

Committee	PLANNING COMMITTEE C	
Report Title	WOODSTOCK COURT, BURNT ASH HILL, LONDON, SE12 9HT	
Ward	LEE GREEN	
Contributors	LUKE MANNIX	
Class	PART 1	11 AUGUST 2016

<u>Reg. Nos.</u>	DC/15/94702
<u>Application dated</u>	04.12.2015
<u>Applicant</u>	HFBT Architects [on behalf of Mr Martin]
<u>Proposal</u>	The demolition of existing garages and stores and the construction of 8 three bedroom part two/part three storey dwellings on land to the rear of Woodstock Court, Burnt Ash Hill SE12, together with alterations to the internal vehicle access and the provision of on-site parking, communal and private landscaping, commercial and residential refuse storage and cycle parking
<u>Applicant's Plan Nos.</u>	PL-1000; EX 1001; EX 1002; EX 1003; PL-1102; PL-1103; PL-1104; PL-1110; PL-1111; PL-1112; PL-1113; PL-1114; Design and Access Statement; Transport Statement; Daylight and Sunlight Study (received 4th December 2015); PL-1001; PL-1100; PL-1101 (received 20th June 2016); Arboricultural Method Statement (received 28th June 2016); PL-1120 (received 14th July 2016)
<u>Background Papers</u>	(1) Case File LE/365/A/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	None
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application relates to an area of land to the rear of Woodstock Court, Burnt Ash Hill. The land contains garages for vehicle and private storage ancillary to the residential units, vehicle manoeuvring area and open amenity space.
- 1.2 Woodstock Court is a mixed use inter war building consisting of ground floor commercial units with residential above. The surrounding area has a mixed typology, including the shopping parade along Burnt Ash Hill, Our Lady of Lourdes Roman Catholic Church to the south and suburban semi-detached dwellings to the east.
- 1.3 The site is not located in a Conservation Area and is not a listed building.

- 1.4 The site, as well as containing garages and hard landscaping for vehicle movement, also contains a number of mature lime trees along the eastern boundary, as well as along the access roads. These trees are considered to be of moderate value providing beneficial amenity and screening. The site also contains smaller trees which are of low to no value. The site's topography slopes gently up from north to south.
- 1.5 The site has a PTAL value of 3, based on a scale of 0-6b with 6b being highest. The site has access from both Woodyates Road and Burnt Ash Hill and in the past has been used for informal parking, however it is understood that this has been reduced as the owner has clamped down on unauthorised parking.

2.0 Planning History

- 2.1 No relevant history.

3.0 Current Planning Applications

The Proposal

- 3.1 Planning permission is sought for the demolition of the existing garages and storage units at land to the rear of Woodstock Court and the construction of 8 three bedroom dwellings.
- 3.2 The dwellings would be three storeys in height with pitched roofs which follows the topography of the site (i.e. the northern dwellings are lower than the southern dwellings). The height of the buildings would be 9.7m in total and 8.4m high at the eaves. The building lines and upper floor massing would be staggered to provide entrances and amenity space.
- 3.3 The proposed materials would include Danehill Yellow brick plinth on the ground floor with natural slate tiles at the upper floors. The windows would be double glazed with aluminium PPC frame finished with RAL 7005. The ground and upper floor amenity would be bordered with PPC black metal railings and timber board fencing.
- 3.4 The scheme would utilise the existing access points from Woodyates Road and Burnt Ash Hill. Re-landscaping of the site would include a new internal road to allow vehicle movement and provide car parking. Areas of soft amenity space would be provided to the rear of the buildings as private amenity for the new dwellings as well as to the rear of Woodstock Court for communal amenity. Private amenity space would also be provided for the ground floor units at Woodstock Court.
- 3.5 Bin and bicycle stores would be located to the front of the proposed buildings. In addition, two new stores for the commercial and residential units would be provided to the rear of Woodstock Court. The refuse would be collected by refuse vehicles who would enter and exit the site from the Woodyates Road entrance.

Supporting Documents

- a) *Design and Access Statement*

3.6 Prepared by HFBT Architects dated November 2015. The document details the site context and the design approach following pre-application meetings and consultation with the nearby properties.

b) Daylight and Sunlight Study

3.7 Prepared by Right of Light Consulting dated 12 December 2014. The study assesses the impact of the proposed development on neighbouring properties using the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'

c) Transport Statement

3.8 Prepared by ttp consulting dated December 2015. The statement assesses the impact of the development on the highway, including parking and refuse collection, and advises the design of the internal road to comply with relevant vehicle movements.

d) Construction Method Statement/Logistics Plan

3.9 Dated November 2015, the document details the safety and amenity protection measures implemented on site during demolition and construction.

e) Arboricultural Method Statement

3.10 Prepared by Treework & Environmental Practice dated 23rd May 2016. It includes a tree survey with an assessment of tree quality and tree protection measures.

4.0 Pre-Application Discussions

4.1 The applicant approached the Council for pre-application advice regarding a proposal on the site in 2014. A response was issued within a letter dated 6th August 2014.

4.2 This proposal involved the construction of 9 three bedroom houses within a terrace row. The layout of the buildings was different in that the dwelling entrances faced away from Woodstock Court with private amenity space backing towards the ground floor retail units. The access road remain essentially as existing, running along the eastern edge of the site.

4.3 Officers considered that the principle of the development was acceptable. However, it was considered to create an awkward relationship with the existing units given they back onto the existing amenity space, creating poor frontage for the existing units. It was also considered that the layout adversely impacted on the amenities of the nearest units. Finally concerns were raised over the safety of pedestrians given the likely conflict between pedestrians and vehicles.

5.0 Consultation

5.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

5.2 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

5.3 Five letters of objection were received and one raising comments from residents along Pitfold Road and Woodstock Court. The following concerns were raised:-

- The garages are not redundant and therefore impacts on the benefit they provide;
- The density is too great, which adversely impacts on the amenity space and reduces the amenity for existing residents in Woodstock Court;
- Design is out of keeping with the character of the area;
- There is no benefit from affordable housing;
- The proposed development would have an adverse impact on the adjoining highway network through the need for parking;
- The internal access does not allow refuse or emergency vehicle movement;
- Negative impact on the adjoining properties along Pitfold Road in terms of loss of privacy, loss of light, loss of views, visually overbearing and noise and pollution together with construction impacts;
- Loss of greenspace with negative impacts on the biodiversity of the area and on the existing mature trees on site.

5.4 Letters are available for members to view.

Tree Officer

5.5 The site contains a number of important trees along the eastern boundary and the access roads. There are significant concerns that the proposed building works, including vehicle movement along Burnt Ash Hill, would adversely impact on the root system of these trees and therefore an arboricultural study should be undertaken.

5.6 Following these comments, an Arboricultural Method Statement was prepared and submitted to officers. The tree officer has seen the statement and raised no objections.

Highways and Transportation

5.7 No objections were received. Should planning permission be approved, relevant conditions should be added in relation to parking management plan, construction management plan, refuse and details of the internal road access.

6.0 Policy Context

Introduction

- 6.1 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)
- 6.2 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

- 6.3 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)'.
- 6.4 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

- 6.5 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 2016)

- 6.6 On 14 March 2016 the London Plan with updates to incorporate the Housing Standards and Parking Standards Minor Alterations 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 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

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

Housing (2016)

Core Strategy

- 6.8 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 5 Areas of Stability and Managed Change
Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan

- 6.9 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:

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

DM Policy 25	Landscaping and trees
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas

7.0 Planning Considerations

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

- a) Principle of Development
- b) Design
- c) Housing
- d) Highways and Traffic Issues
- e) Impact on Adjoining Properties
- f) Sustainability and Energy
- g) Ecology and Landscaping

Principle of Development

- 7.2 Housing is a priority within London, as recognised within the Borough housing targets of Policy 3.3 of the London Plan.
- 7.3 Lewisham has an annual target of 1,385 new homes per year. Spatial Policy 1 of the Core Strategy highlights that the majority of the new housing will be located within areas of regeneration such as Lewisham, Catford, Deptford and New Cross. However it is also considered that Areas of Stability and Managed Change will deliver approximately 14% of the Borough's housing requirement, including through infill development were appropriate.
- 7.4 The Council will also aim to meet the housing need of the Borough through the encouraging the provision of specific unit mixes and types. The Lewisham Strategic Housing Market Assessment (SHMA), which is used as an evidence base for the Core Strategy, highlights a need for family housing, which is defined as units with three or more bedrooms.
- 7.5 Taking into account the provision of family housing and the location, it is considered that the proposed development is in general consistent with the strategic vision of the Council's LDF.
- 7.6 It is noted that an objection raised the lack of benefit to the Borough in terms of affordable housing. Officers note that the proposal does not constitute more than 10 new dwellings, nor is it considered that the site is capable of providing 10 dwellings on the site. Therefore it is not considered to trigger the requirement for affordable housing as per Policy 1 of the Core Strategy. In any sense, this does not reduce the benefits of the provision of larger housing to the Borough.
- 7.7 The site is currently used as a mixture of garages, hard landscaping for vehicle movement, parking, servicing and refuse collection as well as communal amenity space. Under Part D of DM Policy 33, new development should retain adequate amenity space for the existing development.
- 7.8 The existing amenity space consists of 1880 sqm of lawn, as well as small planting. It is separated by an access road to a small brick building, which is presumed to be a substation, and bordered by the garages and vehicle movement space littered with refuse bins. It should also be taken into consideration the location of three parks which would be more suitable as amenity space within 15 minutes walk of the site. Therefore, whilst the amenity space is large in area, it is not considered to be of significant amenity value to the existing residents.

- 7.9 As a result of the proposed development, the amenity space would be reduced to 234 sqm of communal amenity space. It is also noted the private amenity space is also provided to the existing ground floor units. Officers acknowledge that there would be a reduction in amenity space available, however the development has the opportunity to improve the communal amenity space through appropriate landscaping, which is discussed later in the report.
- 7.10 Therefore, given the current nature of the area as well as improvements through landscaping, together with the benefits of providing family housing, it is considered that the development of the amenity space for the purposes of residential is acceptable.
- 7.11 Notwithstanding this, it is considered that development on infill, backland, back garden and amenity sites should meet the general and detailed design principles of DM Policy 33. This is in addition to the other design implications assessed against DM Policy 30 and 32 as well as an assessment of the development's impact on highways, neighbouring properties and ecology. These are detailed further below.

Design

- 7.12 Good design is listed as a core planning principle within the NPPF and therefore Core Strategy Policy 15, DM Policy 30 and DM Policy 33 requires all new development to meet the highest quality design standard.
- 7.13 DM Policy 30 goes on to outline detailed design issues under Part 5 and states that an adequate response to these matters will be required in planning applications to demonstrate the required site specific design response, including:-
- 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;
 - the clear delineation of public routes by new building frontages, with convenient, safe and welcoming pedestrian routes to local facilities and the public transport network, including meeting the needs of less mobile people and people with young children;
 - 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
- 7.14 DM Policy 33 defines infill, backland, back garden and amenity sites under paragraph 2.251, however it goes on to state that in certain instances a site will not fit squarely into one of these definitions. In these circumstances, principles will be taken from the appropriate parts of the policy.
- 7.15 The subject site is not directly accessible by a publicly maintained highway, however access is gained from existing private roads from Woodyates Road and

Burnt Ash Hill. The site is occupied by garages and vehicle movement area, which is also used to store refuse bins and communal garden space for the residents of Woodstock Court. The amenity space is not considered to be for private use and therefore is not a backgarden.

- 7.16 Taking into account the above, the site is considered to be either a backland or amenity site as defined under paragraph 2.251. Therefore the development should be assessed against the principles of Part B and D of DM Policy 33. This includes how proposed development would repair or re-provide active street frontages and increase natural surveillance.
- 7.17 It should also be noted that under Part B of DM Policy 33, gated development would be resisted in order to promote the permeability of development and allow the integration of the site within the neighbourhood. Therefore security should be maintained through design. New development should also not result in a loss of security to adjacent dwellings.
- 7.18 The site is to the rear of Woodstock Court, which is a the three storey building with a pitched roof. To the rear of the site are two storey semi-detached dwellings fronting Pitfold Road, which also have pitched roofs. These dwellings are separated from the site by 27m-34m deep rear gardens. The site has limited visibility from the public realm, with small views between the semi-detached dwellings and from the Woodyates Road entrance.
- 7.19 The proposed development would be a mix of two and three storeys, with the two storey elements having a flat roof with terraces and the three storey element having pitched roofs. The building would be 9.7m high at its highest point and 8.4m high at the eaves. However it should be noted that the buildings, at their highest point, would not be higher than the eaves of Woodstock Court.
- 7.20 The proposed materials would include Danehill Yellow brick on the ground floor with natural slate to the upper floors and roof. The windows would be made of aluminium and, on the eastern elevation, would be spread over the ground and first floors and, on the western elevation, would be spread over all the floors. Windows would also be located on the northern elevation overlooking the Woodyates Road entrance.
- 7.21 Taking into account the low visibility of the site from the public realm, it is unlikely that the scale of the proposed development would have an adverse impact on the character of the area. In addition, the development would be subservient to the existing development at Woodstock Court. Therefore the scale of the development is considered to be appropriate within the context of the existing development.
- 7.22 The proposed use of brick on the lower ground level and tiles above is considered to be appropriate in principle given these are predominate materials in the area. It is noted that there are a limited number of windows in the front and rear elevation and this is considered to impact on the visual interest of the building. However, given the addition of further windows would adversely effect privacy of the backland site, coupled with the site's low visibility, this is considered to be acceptable.
- 7.23 Overall, the materials and contemporary design is considered to be appropriate. Notwithstanding this, materials should be submitted to ensure they are of the

highest quality before the commencement of development. This should be secured through condition.

- 7.24 The building layout shows the proposed development facing onto the communal amenity space and the internal road. It is also noted that there are some windows in the northern elevation to overlook the Woodyates Road entrance. Taking this into account, it is considered that the proposal provides suitable surveillance of the communal and publicly accessible spaces as outlined in DM Policy 33.
- 7.25 It should be noted that the proposal originally included security gates in the entrances from Woodyates Road and Burnt Ash Hill. Considering gated development would not be appropriate these were removed from the proposed development. In order to ensure these routes remain open, a condition securing this should be added.
- 7.26 In summary, officers consider that the design of the scheme is acceptable within the context of the backland/amenity site whilst not adversely impacting on the provision of amenity for existing residents.

Housing

- 7.27 DM Policy 33 states that new development should provide appropriate internal amenities for future residents in line with DM Policy 32, which in turn utilises the standards of the London Plan. The Council also utilises the technical housing standards which is in line with the London Plan Housing SPG.
- 7.28 The scheme proposes eight 3b5p units set over three storeys. According to the technical housing standards, the minimum internal floorspace should be 99 sqm. In addition to this, built in storage should be 2.5 sqm. Finally, double bedrooms should be 11.5 sqm in area and 2.75m wide and single bedrooms should be 7.5 sqm in area and 2.15m wide.
- 7.29 The proposed floorplan of each residential unit follows a single template. Officers calculate the internal floor area to be 107 sqm, which meets the minimum requirement. In addition, the individual rooms meets the requirements of the housing standards.
- 7.30 The technical housing standards also state that the floor to ceiling heights should be a minimum 2.3m over 75% of the internal floor area. However, the London Plan strongly recommends a floor to ceiling height of 2.5m to account for London's heat island effect and provide appropriate amenities.
- 7.31 The applicant has provided proposed sections which show compliance with the London Plan and Technical Housing Standards.
- 7.32 DM Policy 32 and the London Plan expects new residential development to be dual aspect with appropriate room layout to provide adequate sunlight/daylight, privacy, outlook and ventilation.
- 7.33 The living rooms of the proposed dwellings are located on the ground floor, with windows located in the east elevation leading to the rear yards. Given the staggered nature of the floorplans, half of the units also have windows in the west elevation opening onto front gardens. The first floors contains bedrooms, with

windows in the east and west elevation, whilst the top floor has the main bedroom with openings onto the side terrace.

- 7.34 The proposed development would be dual aspect, as well as providing adequate natural ventilation through the openings. Furthermore, given the distance from other habitable windows, the privacy into the proposed rooms is considered to be acceptable. Finally, given the opening aspect and the distance from large structures, the units are considered to have suitable daylight/sunlight.
- 7.35 However, it is noted that half the living room windows in the east elevation are 4m from the boundary wall and the other half are enclosed either side by the three storey side elevation 4m deep. This is considered to affect the outlook and create a sense of enclosure from these rooms.
- 7.36 Whilst the outlook from these rooms are not ideal, when considered in connection with the remaining openings the level of outlook from the dwellings is deemed to be acceptable.
- 7.37 It is also noted that the main bedroom openings on the top floor look onto the terraces, which in some cases are 3.1m from the adjoining wall, and are north facing. Whilst this would impact on outlook and light, given the nature of the rooms as bedrooms, it is not considered to be unacceptable.
- 7.38 DM Policy 32 states new residential development should be provided with a readily accessible, secure, private and usable external space and include space suitable for children's play.
- 7.39 The proposed units would have private gardens provided to the rear. In addition, half of the units would be provided with gardens to the front as well. Finally, on the upper floor, the proposed development would include terraces to the side.
- 7.40 Officers consider that the amount of private open space is acceptable for future residents. In addition, it is considered to be appropriate in terms of light and privacy and suitable for family units.
- 7.41 Overall officers consider the standard of accommodation for the proposed units to be acceptable.

Highways and Traffic Issues

a) Access

- 7.42 DM Policy 33 states that new development in backland sites will only be permitted where a proper means of access and servicing which is convenient and safe both for drivers and pedestrians.
- 7.43 The proposed development would utilise the existing access points from Woodyates Road and Burnt Ash Hill. However, the current internal road would be removed and the surface upgraded to include shared surfacing for both pedestrian and vehicle use. The proposed road would be one-way, with the exception of emergency vehicles and refuse vehicles which could not exit using the Burnt Ash Hill egress point.

- 7.44 No details of the landscaping have been proposed showing the shared scheme. However, the Transport Statement included swept paths in Appendix E which showed access points could safely incorporate vehicle movement with space for pedestrian access.
- 7.45 Therefore, whilst the details have not been provided, it is considered that the principle of the access is acceptable. This shared surface should be included in a hard landscaping scheme which can be secured through condition. Any landscaping should include measures to ensure safe vehicle speeds and pedestrian movements, including speed humps and pedestrian crossings.
- 7.46 Refuse is intended to be collected by Council waste contractors utilising the internal road. The transport statement shows swept paths which outlines that refuse vehicles can utilise the access point and the internal road without issue. However, the vehicle would have to turn and leave via the access point, which would be against the one way system, which may impact on vehicle movement.
- 7.47 Officers have encouraged the applicant to find other means of refuse collection, including a management system of temporarily locating the refuse to Woodyates Road or Burnt Ash Hill however it is acknowledged that this would not be possible for a scheme of this size. In addition, without provision of refuse for existing residents and commercial units to the rear, it is likely that refuse could be stored along Burnt Ash Hill, which would not be acceptable.
- 7.48 Therefore, officers acknowledge that the system of refuse vehicles entering and exiting from Woodyates Road is the appropriate option. Moreover, it is considered that, taking into account the infrequent vehicle trips of refuse collection vehicles, this would not have a significant impact on other vehicle movements in the development. Signage would be secured as part of the Parking Management Plan regarding refuse vehicle movement to ensure that there would not be any conflict with other vehicle movements. Overall, therefore the refuse scheme is considered acceptable.
- 7.49 It is understood that the current road is not used for servicing of the ground floor commercial units. Notwithstanding this, a condition should be added restricting the use of the internal road from use by commercial servicing vehicles.
- 7.50 Therefore officers consider that the access and egress points proposed provide an appropriate means of access which is safe for pedestrians and vehicles.

b) Car Parking

- 7.51 The NPPF states that transport policies play an important role in meeting sustainable development through the promotion of sustainable modes of transporting.
- 7.52 In line with this, the London Plan seeks to find a balance between promoting sustainable modes of transport and preventing the provision of excessive vehicle parking which can undermine cycling, walking and public transport. With this in mind, new development should provide parking in line with the maximum standards in Table 6.2 of the Addendum to Chapter 6.
- 7.53 The Council also takes a restricted approach to car parking, with Core Strategy Policy 14 referencing the standards of the London Plan.

- 7.54 Under Table 6.2, new residential development formed of three bedroom dwellings should provide 1.5 parking spaces per dwelling. Therefore, for the eight proposed dwellings, a maximum of 12 parking spaces should be provided.
- 7.55 The proposed development would include one parking space to the front of each new dwelling. In addition, 17 parking spaces are provided around the edge of the access road. However these spaces are to be re-provided for the existing residents of Woodstock Court and not for any new dwelling.
- 7.56 Whilst 25 car parking spaces are proposed, only 8 would be allocated to the new dwellings. This is considered to be in line with the London Plan.
- 7.57 Officers consider that, in order to ensure the parking provided is appropriately allocated, a parking management plan should be submitted for assessment. This should also look at improving the existing informal parking along the access road from Burnt Ash Hill. This should be secured through condition.
- 7.58 The London Plan states that 20% of all spaces must be for electric vehicles with an additional 20% passive provision for electric vehicles in the future. This is to ensure the scheme incorporates sustainable private vehicles and reduce air quality impacts from the development.
- 7.59 No details of this has been shown, however officers consider that this should be conditioned to ensure compliance.
- 7.60 Overall, the level of car parking is considered to be in line with the transport policy.

c) Cycle Parking

- 7.61 In order to promote sustainable transport modes, the new dwellings should be provided with cycle parking in line with the London Plan. For 3 bedroom units, 2 cycle parking spaces should be provided.
- 7.62 Each proposed unit has two cycle parking sheds provided to the front of the dwellings. Therefore the level of cycle parking is considered to be acceptable.

d) Refuse and Servicing

- 7.63 Refuse storage is located to the front of each dwelling. Each storage unit has capacity shown for two wheelie bins. In addition to this, two storage units are shown for the residents and commercial units of Woodstock Court which are 25 sqm and 30 sqm respectively. In terms of capacity and location, officers consider that the refuse scheme is acceptable. Access by refuse vehicles is discussed above.

e) Other

- 7.64 The proposed development, given its proximity to existing residential units and the constrained nature of the site, has the ability to result in adverse impacts from construction works.
- 7.65 The application includes a Construction Method Statement/Logistics Plan, however this is not considered to cover matters such as dust suppression, noise

reduction measures, vehicle movement plans or number and type of vehicles for instance.

- 7.66 Therefore officers consider that the plan is not acceptable in mitigating any adverse impact. However, officers consider that a condition can adequately address these issues.

Impact on Adjoining Properties

- 7.67 DM Policy 33 states that development of both backland and amenity sites will only be permitted where they provide no significant loss of privacy and amenity, and no loss of security for adjoining residential development and private back gardens.
- 7.68 The proposed development would be part two/part three storeys in height. It would be situated 12m-13m from the northern arm of Woodstock Court, 13m-14m from the southern arm of Woodstock Court and 23m from the main building of Woodstock Court. In addition, the building would be 12m from the rear elevation of 6 Woodyates Road and between 28-38m from the rear elevation of 4-12 Pitfold Road. The building would be four metres from the boundary of 6 Woodyates Road and 4-12 Pitfold Road.
- 7.69 Objections have been received in relation to loss of light to the residents of Pitfold Road. There is also the possibility that the development could adversely impact on light into the windows of Woodstock Court and 6-14 Woodyates Road.
- 7.70 The applicant has submitted a daylight/sunlight study which takes into consideration the main habitable windows and garden areas in the area. This is assessed against the BRE guide standards, including tests of daylight through Visible Sky Component (VSC) and daylight distribution, sunlight availability to windows and overshadowing to gardens and amenity space. The findings are shown in the appendices of the study.
- 7.71 The study finds that in terms of daylight, the only windows that would be affected are along the ground and first floor of Woodstock Court, in particular the northern and southern section of the building. The study then asserts that the VSC to the windows are already limited given the design of the building with balconies above. In line with the BRE guide, the windows are then assessed if the balconies are not in place. The results show that the windows would otherwise meet the standards and therefore it is concluded that the impact is acceptable. No adverse impact to daylight is shown for residents along Pitfold and Woodyates Road.
- 7.72 In terms of sunlight, the study again shows that the windows most impacted are the nearest windows in Woodstock Court. These windows are noted as being significantly impacted to an extent that the level of direct sunlight is already below the recommended standard shown in the BRE guide. The reduction shown as a result of the proposed development is not significant to completely remove sunlight from these windows. The study also shows that there would be some reduction to 6 Woodyates Road, however this would not reduce the level below the recommended standards. Again, there is no adverse reduction shown to the windows along Pitfold Road in terms of sunlight.
- 7.73 The study shows that the proposed development would not result in a reduction of sunlight to the private gardens of dwellings along Pitfold Road and Woodyates

Road, nor significant reductions of sunlight to the amenity space of Woodstock Court beyond the established level.

- 7.74 Officers have given regard to the findings of the report and consider them to be accurate. Taking into account the established impact on the windows of the lower floors of Woodstock Court, the proposed development would not result in a significant increase in loss of daylight. Furthermore, taking into account the distance of the development from the nearest windows at Pitfold Road and Woodyates Road, together with the significant depth of the garden, the amount of daylight and sunlight into dwellings and gardens is considered to be acceptable.
- 7.75 Therefore officers consider that there is no significant adverse impact in terms of loss of light to neighbouring properties.
- 7.76 In terms of privacy, the policy justification of DM Policy 32 recommends a distance of 21m between habitable windows as a general rule.
- 7.77 Habitable windows would be located primarily in the east and west elevation, which is more than 21m from the nearest habitable window. Windows would also be located in the north elevation, however this would overlook the entrance from Woodyates Road and not any habitable window. Therefore officers do not consider that the proposed development would adversely impact the privacy of nearby dwellings.
- 7.78 It is noted that the proposed windows, as well as the proposed terraces, would overlook the rear gardens of 2-12 Pitfold Road which is only 4m away. Officers consider that this reduces the privacy of these gardens; however, given the nature of the garden use compared to private dwellings, it is considered that the impact is not significant enough to warrant a refusal.
- 7.79 Overall, officers consider that the level of overlooking from the proposed development would not have a significant adverse impact on the amenities of the residents.
- 7.80 In terms of impacts upon views, there are no protected views or vistas in the area and right to a view is not considered a planning matter. In terms of loss of outlook, officers consider that the separation between the proposed development and the nearest habitable windows is sufficient to not result in any significant impact.
- 7.81 Objections have been raised in relation to the visual impact on the neighbouring properties. Officers consider that the design of the building is of suitable quality, with the use of natural slate on the first and second floors to be appropriate in softening the building's appearance. In addition, the distance of separation from the main habitable windows is sufficient to ensure any impact on the visual amenities in terms of overbearing development is satisfactorily mitigated. Finally, a scheme of external lighting should be secured through condition and submitted for approval prior to the occupation of the units to ensure no adverse amenity impacts from lightspill.
- 7.82 Therefore there would be no adverse impact on the visual amenities of neighbouring residents.
- 7.83 In summary, officers consider that the impact of the proposed development on neighbouring properties is acceptable.

Sustainability and Energy

- 7.84 Following a review of technical housing standards in March 2015, the government has withdrawn the Code for Sustainable Homes from planning to be absorbed into Building Regulation requirements which will be introduced following an amendment to the Planning and Energy Act 2008. This is expected to take place later in 2016.
- 7.85 However, as an interim measure to require sustainability improvements on small scale schemes, Local Government Authority has the benefit of enforcing a Code for Sustainable Homes equivalent in terms of water and energy reduction. Specifically, these are:-
- a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and,
 - water efficiency measures to achieve a target of maximum 110 litres per person per day which includes a 5 litre allowance for external water use.
- 7.86 It is recommended that a condition be included securing this within the development.

Ecology and Landscaping

- 7.87 The site consists of communal amenity space, garages and areas of tarmac for vehicle movement. The site is not designated for any ecological or biodiversity purposes. Furthermore, the site is located in a highly built up area. Therefore the likelihood for wildlife habitats is considered to be low.
- 7.88 Taking this into account, together with the minor nature of the scheme, it is not considered necessary to undertake any ecological survey or assessment of the developments impact on endangered species.
- 7.89 Notwithstanding this, the site does have a number of mature trees on site. An Arboricultural Method Statement has been prepared and includes a tree survey which identifies 40 trees on or near the site, 34 of which could potentially be impacted as a result of the proposed development. Of the 40 trees surveyed, 23 were classified as being of moderate value. These are located along the eastern boundary of the site, along the access road from Burnt Ash Hill and along Woodyates Road.
- 7.90 As a result of the proposed development, 10 trees would be removed. These trees are either of low value due to age or location or are unclassified as they are dead and decaying. Therefore the proposed development is not considered to adversely impact on any existing trees of significant amenity or landscape value.
- 7.91 Taking into account the importance of these trees to the amenity of the area, together with screening along the eastern boundary, officers consider it appropriate to place appropriate protection measures during the construction works.
- 7.92 The supporting statement also includes tree protection measures under Appendix D. Officers consider it appropriate to condition the document to secure the measures.

- 7.93 DM Policy 25 outlines that, where appropriate, development will be required to submit a Landscape Scheme, proportionate to the size of the development. Taking into account the proposal intends to reduce the existing communal amenity space as a result of the development, officers consider that this should be offset with appropriate landscaping for the amenity of existing and future residents. In addition, considering the appropriate delineation of routes for vehicle and pedestrian movement, hard landscaping would also need to be appropriate for the safety of users.
- 7.94 The scheme outlines the general layout of hard and soft landscaping, including the internal road, indicative location of trees, shrubs and lawn and boundary treatment. Whilst officers consider the principle of the landscaping, including the layout, acceptable, detailed information of tree locations, species, measurements or pit depths, hard landscaping materials, or maintenance and management strategies have not been submitted for assessment. Therefore officers cannot guarantee that the landscaping would be of appropriate quality or suitably maintained for the lifetime of the scheme.
- 7.95 However, officers consider that a condition which requires the submission of these details could appropriately deal with this matter. In addition, officers consider that other improvements can be added to the landscaping of the communal space, such as seating.
- 7.96 Overall, officers consider that the development would have an acceptable impact on ecology, trees and, with the submission of appropriate details, would provide appropriate amenity.

8.0 Local Finance Considerations

- 8.1 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).
- 8.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 8.3 The Mayor of London's CIL, as well as the Lewisham local CIL, is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

9.0 Equalities Considerations

- 9.1 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.

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

9.3 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.

9.4 In this matter there is no impact on equality.

10.0 Conclusion

10.1 Officers consider that the principle of development of the part backland site/part amenity site for residential is acceptable. It is considered that the provision of family housing would be beneficial to the housing need of the Borough.

10.2 The site has limited views from the public realm, and officers consider that the modern appearance of the building and the proposed materials are appropriate in the context of the scheme. The proposed landscaping is appropriate in principle, however detailed matters would need to be agreed through condition to ensure it is successfully implemented.

10.3 The proposed standard of accommodation is considered to be in compliance with the relevant policy guidance.

10.4 The scheme would include a new access road within the development. Swept paths have been submitted with the application and show that the access points and internal road can incorporate safe vehicle movement and therefore it is considered to be sufficient to provide safe pedestrian and vehicle access.

10.5 The level of car and cycle parking is considered to be within the London Plan standards. Furthermore, through appropriate conditions, it is considered that the development would not have any adverse impact on the surrounding highway network.

10.6 Whilst there will be some impacts on the amenities of neighbouring properties, these are not considered to be so significant to be unacceptable.

10.7 The application has submitted evidence to ensure the scheme would be compliant in terms of sustainability as well as no adverse impacts on existing trees.

10.8 Therefore, officers have assessed the proposed development in light of the relevant policies and other material matters and consider it to be acceptable.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

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

PL-1000; EX 1001; EX 1002; EX 1003; PL-1102; PL-1103; PL-1104; PL-1110; PL-1111; PL-1112; PL-1113; PL-1114; Design and Access Statement; Transport Statement; Daylight and Sunlight Study (received 4th December 2015); PL-1001; PL-1100; PL-1101 (received 20th June 2016); Arboricultural Method Statement (received 28th June 2016); PL-1120 (received 14th July 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.

- (3) No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2016).

- (4) (a) The development shall be constructed in those materials as submitted namely: Danehill Yellow brick, natural slate tiles, aluminium windows, timber doors and PPC metal railings.
- (b) Prior to the commencement of development, a sample panel of the brick and natural slate tiles shall be constructed on site and photographic evidence submitted to and approved in writing by the Local Planning Authority.
- (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).

- (5) (a) No development shall commence on site until details of proposals for the storage and collection of refuse and recycling facilities for scheme hereby approved, have been submitted to and approved in writing by the local planning authority.
- (b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

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

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

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2016), 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.

- (7) (a) No development shall commence on site until a Parking Management Plan, which includes (but is not limited to):-
- (i) signage and details of how parking areas are defined;
 - (ii) measures to deter informal parking; and,
 - (iii) monitoring and review systems.

has been submitted to and approved in writing by the local planning authority.

- (b) The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to in perpetuity.

Reason: To ensure satisfactory parking management and reduce the impact of parking activity in accordance with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction and Policy 6.3 Assessing effects of development on transport capacity of the London Plan (2016).

- (8) (a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

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

Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with 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).

- (10) (a) Details of the number and/or location of electric vehicle charging points to be provided and a programme for their installation and maintenance 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 (2016), 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) The development hereby approved shall not be occupied until the vehicular access and the whole of the car parking accommodation as shown on plans PL-1001 Rev A and PL-1101 Rev B has been constructed and shall be retained permanently thereafter.

Reason: In order to ensure that satisfactory means of access is provided and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan (November 2014) and Table 6.2 of the London Plan (2016).

- (13) No extensions or alterations to the buildings 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) None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority. The development shall be undertaken in accordance with the Tree Protection Plan (TPP) hereby approved within the Arboricultural Method Statement.

Reason: To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and policies DM 25 Landscaping and trees and 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (15) (a) A minimum of 16 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

- (16) The buildings hereby approved shall be constructed in accordance with the approved Sustainability Statement in order to achieve the following requirements:
- a minimum 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations; and
 - a reduction in potable water demand to a maximum of 110 litres per person per day

Reason: To comply with Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (17) No vehicles, including construction vehicles, shall enter the site from Burnt Ash Hill. The access road hereby approved shall not be used for the servicing of the ground floor commercial units of Woodstock Court.

Reason: To ensure the proposed development does not result in any adverse movements on the site which may endanger residential users or cause adverse impacts on the surrounding highway network in compliance with DM Policy 33 Development of infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014) and Policy 14 Sustainable movement and transport of the Core Strategy (June 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) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- (E) 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.
- (F) The applicant is advised that Conditions 3 (Construction Management Plan), 4 (Materials), 5 (Refuse Storage), 6 (Hard Landscaping Scheme) and 7 (Parking Management Plan) require details to be submitted to the Council prior to the commencement of development, which includes demolition of the on site structures.

These details are required to ensure the design is of the highest quality and amenity and the surrounding highway network are not adversely effected as a result of the development prior to the commencement of development.