

Committee	PLANNING COMMITTEE C	
Report Title	Block D, Hatcham Park Mews SE14	
Ward	New Cross	
Contributors	Monique Wallace	
Class	PART 1	17 March 2016

<u>Reg. Nos.</u>	DC/15/91333
<u>Application dated</u>	10.03.15 as revised on 16.07.15 and 15.10.15
<u>Applicant</u>	Ms Scerri pH+ Architects on behalf of Mr Neiman
<u>Proposal</u>	The demolition of Block D at Hatcham Mews Business Centre, Hatcham Park Mews SE14, and the construction of a two storey building to create 2, two bedroom and 2, three bedroom maisonettes, together with the landscaping of the existing car parking area to create private amenity space.
<u>Applicant's Plan Nos.</u>	2(01)00, 2(02)03, 2(03)00, 2(05)03, 2014-1940-AT-107, 2014-1940-AT-108 Heritage Statement, Transport Statement, Design and Access Statement, received 10/3/15; Assured Shorthold Tenancy Agreement received 30/4/15; 2(02)00 B received 27/7/15; 2(21)00, 2(21)01, 2(21)02, 2(21)03, 2(21)10, 2(21)11, 2(21)12, 2(21)13 received 3/9/15; Title Plan_ TGL185990 received 28/9/15; 2014-1940-AT-111_C, 2014-1940-AT-112_C, 2(12)00_C, 2(12)01_C received 6/10/15; Sunlight and daylight assessment received 15/10/15; 2(12)RF D, 2(14)01 D, 2(14)03 D, 2(14)10 D, received 22/2/16 ; 2(04)02_C, 2(05)01 B, 2(05)10 B, 2(05)12 B, 2(13)02_H received 25/2/16; 2(14)12 E received 29/2/16
<u>Background Papers</u>	(1) Case File DE/315/8/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Core Strategy, - Existing Use

1.0 **Background**

- 1.1 This application was considered by Members at the meeting of Planning Committee C held on the 24 September 2015. Members resolved to defer determination of the planning application in order for Members to carry out a site visit and for drawings or information to be submitted to reflect the relationship

between the proposal and the existing properties to the south. Members also requested further information regarding the cumulative impact of the car parking proposed and the refuse storage arrangements.

1.2 Members are referred to the report considered at that meeting which is included as a full appendix to this report, and which contains a full description of the site and its planning history, the details of the application, an explanation of the planning policy background and an assessment of planning considerations.

1.3 Members attention is drawn to the following correction; Paragraph 6.22 of the committee report considered by Members advises that the proposed building would be 0.7m higher than the existing building. This is incorrect as the plans show that the measurement to the underside of the eaves is currently 2.6m and the proposed eaves height would be 4.5m creating a difference of 1.9m in height. However, the measurement from the existing ridge height to the proposed would be 2.5m. A further survey of the site shows the rear (east) wall is 3.3m in height and not 2.4m as depicted in the originally submitted drawings.

<u>Dimension</u>	<u>Existing</u>	<u>Proposed</u>	<u>Difference</u>
Eaves height	2.6m	4.5m	+1.9m
Ridge height	5.4m	7.9m	+2.5m
Rear wall/common boundary wall	3.3m	5.7m	+2.4m

2.0 Additional Information Submitted

2.1 Following the committee meeting, the applicant has submitted a daylight/sunlight assessment together with further drawings of the proposed building with the height of the existing building annotated for ease of comparison between the existing and proposed dimensions for members consideration. The drawings aim to assist in the assessment of the proposals by providing comparison plans to demonstrate the impact of the scheme.

2.2 The daylight and sunlight assessment concludes that all proposed windows and existing properties would have access to sunlight and daylight in accordance with British Research Establishment's (BRE) guidelines. This is discussed further in Section 4 of this report.

2.3 Section and elevation drawings have been provided. The drawings submitted update the original plans to include annotated dimensions and the position of the existing building superimposed on the proposed drawings.

2.4 Three additional drawings were submitted showing the front (west), north and south elevations of the proposed building, with the existing building depicted by a dotted line.

2.5 The drawings confirm that there would be a distance of 9.4m between the front of the live/work units to the southern flank of the proposed building. The drawings

also show the increase in height between the existing single storey building and the proposed two storey building which is a maximum of 2.5m.

- 2.6 Further drawings were submitted showing a swept path for refuse and emergency vehicles entering and leaving the site.
- 2.7 A Land Registry Official Title Plan (copy) was submitted in order to confirm the location and ability to use the bin storage chamber located at the west end of Block B.
- 2.8 Drawing number 2 (13) 02 Rev H shows a section of the proposed building. This drawing indicated that a wall was present between the rear wall of Block D and the gardens of the properties fronting Nettleton Road. This drawing also indicated that the eaves of the existing building would overhang this wall. The applicant has reviewed the survey drawings and this wall appears to have been drawn in error. The drawings were revised to this regard.
- 2.9 Neighbours were sent letters regarding the additional information provided on 29 October 2015.
- 2.10 Subsequent to this, a local resident contacted the applicant and advised that the revised drawings were still incorrect. After carrying out a site visit to view the application building from the resident's property, and carrying out a further survey, the drawings were again revised.
- 2.11 Revised drawing 2 (04) 02 Rev C shows that the rear wall of the existing building measures 3.3m and not 2.4m in height and that it is also the common boundary wall between the application plot and the plots with houses fronting Nettleton Road. The revised drawing also shows a roof profile which ends within the application site and does not have overhanging eaves as originally depicted. Drawing 2(13) 02 Rev H shows the proposed development in the context of the updated, existing building.
- 2.12 Officers considered it unnecessary to re-consult upon the latest drawings as the revised information clarified the existing arrangement, while the height of the proposed wall remains unchanged at 5.7m.

3.0 Consultation

- 3.1 As a result of the re-consultation exercise, further representations were received to the proposal; 10 objections and 4 comments bringing the number of representations received to 14 in total. In accordance with the Council's Statement of Community Involvement, a local meeting was held with neighbours to discuss the proposals. The issues raised in the additional letters are summarised below:

- Block D would virtually double in size and result in the Mews being overdeveloped.
- The live/work units to the immediate south have no windows on the rear so only receive light from the front therefore the development will greatly reduce the amount of light received into the live/work units.
- The proposed development would result in a loss of views.
- The proposed opaque window could result in overlooking in the future
- The proposed building would be too big for the Mews environment and Hatcham Conservation Area.

- The proposed development, together with the other buildings within the Mews recently converted to residential would result in an unreasonable level of noise
- The cumulative development of the Mews could possibly mean at least an extra 50 people plus 20-25 vehicles on a daily basis which will directly increase the noise levels.
- Insufficient parking, resulting in informal and dangerous parking arrangements.
- The access to the site is very narrow and adding additional occupiers would only exacerbate existing dangerous vehicular and pedestrian access to and from Hatcham Park Mews.
- Properties 28, 29 and 30 will be particularly affected.

3.2 The local meeting was held on 19 January 2016. The minutes of the meeting are appended to this report.

4.0 Planning Considerations

4.1 The main consideration, in addition to the considerations set out in the first report, is whether, in light of the corrections, the clarifying and additional information received, the proposal is acceptable in planning terms.

Amenity

4.2 The sunlight and daylight assessment considers all of the buildings within Hatcham Park Mews including Blocks A and B, together with properties in Nettleton Road to the east and Hatcham Park Road to the north.

4.3 The properties of particular concern to Members were the live/work units to the immediate south of the proposed development, being 27, 28, 29 and 30 Hatcham Park Mews. These properties are three storey live/work units which were granted planning permission for commercial/work space at ground floor level and ancillary residential accommodation above.

4.4 The ground floor of some of the live/work units are being used for habitable accommodation and officers note that this is reflected in the daylight and sunlight assessment submitted, which assesses the ground floors of these properties as habitable rooms.

Vertical Sky Component (VSC)

4.5 The Vertical Sky Component (VSC) section within the daylight and sunlight report assess the amount of sky which is visible from a window. The VSC for the sensitive rooms for all of the dwellings surrounding the proposal site was calculated for the 'pre' and 'post' development conditions.

4.6 The British Research Establishment (BRE) guidelines advises that existing properties should have minimum of 27% VSC, and those properties with less than 27% should not have a reduction of greater than 0.8 times (20%) the existing value which is the point at which a difference in daylight becomes perceptible. The VSC results for Nos. 27 to 30 Hatcham Park Mews demonstrate that the VSC remains well above 27% for all windows, even with the development in place. Therefore, these windows would retain an adequate amount of daylight. Notwithstanding this, the ratio of change for all windows is

above 0.8 (0.91 is the lowest recorded value) which would mean that the magnitude of change would be relatively small. Officers therefore consider that the impact from the proposed development to VSC levels would be negligible.

Access to daylight (NSL)

- 4.7 No Sky Line (NSL) is also referred to as the Daylight Distribution test and seeks to describe the change in the way daylight is allowed to penetrate into a room.
- 4.8 BRE Guidelines require that the area within the rooms from which the sky can be viewed, should not be reduced to less than 0.8 times its former value. Inspection of the results for Nos. 27 to 30 Hatcham Park Mews shows that in all cases the ratio of change is 0.8 or above. Consequently this demonstrates that there is only a negligible change in the distribution of daylight within the sensitive rooms tested.
- 4.9 None of the other nearby dwellings would be compromised by the proposal as they are too far away from the proposed development.
- 4.10 The access to daylight to the existing properties as a result of the proposed development would be reduced, but to levels which are within the BRE recommended guidelines. Officers consider that the levels of daylight to the windows of the properties immediately south of the proposal site would be marginally less as a result of the proposals, and the resultant impact, negligible and therefore acceptable.

Access to sunlight (APSH)

- 4.11 Annual Probable Sunlight Hours (APSH) is a test which quantifies the amount of direct sunlight received by a window. The results for Nos. 27 to 30 Hatcham Park Mews, show that in the existing situation, whilst there is no recorded sunlight during the winter months as the terrace faces north, these windows do receive some sunlight during the rest of the year. With the proposed development in place, the value of 'year round' APSH would not reduce. This demonstrates that the development would not have any adverse impacts on the sunlight received by the windows of these buildings.
- 4.12 Officers have reviewed the sunlight and daylight assessment, including the methodology and the surveys appended and the conclusions drawn. The results of the assessment confirm that the proposed development would result in a null or negligible change to sunlight and daylight, particularly to properties 27 to 30 Hatcham Park Mews, and Officers consider this to be acceptable.

Outlook

- 4.13 The policy requirement is to achieve a minimum distance of 9m between the flank and rear elevation of buildings but there are no such policies governing the relationship between front elevations and flanks. Therefore, the assessment is the impact to amenity of the neighbouring properties as they are currently used.
- 4.14 The existing live/work units were designed to have work space on the ground floor with residential uses above. However, officers are mindful that some of the occupiers are using this space for habitable purposes and therefore they are being considered as habitable rooms.

- 4.15 The rear elevations of the live/work units do not have any outlook in order to mitigate any overlooking to the properties fronting New Cross Road and light is gained from roof lights. The front elevations of the live/work units face north and have an outlook onto the rear of Block B and the flank of Block D. Officers are therefore aware that the front elevations of these properties provide the sole means of outlook.
- 4.16 The application proposal would result in an increased sense of enclosure to the live/work units due to the 2.5m increase in height of the proposed building. Officers consider that the design of the shallow pitched roof would go some way to minimising the impact but recognise that the scheme would result in a noticeable change.
- 4.17 On balance, officers consider that an outlook in excess of 9m, albeit onto the flank of a two storey building, is considered to be acceptable for an urban environment such as Hatcham Park Mews.
- 4.18 A neighbour has objected on the grounds that at some point, the frosted window proposed for the southern flank of the proposed building could be removed and replaced with a clear window, resulting in overlooking.
- 4.19 Officers are satisfied that a condition requiring the flank window to be obscured and fixed shut and maintained as such in perpetuity together with a condition removing permitted development rights with regard to the insertion of windows are enforceable should the window be changed or transparent window be installed in the future.
- 4.20 With regard to the revised drawings showing the existing rear boundary wall to be 3.3m high and not 2.4m as depicted on the originally submitted drawings, Officers are satisfied that the correction does not materially change Officers consideration of the proposals or the impact upon neighbour amenity.
- 4.21 In light of the above, officers remain satisfied that the level of impact from the proposed two storey building would be acceptable in terms of its impact to neighbour amenity.

Car parking

- 4.22 Members raised concerns regarding the proposed parking situation within Hatcham Park Mews, given that the site is accessed via a meandering, narrow Mews Road. Concern was also raised within regard to the increased cumulative density of the recently approved and proposed development and the implications this may have on existing parking problems within the Mews, which in turn could have implications for emergency and refuse access and pedestrian safety.
- 4.23 The proposal is for 6 car parking spaces, down from 20 which is a 70% reduction from the existing position.
- 4.24 The policy position regarding car parking is set out in the committee report appended, but the general ambition is to encourage the use of more sustainable modes of transport such as walking, cycling, public transport and car clubs/car sharing especially in areas which have high Public Transport Accessibility Levels (PTAL); the application site has a PTAL of 6a where 1 is poor and 6 is excellent.

- 4.25 The applicant has confirmed that the proposed car parking spaces are to be allocated to the four houses proposed in the current application and the two houses within Block B.
- 4.26 In order to encourage sustainable car use and to accommodate wheelchair user car parking if required, two of the car parking spaces would be conditioned to provide electric vehicle charging points, and a further two would be dedicated to wheelchair user parking.
- 4.27 The Prior Approval for the change of use of the B1 units within Hatcham Mews was granted subject to a unilateral undertaking to provide 20 car parking spaces, of which 4 Electric Vehicle Charging Points (EVCP) and 4 passive EVCPs were to be provided.
- 4.28 Officers acknowledge that 6 car parking spaces down from 20 is a significant reduction but consider that the reduction is appropriate for an urban environment which benefits from a high PTAL. Further to this, Officers are satisfied that 4 of the 6 spaces will be designated for particular user types.
- 4.29 For the reasons set out above, Officers are satisfied that the level of car parking proposed is acceptable.

Refuse storage

- 4.30 Existing bin storage is a single storey annexe attached to the western end of block B. The storage area is split into sections; refuse storage for the live/work units, refuse storage for Blocks A, B and D and utilities meters chambers.
- 4.31 A Land Registry Official Title Plan (copy) was submitted to officers in order to demonstrate that Blocks A, B and D have a right to use the bin store as was the case when Blocks A, B and D were in B1 use.
- 4.32 At the local meeting, a neighbour considered that the increase in demand for the refuse storage has rendered the existing space too small. As a remedy to the problem, the utilities meters chamber could be reduced in size in order to make the size of the refuse storage space bigger. Officers remain satisfied with the proposed location of the bin storage which is central to all users and accessible to refuse collectors, however making the refuse storage area for Blocks A, B and D larger while also implementing a management plan to ensure proper use would further benefit neighbour amenity. The requirement to investigate the reconfiguration of the refuse chamber and to provide a refuse management plan would be secured by condition if Members were minded to grant planning permission.

5.0 Local Finance Considerations

- 5.1 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).

- 5.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 5.3 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.

6.0 Equalities Considerations

- 6.1 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.
- 6.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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. In this matter, there is no impact on equality.

7.0 Conclusion

- 7.1 This application has been considered in the light of policies set out in the development plan and other material considerations. The application site is considered to be an urban environment where higher density development is encouraged where it can respect the existing plan form and neighbour amenity.
- 7.2 The sunlight and daylight assessment submitted concluded that any impact from the proposed development upon the amenities of existing neighbouring dwellings would be null or negligible.
- 7.3 Further drawings were submitted confirming the increase in height between the existing single storey building and the proposed two storey building to be 2.5m.
- 7.4 In light of the additional information submitted, officers remain satisfied that the design and impact upon the conservation area are acceptable whilst also resulting in an acceptable level of impact to nearby residential occupiers for a urban environment.
- 7.5 Officers consider that the proposed two storey building and the alterations to the forecourt as previously considered by Members accord with planning policy and, subject to conditions is acceptable.

8.0 RECOMMENDATION

Grant Permission subject to the following conditions:-

1. The development to which this permission relates must be begun not later than

the expiration of three years 3 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:

2(01)00, 2(02)03, 2(03)00, 2(05)03, 2014-1940-AT-107, 2014-1940-AT-108 Heritage Statement, Transport Statement, Design and Access Statement, received 10/3/15; Assured Shorthold Tenancy Agreement received 30/4/15; 2(02)00 B received 27/7/15; 2(21)00, 2(21)01, 2(21)02, 2(21)03, 2(21)10, 2(21)11, 2(21)12, 2(21)13 received 3/9/15; Title Plan_ TGL185990 received 28/9/15; 2014-1940-AT-111_C, 2014-1940-AT-112_C, 2(12)00_C, 2(12)01_C received 6/10/15; Sunlight and daylight assessment received 15/10/15; 2(12)RF D, 2(14)01 D, 2(14)03 D, 2(14)10 D, received 22/2/16 ; 2(04)02_C, 2(05)01 B, 2(05)10 B, 2(05)12 B, 2(13)02_H received 25/2/16; 2(14)12 E received 29/2/16

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

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

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

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

4. 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).

5. (a) No development shall commence on site until a scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved

scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2011) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

6. No development shall commence on site until a detailed plan to include measures to assess, reclaim and re-use the existing bricks and a schedule of the all external materials and finishes (including samples) and drawings scaled at least 1:10 of the windows (including glazing bars) and external doors, roof coverings, eaves and reveals to be used on the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

7. (a) No development shall commence on site until a parking and refuse and recycling management plan, including details of parking monitoring, restricted parking zones and enforcement procedures, together with details of the size of the proposed refuse store for the dwellings hereby approved, have been submitted to and approved in writing by the local planning authority.
- (b) The details of the management plan as approved under part (a) shall be implemented 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 DM Policy 29 Car parking and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

8. No development shall commence on site until the cycle parking facilities as shown on drawing 2(12)00 B has been 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).

9. (a) No development shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted to and approved in writing by the local planning authority.

- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

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

10. (a) A programme for the installation and maintenance of two electric car charging points shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) The electric vehicle charging points as approved shall be installed prior to occupation of the Development and shall thereafter be retained and maintained in accordance with the details approved under (a).

Reason: To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (July 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

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

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

12. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no flues, plumbing or pipes, other than rainwater pipes, shall be fixed on the front or either side elevation of the building.

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 of the Development Management Local Plan (November 2014).

13. No extensions or alterations to the dwellings 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).

14. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new windows to be installed in the southern flank at first floor level of the building hereby approved shall be fixed shut and fitted as obscure glazed and retained as such in perpetuity.

Reason: To avoid the direct overlooking of neighbouring properties and consequent loss of privacy thereto and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, DM Policy 32 Housing design, layout and space standards, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

15. (a) The whole of the car parking accommodation shown on drawing nos. 2 (12) 00 B hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter.

(b) Four of the 6 car parking spaces provided under provision (a) shall for the sole use of the dwellings hereby approved.

Reason: To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the buildings does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Policy 6.13 and Table 6.2 of the London Plan (July 2015).

16. Notwithstanding the details hereby approved, details of the structural integrity of the rear (west) boundary wall shall be submitted to and approved in writing, prior to the commencement of works, including demolition.

Reason: In order that the Local Authority can be satisfied that the demolition of the rear wall is absolutely necessary and to minimise, where practicable the noise and disturbance and visual amenity of the nearby residential occupiers in accordance with DM Policy 32 Housing design, layout and space standards and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

17. No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council. The TPP should

follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

Reason: To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets 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).

Informatives

- A. **Pre-Commencement Conditions:** The pre-commencement conditions hereby imposed are necessary in order to ensure the protection and wellbeing of future occupiers of the approved scheme, the amenities of neighbouring occupiers and the protection of nearby existing trees. The pre-commencement conditions are also necessary to ensure that the quality and sustainability of the development and overall management of the approved scheme would be delivered as envisaged in the planning submission.
- B. **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.
- C. 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.
- D. 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>
- E. The land contamination condition requirements apply to both whole site and phased developments. Where development is phased, no unit within a phase shall be occupied until a), b) and c) of the condition have been satisfied for that

phase.

Applicants are advised to read 'Contaminated Land Guide for Developers' (London Borough's Publication 2003), on the Lewisham web page, before complying with the above condition. All of the above must be conducted in accordance with DEFRA and the Environment Agency's (EA) - Model Procedures for the Management of Land Contamination.

Applicants should also be aware of their responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance therefore relating to their activities on site, should be obtained primarily by reference to DEFRA and EA publications.

- F. You are advised to contact the Council's Drainage Design team on 020 8314 2036 prior to the commencement of work.
- G. The assessment of the light spill and lux level at the window of the nearest residential premises shall follow the guidance provided in The Institution of Lighting Engineers, Guidance Notes for the Reduction of Obtrusive Light.
- H. 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.
- I. Drawing numbers 2014-1940-AT-107, 2014-1940-AT-108, 2014-1940-AT-111 Rev C and 2014-1940-AT-112 Rev C have been used for the assessment of the swept path analysis only as the internal layouts as depicted on the aforementioned plans do not reflect the scheme hereby approved.