

Committee	PLANNING COMMITTEE B	
Report Title	72 Cambridge Drive SE12	
Ward	Lee Green Ward	
Contributors	Colm Harte	
Class	PART 1	02 March 2017

Reg. Nos. DC/16/098303

Application dated 11/10/2016

Applicant Apex Architecture

Proposal The demolition of the existing house at 72 Cambridge Drive SE12 and the construction of a single storey plus roofspace three bedroom dwelling house, together with the provision of cycle and bin stores.

Applicant's Plan Nos. 001; 002; 003; 100; 106; 108;110; Site Location Plan; Sustainability Statement (September 2016, Apex Architecture); Planning Statement (September 2016, Apex Architecture); CIL Form; Design and Access Statement (September 2016, Apex Architecture); Energy Statement (September 2016, Innervision Design) received 14 September 2016 102 Rev A; 103 Rev A; 104 Rev A; 105 Rev A; Arboricultural Report and Tree Survey (January 2017, Chartwell Tree Consulting) 11 January 2017

Background Papers

- (1) LE/378/40/TP
- (2) Local Development Framework Documents
- (3) The London Plan

1.0 Property/Site Description

- 1.1 The site is located on the eastern side of Cambridge Drive close to the intersection with Upwood Road. The surrounding area is primarily residential in character and is comprised of 1930's semi-detached and detached properties with generous front and rear garden areas. The existing topography of the property falls by approximately 375mm away from the street while the entire site is bounded by a 2 metre high fence which would be retained as part of the proposed development.
- 1.2 The site is currently occupied by a two bedroom bungalow that has a principle elevation facing Cambridge Drive and is located in what was part of the rear garden of 40 Upwood Road prior to redevelopment. The front elevation of the building, is positioned 5.5m from the back edge of the footway approximately 2m forward of the neighbouring property at No 70 Cambridge Drive.

- 1.3 There is a separation of approximately 16.9 metres between the existing bungalow and the rear elevation of No 40 Upwood Road and a separation distance of 1.5m to the side boundary with No 70 Cambridge Drive. The current height of the dwelling is 4.7m to the roof ridge and 2.4m to the eaves.
- 1.4 It is noted that the rear garden of 40 and 42 Upwood Road hosts a row of semi mature trees, as does the front garden of 70 Cambridge Drive, none of which are subject to Tree Preservation Orders. The site is not in a conservation area nor is the building listed.

2.0 Planning History

- 2.1 **LE/378/40/TP:** Erection of a single storey two roomed house with integral parking space on land at the rear of the 40 Upwood Road. Granted 27/01/1984
- 2.2 **DC/11/79035:** The raising of the roof and the construction of dormer extensions to the front and roof lights to the rear of 72 Cambridge Drive SE12, together with alterations to the elevations to create a three bedroom dwelling house.

Application refused under delegated authority on the 27/01/2012 for the following reasons:

Reason 1:

The proposed roof alteration and additional floor, by reason of its size, additional height, massing, design and external appearance would be an intrusive development, out of scale and character with the prevailing pattern of development in the locality as well as having a serious and adverse effect on the amenities enjoyed by occupants of neighbouring properties contrary to Policy 15 'High quality design for Lewisham' of the adopted Core Strategy (June 2011); URB 3 (Urban Design), URB 6 (Alterations and Extensions), HSG4 Residential Amenity, HSG 5 Layout and Design of New Residential Development, HSG 8 (Backland and In-fill Development) in the adopted Unitary Development Plan (July 2004).

Reason 2:

The proposed development, due to its poor quality of outlook for future occupants and poor standard of provision of outdoor amenity space would provide an unacceptably poor standard of living accommodation as a three bedroom single family dwellinghouse. The proposals are therefore contrary to Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Policies HSG 5 Layout and Design of New Residential Development and HSG 7 Gardens in the adopted Unitary Development Plan (July 2004) and the Residential Development Standards Supplementary Planning Document (August 2006).

3.0 Current Planning Application

- 3.1 The subject application proposes the demolition of the existing property and the construction of a replacement 3 bedroomed (6 person) dwelling house. The proposed development would have a similar building footprint as the existing dwelling, in terms of site coverage, however additional living space would be created within the proposed curved roof.
- 3.2 The proposed development would have a staggered building footprint, with a front setback from Cambridge Drive of between 5.3 and 7.1 metres and a rear setback of between 2 - 4 metres. The proposed dwelling would have a northern side setback of 1.5 metres and a southern side setback of between 600 mm and 4.8 metres.
- 3.3 The development would have a maximum height of 5.7 metres, measured to the apex of the curved roof. At ground floor the property would provide a kitchen, lounge and dining area along with one double bedroom with ensuite bathroom. A further two double bedrooms and bathroom would be located at upper floor level. The development would be provided with one off-street car parking space in addition to dedicated private open space located to the front and rear of the property.

Supporting Documents

- 3.4 Planning Statement (September 2016, Apex Architecture): This document provides a policy compliance overview in support of the subject application.
- 3.5 Design and Access Statement (September 2016, Apex Architecture): This document outlines the design development of the proposed scheme.
- 3.6 Arboricultural Report and Tree Survey (January 2017, Chartwell Tree Consulting): The accompanying Arboricultural Report identifies the canopy and root protection zones of trees situated within neighbouring properties and details the methodology by which the proposed development could be carried out in order to protect them.
- 3.7 Sustainability Statement (September 2016, Apex Architecture): This document provides details of the proposed sustainability measures to be included as part of the subject application
- 3.8 Energy Statement (September 2016, Innervision Design): This document provides detail as to how the proposed development will comply with relevant policy requirement as detailed within the London Plan and Council Core Strategy.

4.0 Consultation

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

4.2 Site notices were displayed and letters were sent to residents in the surrounding area and the relevant ward Councillors. Lewisham Tree Officer and the Council's Highways Officer were also consulted and their responses are detailed below.

4.3 Following submission of the application, the following internal consultee responses were received:

Highways:

4.4 Council's Highway's Officer has not raised any objection to the proposed development.

4.5 Lewisham Tree Officer:

No objection raised subject to the inclusion of appropriate condition to protect the neighbouring trees, should the application be approved.

Written Responses received from Local Residents and Organisations

4.6 In response to the proposed development 4 letters of objection were received by the Council. Comments raised within the written submissions can be categorised into the following subsections;

Overshadowing/Loss of Outlook

4.7 Residents of the surrounding properties have commented that the proposed development would restrict the outlook for the adjoining properties. Furthermore it was considered that raising the roof height and the increase in overall size of the building would obstruct sunlight and cause shadow on the adjoining properties during the majority of the day;

Design of the proposed development

4.8 Concern is raised that the proposed development, in terms of its size and building setback would be obtrusive, overbearing and out of character with the surrounding developments. Specific objection was raised regarding the proposed use of Zinc roof tiles.

Impacts upon Highways/ Parking Stress

4.9 Objections have been raised that the proposed development would lead to parking congestion on the surrounding streets as a result of the reduction in the number of off street parking spaces from two spaces to one.

Provision of the Private Open Space

4.10 Concern is raised that the proposed open space provision would be insufficient for the proposed number of people expected to live in a family house of 3 bedrooms.

Overlooking

- 4.11 Residents of the adjoining properties have commented that the ground floor bathroom window would be located immediately adjacent to the front entrance to 70 Cambridge Drive thereby allowing sharing of views between properties.

Other Concerns

- 4.12 Concern was raised that the proposed development was an example of speculative development of infill sites to maximise profit and not to benefit the area, the neighbourhood or the future occupants. As this is not a valid planning objection officers have not considered this issue any further.

Errors and omissions with the proposed documentation

- 4.13 The following errors and omissions were raised as part of the submissions
- No Heritage Statement provided in support of the application;
 - The application form is incorrect as the proposal does reduce the available parking from covered carport plus open space for 1 car to open space for just one car;
 - The application form incorrectly states that there would be a reduction in non-residential area;
 - The Energy Statement calls for the use of PV solar panels but these are not shown in the submitted elevations and would further degrade the overall appearance;
 - Concern was raised that the description of the application was misleading as the application was described as "...single storey plus roofspace...".

In regard to errors and omission as mentioned above, officers note the following

- A Heritage Statement is not required as the proposed development is not located within Conservation Area and does not impact upon a heritage asset (either designated or undesignated);
- Officers have considered the changes to off street parking and residential floor area within the body of this report;
- Drawing no 104 Rev details the location of the proposed PV solar panels;
- Officers consider that the description of development accurately reflects the proposed development.

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

- 5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

- 5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.
- 5.6 In March 2015, the Technical housing standards – nationally described space standard was adopted and sets out the minimum space requirements for residential accommodation.

London Plan (March 2015)

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

Policy 3.4 Optimising housing potential
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.18 Construction, excavation and demolition waste
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.21 Trees and woodlands
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

Housing (November 2012)

Core Strategy

- 5.9 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
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

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

5.11 The following policies are considered to be relevant to this application:

- DM Policy 1 Presumption in favour of sustainable development
- DM Policy 22 Sustainable design and construction
- DM Policy 25 Landscaping and trees
- DM Policy 29 Car parking
- DM Policy 30 Urban design and local character
- DM Policy 31 Alterations/extensions to existing buildings
- DM Policy 32 Housing design, layout and space standards
- DM Policy 33 Infill, backland, back garden and amenity area development

Planning Obligations Supplementary Planning Document (February 2015)

5.12 This document sets out guidance and standards relating to the provision of affordable housing within the Borough and provides detailed guidance on the likely type and quantum of financial obligations necessary to mitigate the impacts of different types of development.

6.0 Planning Considerations

6.1 The main issues to be considered in respect of the proposed applications are:

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

Principle of Development

6.2 DM Policy 33 of the Development Management Local Plan states that if a site is considered suitable for development, planning permission will not be granted unless the proposed development is of the highest design quality, relates successfully and is sensitive to the existing design quality of the streetscape, and sensitive to the setting of heritage assets. This includes the importance of spaces between buildings which may be as important as the character of the buildings themselves.

- 6.3 DM Policy 33 defines Back gardens as “private amenity areas that were the entire back garden of a dwelling or dwellings as originally designed”. Gardens used to be considered previously developed land (PDL) with a presumption in favour of development. This would have been the policy position when the existing dwelling was consented by the Council.
- 6.4 Gardens are no longer considered to be PDL which means that there is no longer a presumption in favour of development. This policy further states that the development of back gardens for separate dwellings in perimeter form residential typologies will not be granted planning permission.
- 6.5 The application site is not considered to be back garden land as the subject site is already a separate planning unit, that has a self-contained dwelling house. Accordingly the principle of the provision of a single dwelling house is considered to be acceptable subject to high quality sustainable design and provision of a layout which responds to the site context, and which takes account of the amenities of neighbouring properties.

Design

- 6.6 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.7 Paragraph 63 of the NPPF states that in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. In addition to this, paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 6.8 In relation to Lewisham, Core Strategy Policy 15 outlines how the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.9 DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 6.10 Further to this, DM Policy 32 of the Development Management Local Plan seeks to apply the above design principles more specifically to individual proposals. It seeks to ensure that the siting and layout of all new-building

housing responds positively to the site specific constraints and opportunities as well as to the existing and emerging context of the site and surrounding area.

- 6.11 The proposed development would appear as a single storey development (3b6p) that includes an enlarged roof element, which would enable the provision of an upper floor area.
- 6.12 The proposed the development would have a staggered building footprint with a front setback from Cambridge Drive of between 5.3 and 7.1 metres, a rear setback of between 2 - 4 metres. The proposed dwelling would have a northern side setback of 1.5 metres and a southern side setback, from the rear boundary wall of 40 Upwood Road of between 600 mm and 4.8 metres.
- 6.13 In terms of height, scale and massing, the proposed development is considered to be suitable. The building footprint of the proposed development would increase by 4 sqm (from 80sqm to 84sqm) while the building dimensions in terms of length and width would be largely in keeping with existing dwelling. It is further considered the staggered footprint would serve to articulate the dwelling, further reduce the massing and adding architectural interest.
- 6.14 The proposed development would be approximately 1 metre taller than the existing dwelling. Officers consider that when account is taken of the lower site topography, tall boundary wall/ fence and the retained or increased side and rear setbacks, the proposed changes would not result in a substantial increase in the massing particularly when compared with the existing property.
- 6.15 The acceptability of the overall built form is further deemed acceptable when the character of the surrounding properties is considered. The surrounding dwellings which address Cambridge Drive and Upwood Road are typically large two storey properties. Accordingly the proposed development would be read as subordinate single storey building.
- 6.16 Officer's note that while the massing of the proposed development would be largely in keeping the existing property, the proposed architectural vernacular would be a step change to the existing development. The proposed development would include a visually striking doomed roof which would sit above a white rendered single story base element. The roof, which would be finished in Zinc tiles, would include two projecting dormer windows and two centrally located projecting skylights windows. The proposed development has a simple design approach that is considered to have strong merit but makes the detailing of the building and proposed use of materials of vital importance to support such an approach. It is therefore necessary for the applicant to demonstrate how high quality materials and detailing will be delivered. During the course of the application, Officers have sought additional information on the proposed materials and their detailing to support the application.
- 6.17 These details confirm the use of a good quality materials. The ground floor base element throughout would be coloured white render, while the south and north (gable) elevations aligning with the roof level would feature facing brick (Anglesey Weathered buff) arranged in bands of 2 brick layers that step in and

out alternately. The development would also utilise narrow profile Crittal style windows and doors in addition to metal rainwater goods.

- 6.18 In relation to the boundary treatments and landscaping plans, the existing close boarded wooden fences of the adjoining properties and 2 metre high brick built boundary wall to the front of the property would be retained. The applicant has submitted details of the proposed hard landscaping to the front and rear of the property which is also considered to be acceptable.
- 6.19 It is therefore considered that subject to securing the quality of the materials and detailing as set out above, it is considered that the scheme as designed would result in a high quality design response.

Quality of Accommodation

Standard of Residential Accommodation

- 6.20 London Plan Policy 3.5 sets out the minimum floor space standards for new houses relative to the number of occupants. It outlines that the design of all new dwellings should include adequately sized rooms, convenient and efficient room layouts and meet the changing needs of Londoners' over their lifetimes.
- 6.21 New residential development is no longer required to meet the Lifetime Homes Criteria at planning stage which is to be delivered through Building regulations, however this remains a matter to consider to ensure that a scheme is capable of meeting this standard. Lifetime Homes Criteria seeks to incorporate a set of principles that should be implicit in good housing design enabling housing that maximizes utility, independence and quality of life. The scheme has been designed to achieve compliance with the Lifetimes Homes Standard.
- 6.22 DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision. Informed by the NPPF, the Mayors Housing SPG provides guidance on how to implement the housing policies in the London Plan. In particular, it provides detail on how to carry forward the Mayor's view that "providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods".
- 6.23 Nationally prescribed space standards were released in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation and remains solely within the planning system as a new form of technical planning standard.
- 6.24 The national housing standards are roughly in compliance with the space standards of the London Plan. However there are differences in the spacing of

individual rooms as well as floor to ceiling heights. In the instance of conflict, the national housing standards take precedent.

- 6.25 In addition to this, DM Policy 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and include space suitable for children’s play.
- 6.26 The Mayor of London published the Minor Alterations to the London Plan 2015 which states that reduces the minimum ceiling height from 2.5 metres to 2.3 meters for at least 75% of the gross internal area of the dwelling.

Table 1.1 : Residential Internal Floor Areas

Unit type	Policy requirement (GIA sq m) National Technical Standard	Proposed GIA (sq m)
3B6P (Two Storey)	102 sqm	111.1 sqm

- 6.27 The proposed development would have floor to ceiling heights of between 1.5 and 2.4 metres, with a portion of the living area being double height (4.3 metres). The applicant has detailed the 87.3 sqm (or 86%) of the minimum required floor area would have a floor to ceiling height of 2.3 meters or higher. The applicant has provided a detailed plan indicating where the floor to ceiling heights would be below the minimum of 2.3 metres. These areas would be predominantly located within the curved roof space and would be occupied by bedrooms, ensuites and storage area. Accordingly the proposed development, is considered to be acceptable and would provide a high standard of internal accommodation.
- 6.28 In terms of private open space, Standard 4.10.1 of the Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5 sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. The proposed dwelling would be provided with a rear courtyard of 13 sqm while to the front there would be an additional 34 sqm front garden area. The amenity areas would have south eastern and south western aspects respectively.
- 6.29 Officers consider that the proposed property would be afforded a suitable level of outlook and amenity. Officers therefore consider that the proposed development would be provided with an acceptable standard of accommodation.

Highways and Traffic Issues

- 6.30 The London Plan (2015) states that in locations with good public transport accessibility, car-free developments should be promoted.
- 6.31 The subject site benefits from a PTAL rating of 2/3 (moderate). The proposed development would be provided with one off street parking space, thereby resulting in the loss of one parking space. The application has been reviewed by Council's Highways Officer who has not raised any objection to the proposed development, or the loss parking, subject the securing a construction management plan by way of condition.

Servicing and Refuse

- 6.32 In regard to refuse and servicing, officers consider that the development would be serviced in the same manner as the exiting property. The applicant has provided details of the waste and cycle storage areas which would be located along the northern site boundary, adjacent to the main entrance to the site. This is considered to be acceptable.

Impact on Adjoining Properties

- 6.33 Concern has been raised from adjoining property owners regarding the height and massing of the proposed development. The proposed dwelling would have a staggered building footprint with a front setback from Cambridge Drive of between 5.3 and 7.1 metres, a rear setback of between 2 - 4 metres. A minimum side (northern) setback of 1.5 metres would be maintained while a southern side setback, from the rear boundary of the property at no 40 Upwood Road, of between 600 mm and 4.8 metres would be provided.
- 6.34 Figure 1 as shown below, details the location of the proposed dwelling in relation to the existing building footprint. The overall building footprint would remain largely as existing, with the proposed development occupying 84 sqm of site area, an increase of approximately 4sqm.
- 6.35 The building would however have a stepped plan, with a portion of the building, adjacent to the rear garden of 40 Upwood road moving forward, toward Cambridge Drive. It is noted that the existing setback would be maintained and the proposed development would be located approximately 16.9 metres from the adjoining property to the south. A similar relationship would be retained with the adjoining property a no 42 Upwood Road, where the majority of the proposed building line match the existing setback of 2 metres, with a portion to be setback by 4 metres.
- 6.36 As with the building footprint, the overall height of the property would remain largely similar, with the proposed ridgeline being approximately 1 metre above the existing property (see Figure 2). It is further noted that the stepped building line would articulate the buildings massing thereby reducing the overall appearance. Additionally, the detailing of the façade itself includes generous openings would provide texture and visual interest which would further reduce the scale and bulk of the proposal.

6.37 As a result of the introduction of the curved roof profile, the size of the gable ends would increase. Officers are satisfied however that the design would be of a sufficient high quality, through the introduction of suitable articulation and use of a mixture of complementary materials and finishes, to sufficiently mitigate against the potential overbearing impact of the proposed development.

Figure 1.

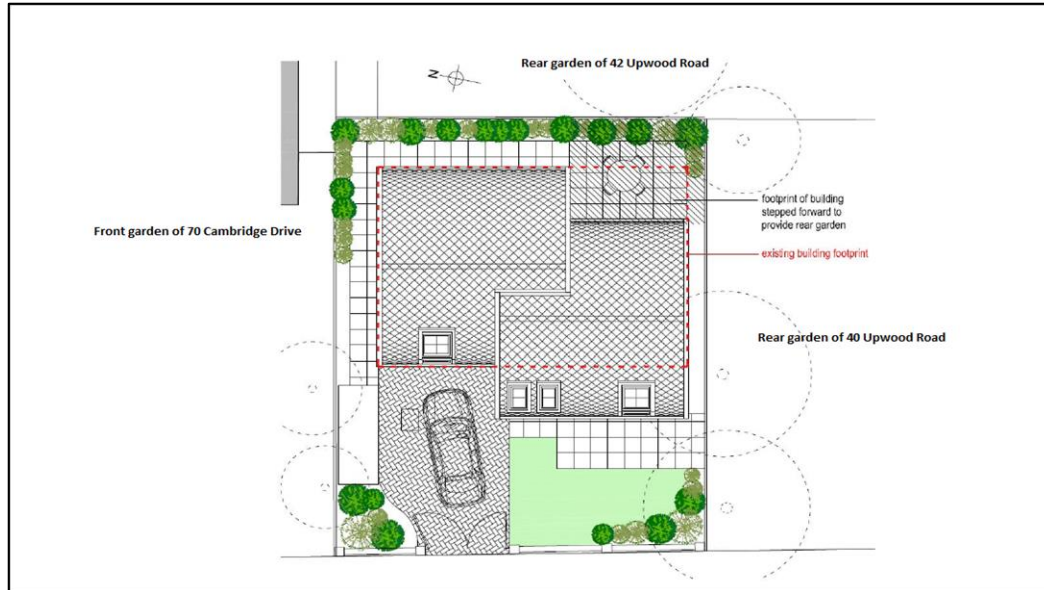
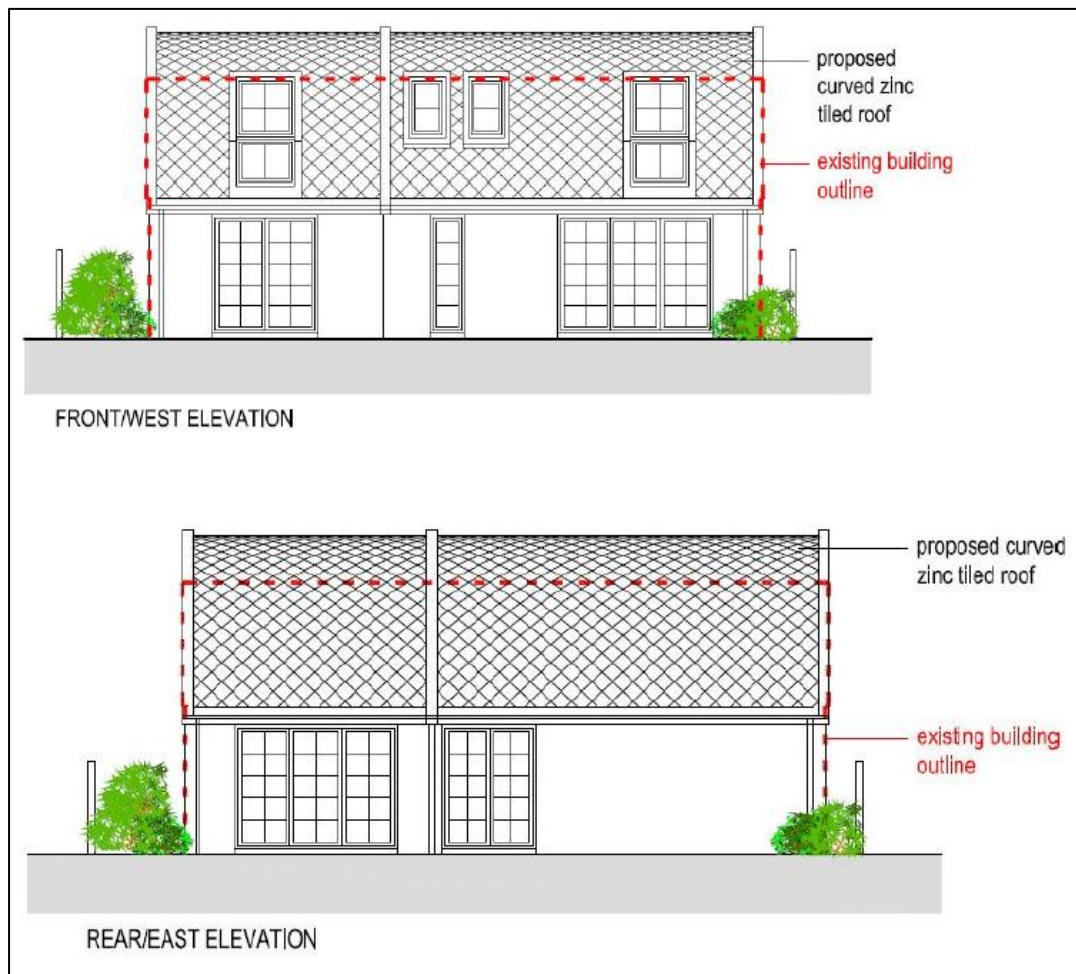


Figure 2



Daylight and Sunlight

- 6.38 Officers consider that based upon the relatively minor increase to the overall massing, the development would not result in significant overshadowing of the adjoining properties, particularly when compared to the existing conditions onsite. It is further noted that the windows located on the southern (side) elevation of the property located at 70 Cambridge Drive serve either secondary rooms such as bathrooms and hallways or serve primary habitable rooms which are served by other windows. It is therefore considered that any marginal increase in overshadowing would not significantly affect the daylight and sunlight levels received by the primary habitable rooms of the adjoining dwelling to the north.
- 6.39 With regard to the amenity spaces of the adjoining properties, it is noted that due to the orientation of the proposed development and the existing large verdant boundaries, the development would not result in a considerable negative impact upon the rear private amenity spaces of the adjoining properties at no 40 and 42 Upwood Road or 70 Cambridge Drive.

Overlooking

- 6.40 In regard to the creation of opportunities for overlooking into adjoining properties, it is noted that primary habitable rooms and associated windows would either be located at ground floor level or situated towards the front Cambridge Drive façade. It is noted however that an objection has been raised in relation to the proposed relationship between the window located within the northern façade, at ground floor level, which would serve an ensuite and the primary entrance to no 70 Cambridge Drive. In this regard officers have recommended that should the application be approved a condition be imposed requiring this window to be obscure glazed so as to mitigate any potential privacy issues.
- 6.41 It is therefore considered due to the layout of the proposed development, the separation distances between adjoining properties and the fact that the site is currently occupied by a development of similar size, the proposed development would not result in the creation of opportunities for overlooking nor would it unreasonable impact the residential amenity of the adjoining properties. The proposed development is therefore considered to be acceptable in terms of the impact upon the amenity of adjoining properties.

Sustainability and Energy

- 6.42 Core Strategy Policies 7 and 8 and Policy DM22 states that in addition to those policies in the London Plan and Core Strategy the Council will require all developments to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling. For non-major residential schemes this would now be dealt with by compliance with the building regulations. The application confirms the development would meet with energy and water requirements.

Arboriculture

- 6.43 An Arboricultural Report and Tree Survey prepared by Chartwell Tree Consulting has been submitted with the application. The report identifies the root protection zones for semi mature trees that adjoin the subject site and are located within the rear garden of the adjacent properties at 40 and 42 Upwood Road and the front garden no 70 Cambridge Drive. The submitted report concludes that provided an Arboricultural Method Statement (AMS) is provided and adhered to, the development will not impact the adjacent trees.
- 6.44 The assessment has been reviewed and is considered to be acceptable by the Council's Arboricultural Officer. Conditions are recommended to be imposed to ensure the recommendations contained within the report are carried out.

7.0 Local Finance Considerations

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

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

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

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

8.0 Equalities Considerations

8.1 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

8.3 In this particular case, it is not considered that the nature of the proposed development would result in a harmful impact upon equality.

9.0 Conclusion

9.1 This report has considered the proposals in the light of adopted development plan policies and other material considerations including information or representations relevant to the environmental effects of the proposals.

9.2 It is considered that the scale of the development is acceptable, that the building has been designed to respond to the context, constraints and potential of the site and that the development will provide a high standard of accommodation.

9.3 The NPPF is underpinned by a presumption in favour of sustainable development. Officers consider that with the recommended mitigation, planning conditions and obligations in place the scheme accords with local and national policies.

- 9.4 The proposals are considered to accord with the development plan. Officers have also had regard to other material considerations, including guidance set out in adopted supplementary planning documents and in other policy and guidance documents and the responses from consultees, which lead to the conclusions that have been reached in this case. Such material considerations are not considered to outweigh a determination in accordance with the development plan and the application is accordingly recommended for approval.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

Full Planning Permission Time Limit

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.

Develop in Accordance with Approved Plan

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

001; 002; 003; 100; 106; 108;110; Site Location Plan; Sustainability Statement (September 2016, Apex Architecture); Planning Statement (September 2016, Apex Architecture); CIL Form;; Design and Access Statement (September 2016, Apex Architecture); Energy Statement (September 2016, Innervision Design) received 14 September 2016 102 Rev A; 103 Rev A; 104 Rev A; 105 Rev A; Arboricultural Report and Tree Survey (January 2017, Chartwell Tree Consulting) 11 January 2017

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.

Construction Management Plan

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
- (g) Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage, loading and unloading of plant and materials and similar demolition activities
- (h) Measures to ensure that debris, dust and equipment cannot fall or be blown onto the adjacent properties.

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).

Materials/Design Quality

- 4. No development shall commence on site until a detailed schedule of specifications and samples of all external materials and finishes including windows, external doors, roof coverings features to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the buildings 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.

Cycle Parking

- 5. (a) A minimum of **2** secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved

- (b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) 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).

Protection of Trees

- 6. No development shall commence on site until a Tree Protection Plan (TPP) AND Arboricultural Method Statement have 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).

Landscaping

- 7. All planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

Plumbing or Pipes

- 8. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that

Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external elevations of the development hereby approved.

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

Extensions

9. 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).

Windows and Openings

10. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no windows (or other openings) shall be constructed in any elevation of the buildings other than those expressly authorised by this permission.

Reason: To enable the local planning authority to regulate and control any such further development in the interests of amenity and privacy of adjoining properties in accordance with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

Hours of Construction

11. No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, and DM Policy 32

Housing design, layout and space standards of the Development Management Local Plan (November 2014).

Retention of Trees

12. 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

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).

Energy and Water

13. (a) The residential units hereby approved shall be constructed 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
- (b) No development shall commence above ground level until a Design Stage Standard Assessment Procedure (SAP) Assessment and Water Efficiency calculations, prepared by suitably qualified assessors, shall have been submitted to and approved in writing by the local planning authority to demonstrate that the detailed design of each unit is in compliance with part (a).
- (c) Within 3 months of occupation of any of the residential units hereby approved, an As Built SAP Assessment and post-construction stage Water Efficiency Calculations, prepared by suitably qualified assessors, shall be submitted to the Local Planning Authority and approved in writing to demonstrate full compliance with part (a) for each unit.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

Wheelchair Housing

14. (a) The detailed design for the dwelling hereby approved shall meet the M4(2) standard of the Approved Document M of the Building Regulations (2015)

- (b) No development shall commence above ground level until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) The development shall be carried out in accordance with the details approved under part (b).

Reason: In order to ensure an adequate supply of accessible housing in the Borough in accordance with Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

Obscure Glazing

15. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the proposed ground floor window to be installed in the northern elevation of the development hereby approved shall be fitted as obscure glazed and retained in perpetuity.

Reason: To avoid the direct overlooking of adjoining 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).