

Committee	PLANNING COMMITTEE B	
Report Title	138 Sydenham Road	
Ward	Sydenham	
Contributors	Shikha Dasani	
Q18	PART 1	15 March 2018

<u>Reg. Nos.</u>	DC/17/105005
<u>Application dated</u>	21/12/2017
<u>Applicant</u>	March Design Associates (Agent) on behalf of Mr Adil (Applicant)
<u>Proposal</u>	Details submitted in compliance with Condition 5 (Materials) of the Planning Permission DC/17/101668 dated 10th October 2017 for the demolition of existing building at 138 Sydenham Road SE26 and the construction of a part three/part four storey building comprising 130sqm of A1/A2 retail space on the ground floor and 4 one bedroom, 2 two bedroom and 1 three bedroom self-contained flats above with the provision of 14 cycle spaces and bin storage area, together with the erection of 2 two-storey, one bedroom dwellings facing Knighton Park Road.
<u>Applicant's Plan Nos.</u>	P101 Rev A; P102 Rev A; P103 Rev A; P104 Rev A; P105 Rev A.
<u>Background Papers</u>	(1) Case File LE/180/138/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Sydenham District Town Centre Area of Archaeological Priority - Sydenham
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.-1 The application site is currently comprised of a part 1 and part 2 storey building located on the corner of Sydenham Road and Knighton Park Road. The building was last in use as two commercial units (144 sqm) on the ground floor with a residential unit located on the first floor. Ancillary structures and vehicle parking are located to the rear.

1.0 The site is not located within or adjacent to a Conservation Area nor is it a statutory or locally Listed Building or in the vicinity of a Listed Building.

2.0 Planning History

2.1 Planning application was submitted for the demolition of existing building at 138 Sydenham Road SE26 and the construction of a part three/part four storey building comprising 130sqm of A1/A2 retail space on the ground floor and 4 one bedroom, 2 two bedroom and 1 three bedroom self-contained flats above with the provision of 14 cycle spaces and bin storage area, together with the erection of 2 two-storey, one bedroom dwellings facing Knighton Park Road, which was heard at Committee B on 28th September 2017 under planning reference: DC/17/101668

2.2 The application was granted at committee B however; the approval of details (relating to the materials) was requested to be heard at committee as a result of insufficient details provided for the roof element.

3.0 Current Planning Application

3.1 The Proposal

3.2 The application seeks approval to discharge condition 5 (materials) of the above planning permission, with the condition stating that:

No development shall commence above ground level on site until a detailed schedule and samples of all external materials and finishes, windows, roof coverings and balcony treatments to be used on the buildings have been constructed as a sample panel for review by officers on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: *To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) 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.*

3.3 Plans and visuals of the proposed development including a schedule of the proposed materials have been provided along with a sample board. The materials proposed are as follows;

- External finish – Structural glass and powder coated grey (Ral 7016) fascia to commercial units; Mystic Traditional Brick & Stone Bricks with standard 5:1 sand cement mix mortar joint; white ProRend silicone monocouche render panels to front; VWZINC façade interlocking metal panel system anthracite grey (Ral 7016).
- Windows – Grey (Ral 7016) aluminium windows and frames with grey powder coated cil to match windows
- Roof covering - biodiverse roof system on four storey mixed building and on two storey dwellings mini Stonewold interlockin slate grey smooth finish concrete tiles.

- Balcony treatment – structural frameless glass balustrade with glass mounted handrail

Other – all finishes such as fascias, gutters, down pipes, building signage to be grey in colour to match windows.

3.4 Samples of the above materials were also made available for Officers to view on site.

4.0 Consultation

Internal

4.1 The Council's Urban Design Officer provided the following comments:

Urban Design: The samples shown, provide a high quality design which satisfies the external appearance of the building and general area.

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 not an issue of 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 The DCLG launched the National Planning Practice Guidance (NPPG) resource on the 6th March 2014. This replaced a number of planning practice guidance documents.

London Plan (March 2016)

The London Plan was updated on 14 March 2016 to incorporate the Housing Standards and Parking Standards Minor Alterations to the London Plan (2015). The new, draft London Plan was published by the Mayor of London for public consultation on 29 November 2017 (until 2 March 2018). However, given the very early stage in this process, this document has very limited weight as a material consideration when determining planning applications, does not warrant a departure from the existing policies of the development plan in this instance and is therefore not referred to further in this report. The policies in the current adopted London Plan (2016) relevant to this application therefore are:

- 5.6 The London Plan policies relevant to this application are:
- Policy 7.4 Local character
 - Policy 7.6 Architecture

Core Strategy (2011)

- 5.7 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:

- Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan (2014)

- 5.8 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:

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

- DM Policy 30 Urban design and local character

Residential Standards Supplementary Planning Document (May 2012)

5.10 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

6.0 Planning Considerations

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

- High quality standard design

Design, appearance and Impact on the streetscene

Proposal

6.2 Urban design is a key consideration in the planning process. The NPPF (para 56) 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 (para 57) 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.

6.3 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.

6.4 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, is sensitive to the local context, and responds to local character.

6.5 DM Policy 30 supports the Core Strategy, as it 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 and requires developments to be of a high design quality.

- 6.6 Consistent with the details and specification already provided under the original permission, the details of the materials provided are of highest quality design.
- 6.7 A site visit was carried by Officers on 19th January 2018 where it was noted that the sample materials provided relate well to the character and appearance of the area, in line with Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.
- 6.8 Officers are therefore satisfied that the submitted information and samples demonstrate that the external finishes of the buildings will be of high quality, complying with the requirements of the condition.

7.0 Human Rights Act

- 7.1 Under the Human Rights Act 1998, the Council must not act in any way, which is incompatible with the rights referred to in the Act. Officers do not consider there to be any Human Rights Act implications arising from this application.

8.0 Conclusion

- 8.1 It is considered that the proposal would exhibit high quality design, whilst being in keeping with the character and appearance of the area. Therefore, in light of the above material details submitted, the proposed development is considered acceptable and is recommended for approval.
- 9.0 **RECOMMENDATION: APPROVE PERMISSION to discharge condition 5 of planning permission DC/17101668 dated 10th October 2017.**

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) Please be advised that the information submitted for this application, has been assessed only in relation to the materials condition (5) as referred to in this application and do not provide acceptance or otherwise pertaining to any other outstanding conditions or subsequent applications.

(c) You are advised that Condition 5 has been discharged and the following conditions are still outstanding:

Condition 3 - Construction Management Plan

Condition 4 - BREEAM

Condition 6 - Physical Fit out

Condition 7 - Refuse and Recycling

Condition 8 - Cycle

Condition 9 - Living roof

Condition 10 - Privacy screening

Condition 16 - Noise