA 775/207 Rev B Proposed East Elevation with Boundary (detail); PA 775/210 Rev A Proposed Section (detail) (Received 11th February 2016)

**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.

- (2)
  - (a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAm<sub>ax</sub> (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
  - (b) Prior to above ground works, details of a sound insulation scheme complying with paragraph (a) of this condition have been submitted to an approved in writing by the local planning authority.
  - (c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

**Reason:** To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- (3)
  - (a) The development shall be constructed in accordance with the landscaping strategy hereby approved under drawing no. PA 775/400 Rev B.
  - (b) Prior to above ground works, 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 and shall be completed in compliance with these details.
  - (c) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

- (4) (a) The commercial premises hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) Prior to occupation, a Design Stage Certificate for each unit (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).

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

- (5) All window and door openings shall be constructed with minimum 200mm deep external reveals.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building 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 of the Development Management Local Plan (November 2014).

- (6) (a) The development shall be constructed in those materials as submitted namely: Weinerberger Forum Smoked Cromo, Weinerberger Forum Smoked Prata and Weinerberger Forum Smoked Branco bricks, Composite aluminium/timber windows, doors and balustrades coloured Beige Grey hereby approved under drawing nos. PA 775/205 Rev B; PA 775/209; PA 775/210; PA 775/206 Rev B; PA 775/208 Rev B; PA 775/207 Rev B and Design and Access Statement.
- (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 DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (7) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building.

**Reason:** It is considered that such plumbing or pipes would seriously detract from the appearance of the building 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 of the Development Management Local Plan (November 2014).

- (8) The rear boundary shall be treated with a solid red cedar slatted timber fence 2.1m in height.

**Reason:** To ensure that the boundary treatment is of adequate design in the interests of visual and 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 of the Development Management Local Plan (November 2014).

- (9) The whole of the amenity space (including roof terraces and balconies) as shown on drawing no. PA 775/200 Rev C, PA 775/201 Rev C, PA 775/202 Rev C, PA 775/203 Rev C, hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

**Reason:** In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards of the Development Management Local Plan (November 2014).

- (10) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the third floor flat roof as shown in drawing no. PA 775/204 Rev C hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out unless for the purpose of maintenance, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- (11) Prior to occupation, the development shall be fitted with Solar Photovoltaic arrays with a total rated capacity of 5.5 kWp in accordance with the Sustainability Monitoring Form and drawing no. PA 775/204 Rev C hereby approved.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.5 Decentralised energy networks and 5.7 Renewable energy in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects and 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 discussions took place which resulted in further information being submitted.
- (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 of demolition 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) 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.
- (E) Assessment of the sound insulation scheme should be carried out by a suitably qualified acoustic consultant.
- (F) The applicant is reminded that the conditions attached to the outline planning permission granted through appeal (APP/C/5690/A/12/2182849) are still applicable to the development. This includes the conditions which remain to be discharged. For the removal of doubt, these are as follows:-
- Condition 7;
  - Condition 8;
  - Condition 9;
  - Condition 10;
  - Condition 11;
  - Condition 13;
  - Condition 14;

- Condition 15;
- Condition 17;
- Condition 18; and,
- Condition 19.