

Committee	PLANNING COMMITTEE A	
Report Title	Sergison Cottage	
Ward	Blackheath	
Contributors	John Miller	
Class	PART 1	11 th May 2017

<u>Reg. Nos.</u>	DC/17/101323
<u>Application dated</u>	25 th April 2017
<u>Applicant</u>	Sketch London
<u>Proposal</u>	Details submitted in compliance with condition 3 (Construction Management Plan) of the planning permission DC/15/94940 dated 29/04/2016 for: Application submitted under S.73 of the Town and Country Planning Act 1990 for a Minor-Material Amendment to DC/14/89117 granted on 25/08/2015 for the demolition of Sergison Cottage, Goffers Road SE3 and the construction of a two storey four bedroom dwelling house, in order to allow for a basement beneath the approved dwelling with skylights set into the ground to the front and south eastern flank elevation
<u>Applicant's Plan Nos.</u>	Construction Management Plan, Addendum 1
<u>Background Papers</u>	(1) Case File LE/212/A/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Blackheath Conservation Area

1.0. Property/Site Description

- 1.1. The application site is located to the north east of Goffers Road, bound by Talbot Place to the north, Duke Humphreys Road and Blackheath Vale to the south and comprises a single storey (with roof accommodation) detached Victorian building, set to the rear of the site adjacent to Blackheath Vale.
- 1.2. The property is set within a central location visible from across the Heath and is within the Blackheath Conservation Area. The adjacent properties, South East House, Golf House and The Coach House are all Grade II listed. All Saints primary school, accessed via Blackheath Vale, shares a boundary with the application site, set below in the original quarry.

2.0 Planning History

- 2.1 DC/14/89117: Demolition of Sergison Cottage and the construction of a two-storey four bedroom dwellinghouse – approved 25/08/2015.
- 2.2 DC/15/94980: Application under s73 of the Town and Country Planning Act 1990 for a Minor-Material Amendment to DC/14/89117 granted on the 25/08/2015 in order to allow for a basement beneath the approved dwelling with skylights set into the ground to the front and south eastern flank elevation – approved 29/10/2016.

- 2.3 Members at Planning Committee A in the determination of DC/15/94980 requested that conditions attached to both decisions be presented to Planning Committee for approval.
- 2.4 DC/16/98931: Details submitted in compliance of condition 3 (construction management plan) of the planning permission DC/14/89117 – withdrawn.
- 2.5 DC/16/98935: Application submitted under Section 96a of the Town and Country Planning Act 1990 for a non-material amendment in connection with the planning permission DC/15/94940 in order to re-word condition 16 to allow for excavation works of the basement during term time with a 3m exclusion zone – withdrawn.
- 2.6 DC/17/100103: Details submitted in compliance of condition 3 (construction management plan) of the planning permission DC/15/94940 – Refused by Planning Committee A, 30/03/2017.
- 2.7 DC/17/100099: Details submitted in compliance of condition 3 (construction management plan) of the planning permission DC/14/89117 – Approved by Planning Committee A, 30/03/2017.
- 2.8 DC/17/10775: An application submitted under Section 96a of the Town and Country Planning Act 1990 for a Non-material amendment in connection with the Planning Permission DC/15/94940 granted 29/04/2016 for a minor material amendment to permission DC/14/89117 granted on 28/08/2015 for the demolition of Sergison Cottage, Goffers Road SE3 and the construction of a two storey four bedroom dwelling house in order to allow for: A re-wording of condition 16 in order to allow excavation works of the basement during term times of All Saints School with the exception of a 3m exclusion zone. The condition would read as follows: *No Works of excavation in connection with the approved basement shall take place within a 3-metre exclusion zone during the operation hours of All Saints School as outline in the Construction Management Plan.* Refused by Planning Committee A 30/03/2017.

3.0 Current Planning Applications

The Proposal

- 3.1 The approval of details secured by condition attached to the Planning Permission for the demolition of Sergison Cottage and construction of a new single family dwelling located over three floors including a basement.

The full discharge of condition 3 (construction management plan) is sought for the amended permission, which states the following:

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) *A structural method statement prepared by an appropriately qualified civil or structural engineer, demonstrating how the excavation, demolition and construction work (including temporary propping and other temporary works) are to be carried out whilst safeguarding the structural stability of the adjoining retaining wall*

- e) *Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-*
- *Rationalise travel and traffic routes to and from the site.*
 - *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.*
 - *Measures to deal with safe pedestrian movement.*
- f) *Security Management (to minimise risks to unauthorised personnel).*
- g) *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 (2011).

4.0 Consultation

- 4.1 As this is an application for Approval of Details, there is no requirement for formal consultation. However, Ward Councillors and the Headmistress of All Saints School were informed of the proposals given public interest.
- 4.2 Various Stakeholders including members of the public and parents of pupils at the adjacent All Saints School have commented on the previous proposals saying that they did not believe the CMP has fully addressed the issues at hand with specific reference to a different condition relating to term time digging and excavation, which has been omitted from this submission.
- 4.3 Any comments on the revised proposal will be reported to Committee. The objections to the previous proposal can be found in the report to the previous committee in Appendix A.

5.0 Planning Considerations

- 5.1 The main issue in determining the application is whether the revised details overcome the reason for refusal on the previous application to approve details (ref DC/17/100103), which was refused by Planning Committee A on 30/03/2017 for the following reason:
- Insufficient information has been provided regarding the impact of the works on the retaining wall to demonstrate that there would not be an adverse impact on the well being of children and staff at the adjacent school, contrary to Policy 5.3 'Sustainable design and construction' of the London Plan (2011).*
- 5.2 The current Construction Management Plan, through the revised scheduling of the works details, the omission of the swimming pool from the proposal and the use of a larger piling rig, sets out how the applicant intends to complete all piling and excavation work within the summer holidays of All Saints School in order to address the concerns of the committee regarding excavation work whilst the school is occupied.
- 5.3 The Construction Management Plan recognises that, although it should be possible to complete the excavation works within the six-week break, the timetable has little

contingency should the excavation works take longer than expected. The document therefore gives the details of seven experts who would need to agree if works were to continue into the school term time or if it would be safer to pause the works for a year until the next summer holiday of All Saints School (the CMP states that it would not be practicable for the site to be mobilised for works to take place over one or two week periods during other school holidays in the year).

- 5.4 The CMP no longer includes details of a 3m exclusion zone along the boundary with the retaining wall, as this is not necessary when the works are to take place during the school holidays. Were the works to overrun into term time, and a continuation of the works were deemed the safer option, the CMP details that physical barriers would be placed to separate machinery from the retaining wall.
- 5.5 The revised structural works component of the CMP is considered acceptable and it is hoped that the revised proposals will provide some reassurance to those concerned about the impact of the works. The inclusion of a contingency plan in case works overrun is considered sensible given the tight timeframe of the works. It should be noted that condition 16 restricts term time excavation and so the Council would need to approve any works that extended beyond the school holidays.
- 5.6 The sections of the CMP in relation to dust mitigation measures, the location and operation of plant and wheel washing facilities, practical measures to be employed to mitigate noise and vibration arising out of the construction process, construction traffic movements, the management of the site and training of construction workers were considered acceptable on the previous application. Details are contained in the previous report at appendix A.

6.0 Equalities Considerations

- 6.1 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.3 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. In this matter, there is no impact upon equality.

7.0 Conclusion

- 7.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 7.2 It is considered that the Construction Management Plan submitted is acceptable.

8.0 RECOMMENDATION: Approve the submitted details for condition 3 of planning permission DC/15/94940

Informatives:

A. The applicant is advised that the following conditions remain outstanding:

Pre-Demolition: None

Pre-Commencement: Condition 4 – Junctions, Condition 5- Materials and Finishes.

Prior to occupation/Ongoing: Condition 6 – Landscaping, Condition 7 - Boundary treatment, Condition 8 - Bird/Bat Boxes.

B. Please be advised that the details submitted for this application have been assessed only in relation to the condition as referred to on this application and do not provide acceptance or otherwise pertaining to any other outstanding conditions or subsequent applications.