

Committee	PLANNING COMMITTEE B	
Report Title	62 Sunderland Road, SE23 2PY	
Ward	Perry Vale	
Contributors	Simon Vivers	
Class	PART 1	7 June 2018

Reg. Nos. DC/17/103895

Application dated 03/10/2017

Applicant Findlay Fraher Sunderland Ltd

Proposal Demolition of existing building and construction of a part two, part three storey building comprising 2 x 2 bedroom and 4 x 1 bedroom self-contained flats, together with associated landscaping and refuse and cycle storage at 62 Sunderland Road, SE23

Applicant's Plan Nos. 1612PL001 Rev P01; 1612PL002 Rev P01; 1612PL003 Rev P01; 1612PL004 Rev P01; 1612PL005 Rev P01; 1612PL006 Rev P01; 1612PL007 Rev P01; 1612PL008 Rev P01; 1612PL010 Rev P01; 1612PL011 Rev P01; 1612PL013 Rev P01; 1612PL014 Rev P01; 1612PL015 Rev P01; 1612PL018 Rev P01; 1612PL019 Rev P01; 1612PL022 Rev P01; 1612PL023 Rev P01; 1612PL024 Rev P01; 1612PL025 Rev P01; Design & Access Statement; Structural Condition Report, Construction Management & Logistics Plan; Planning Statement; Transport Assessment (received 3 October 2017); 1612PL009 Rev P02; 1612PL012 Rev P02; 1612PL016 Rev P02; 1612PL017 Rev P02; 1612PL020 Rev P02; 1612PL021 Rev P02; 1612PL022 Rev P02 (received 22 December 2017); Heritage Statement, Building Condition Survey (updated); Market Appraisal (received 23 March 2018)

Background Papers (1) Case File LE/420/62/TP
(2) Local Development Framework Documents
(3) The London Plan

Designations (1) Local Open Space Deficiency
(2) Not in a Conservation Area
(3) Area of Special Local Character
(4) Undesignated Heritage Asset
(3) PTAL Rating 3

Screening N/A

1.0 Property / Site Description

Subject Site

- 1.1 The application site comprises a 2-storey detached property that accommodates two self-contained flats located on the west side of Sunderland Road at its junction with Gaynesford Road. The building faces both roads, however the primary frontage is to Sunderland Road.
- 1.2 The site has an area of 490m², with frontages of approximately 42.0m to Sunderland Road and 23.0m to Gaynesford Road. The land has a slope from north to south. The existing building sits at the western boundary of the site, and has setbacks of approximately 4.5m to Gaynesford Road and 7.5m to Sunderland Road, which are consistent with the surrounding pattern of development.
- 1.3 Perrymount Primary School is located opposite on the eastern side of Sunderland Road. Other than the school, the area is residential in nature, and characterised by semi-detached or detached two storey properties.

Site and Surrounding Context – the Christmas Estate

- 1.4 The property has an Edwardian Villa topology (known as a Christmas House). Christmas Houses are the predominate form of development on the western side of the Sunderland Road and both sides of Gaynesford Road.
- 1.5 Mapping indicates that the subject property (together with a run of neighbouring properties to the west) was constructed between 1912 and 1916.

Site Designations and Constraints

- 1.6 The site and Christmas Estate area is not currently designated as a Conservation Area or affected by any associated Article 4 direction, and the building is not locally or statutorily listed. However, the Estate is recognised as an Area of Special Local Character, which is a form of non-designated heritage asset. The Estate is proposed to be designated as a Conservation Area, however at this point this designation does not apply.
- 1.7 The site is not located in the vicinity of any locally or nationally listed buildings. The site has a PTAL rating of 3.

2.0 Planning History

Planning Application

- 2.1 DC/16/099620 - Demolition of existing building and the construction of a part two/part three-storey with basement building at 62 Sunderland Road, SE23 comprising 4, one bedroom, 3, two bedroom and 1, three bedroom self contained flats, together with shared communal garden and provision of bike and bin storage

Planning permission refused 31 March 2017 for the following reasons:

1. The application fails to suitably justify the demolition of the existing building, which is considered to make an important contribution to the character of the area, and its subsequent loss would detract from the established pattern of development, contrary to DM Policy 2: Prevention of loss of existing housing and DM Policy 30: Urban design and local character of the Development Management Local Plan (2014).
2. The proposal, by reason of poor design and excessive scale and massing, would appear as an incongruous addition to the streetscene that would substantially over-develop the prominent corner site, emphasised by the proposed building failing to respect the character and proportions of the neighbouring 'Christmas' dwellings, or the established front and rear building lines, whilst the close proximity to side and rear boundaries would compromise the proposed standard of accommodation by virtue of

poor outlook, contrary to Core Strategy Policy 15: High quality design for Lewisham, and DM Policy 30: Urban design and local character, DM Policy 32: Housing design, layout and space standards of the Development Management Local Plan (2014).

3. The proposed building would appear as an overbearing form of development that would significantly harm neighbouring amenity by increased sense of enclosure, overshadowing and reduced outlook, contrary to DM Policy 32: Housing design, layout and space standards of the Development Management Local Plan (2014).
4. The scheme would provide insufficient cycle parking, whilst failing to suitably demonstrate that the car free development would not result in an unacceptable increase in parking levels to neighbouring streets, contrary to Policy 6.9 Cycling of The London Plan 2015 (amended 2016) and Core Strategy Policy 14 Sustainable movement and transport (2011).

Pre-Application Advice

- 2.2 PRE/17/099620 – Pre-application advice given regarding the submission of a revised scheme.
- 2.3 It was advised that a residential development could be supported by Council, however further work would be necessary to develop a design response that is carefully considered in relation to the wider context of the site. The scale and quantum of the development would also need to be reduced in order to retain the openness of the corner and stop the proposed development dominating this space.
- 2.4 It was also advised that in addition to the quality of the proposed building, the principle of development would be required to be adequately justified, proving that the cost would be unreasonable to bring the property back to a satisfactory standard.

3.0 Background

- 3.1 The 'Christmas Estate' was laid out as a comfortable middle class suburban development in 1903/4. The streets are lined with semi-detached houses of similar size, built form, consistent building line and spacing, set behind front gardens. There is a strong cohesiveness to the character and detailing of the houses due to a limited palette of traditional materials and common design elements. Ted Christmas was a joiner by training and his houses stand out exquisite examples of their time within the south of the borough for their distinctive and high quality joinery and detailing, many of which have been locally listed in recent years. The Christmas Estate is the largest and most coherent group of buildings in the borough built by Christmas (1867-1936). The buildings include personal trademark elements of Ted Christmas and have significant local distinctiveness. The area is in a generally good state of preservation with high levels of survival of original elements.
- 3.2 The estate is recognised as an Area of Special Local Character (a form of undesignated heritage asset), with the following addresses being identified as original Christmas Houses: Numbers 131 to 153 (odd) Perry Vale; Numbers 58 to 72 (even) Sunderland Road; Numbers 2 to 36 (even) and 11 to 23 (odd) Gaynesford Road, Kilcare and Highlands, South Road; Westcroft and 24 and 26 and 49 to 55 (odd) Church Rise.
- 3.3 The Council has undertaken preliminary processes to facilitate designation of the estate as a Conservation Area including mapping and preparation of a Conservation Area Character Appraisal, however this has not progressed to public consultation stage. The area remains undesignated.

3.4 It is noted that Areas of Special Local Character are not mapped online (only higher order conservation such as designated Conservation Areas and statutorily Listed Buildings are mapped). The site was identified by Council's officers as an Area of Special Local Character during the assessment of the second/subject application on the site.

4.0 Current Planning Application

4.1 The application seeks approval for the demolition of the existing building and construction of a part two, part three storey building comprising 2 x 2 bedroom and 4 x 1 bedroom self-contained flats, together with associated landscaping and refuse and cycle storage.

4.2 The proposed building would generally replicate scale and footprint of the original building at the western boundary and Gaynesford Road frontage, but would infill towards the Sunderland Road frontage, with a setback of 3.6m (reducing to 2.5m between bay windows and the boundary).

4.3 The proposal would have a contemporary appearance, with main facing materials consisting of "Peterson Cover" tiles to the roof and corner projection, corten steel detailing around doors, red brick and concrete pillar detailing around bay windows. Windows are proposed to be slimline aluminium variants.

4.4 The main access point would remain at Sunderland Road (serving four of the units), and direct street access would be provided from ground floor units 1 and 2 to Gaynesford Road.

4.5 The proposal would include a dedicated basement area for cycle storage (with cycle ramp), and would also include an enclosed communal refuse storage enclosure at the Sunderland Road frontage.

4.6 Details of conceptual landscaping have been provided, and includes communal areas at the Sunderland Road frontage towards the sites corners, as well as dedicated private outdoor space for ground floor units. A replacement tree is proposed to be planted as part of the application at the Sunderland Road frontage.

4.7 The proposal would have the following accommodation:

Table 1 - Accommodation

Unit type	Unit size (GIA)	Policy requirements	Room sizes (approximate)
Flat 1			
1b2p	74m ²	GIA: 58m ² PoS: 6m ²	Living/kitchen: 31.5m ² Bedroom: 15.5m ² Office/Guest Room: 15.5m ² PoS: 48m ²
Flat 2			
1b2p	64m ²	GIA: 58m ² PoS: 6m ²	Living/kitchen: 27.5m ² Bedroom: 12.0m ² Office/Guest Room: 12.0m ² PoS – 24.6m ²
Flat 3			
2b3p	64m ²	GIA: 61m ² PoS: 7m ²	Living/kitchen: 33m ² Bedroom 1: 11.9m ² Bedroom 2: 9.3m ² PoS – 21.4m ²
Flat 4			
1b2p	76m ²	GIA: 58m ² PoS: 6m ²	Living/kitchen: 31.3m ² Bedroom: 13.0m ² Office/Guest Room: 16m ² PoS: 0m ²
Flat 5			
1b2p	73m ²	GIA: 58m ² PoS: 6m ²	Living/kitchen: 35.8m ² Bedroom: 14.3m ² Office/Guest Room: 12m ² PoS: 0m ²
Flat 6			
2b3p	69m ²	GIA: 61m ² PoS: 7m ²	Living/kitchen: 37.4m ² Bedroom 1: 11.7m ² Bedroom 2: 9.0m ² PoS – 0m ²

4.8 Ground floor units 1 & 2 and first floor units 2 & 5 (all units facing towards Gaynesford Road) would include a split level portion, with a stacked bedroom/office arrangement. It is noted that these units have potential for an increased density with offices used as a secondary bedroom; however, the application is being considered in the layouts as proposed.

4.9 The following supporting documents have been submitted as part of the application:

- Design & Access Statement, prepared by Fraher Architects;
- Structural Condition Report, prepared by Constant Structural Design;
- Building Condition Survey (amended), prepared by Metcalfe Briggs Surveyors;
- Construction Management & Logistics Plan, prepared by Fraher Architects;
- Planning Statement, prepared by Icen Projects Ltd;

- Transport Assessment, prepared by Paul Mews Associates;
- Heritage Statement, prepared by Icen Projects Ltd;
- Market Appraisal, prepared by Sebastian Roche.

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 Adjoining occupiers, Perry Vale Ward Councillors and the Forest Hill Society were notified of the application, and a site notice was displayed. Council's Highways and Environmental Sustainability departments and Transport for London were also consulted as part of the application.

Summary of consultation actions

- 5.3 The application was re-consulted twice (therefore three times in total). The initial 21-day consultation attracted 31 objections.
- 5.4 A local meeting (drop in session) was held at Perrymount School 4 December 2017. 15 people confirmed attendance at the drop in session.
- 5.5 The first re-consultation was due to the submission of revised drawings which altered the elevation treatment at Gaynesford Road to provide for a contemporary design to the building as whole (detailed further within the design section of this report). This consultation was for a period of 14 days, and attracted 25 objections.
- 5.6 The second re-consultation was due to the Council's findings of the site being within an Area of Special Local Character. This warranted the submission of further information in the form of a Heritage Statement, amended Building Condition Report (containing additional information) and a Market Appraisal of the building. This consultation was for a period of 21 days, and attracted 22 objections.
- 5.7 Over the three consultations, 78 objections were received, with the responses received through re-consultation building on original grounds of objection. No responses were received in support of the application.

Written Responses received from Local Residents and Organisations

First Consultation

- 5.8 Objections were received from 31 parties in objection to the proposed development. These were predominately from residents of the immediate surrounding residential area (within the Christmas Estate). The Forest Hill Society and Councillor Wise also objected to the application. The main grounds of objection arising from the first consultation are as follows:
- Loss of a 'Christmas House', partly justified on an erroneous interpretation of the status of the property and it having less original detailing (having been stripped out of Christmas House details over time);
 - Lack of effort by the Council in proceeding with designation of Christmas Estate as a Conservation Area;

- Proposal as a whole due to its scale and modern detailing is out of character and harmful to the character and setting of the wider area;
- Proposal would establish an undesirable precedent in terms of both the principle of demolition of a heritage property and the quality of the appearance of the replacement building;
- Insufficient justification in terms of structural condition of existing building and the viability of works to make good (in particular, the lower purchase price reflected that works would be necessary and structural faults which are demonstrated are not excessive for a building of its age);
- Leveraging the cost of repair of the existing building to gain planning consent fundamentally an unacceptable approach;
- Expert peer review should be undertaken to assess structural condition and costs of refurbishment;
- Acceptability of proposal at the outset given the principle of development (of demolition) considered unacceptable under application DC/16/099620 *“Officers consider the building to be an important feature of the streetscene and this prominent corner location, therefore the principle of demolition would be unacceptable.”*;
- Loss of a form of affordable housing;
- Existing unlawful use of the property as a HMO (house in multiple occupation)
- Proposal is not in keeping with surrounding context and pattern of development, through sitting substantially forward (approximately 4.0m) of the uniform Sunderland Road building line;
- Excessive footprint and scale and insufficient setback to Sunderland Road symptomatic of over development, and the proposal would be out of proportion with neighbouring site coverages;
- Dormers (at Gaynesford Road frontage) are not in keeping with wider context of area (only evident at western neighbour - 23 Gaynesford Road);
- Clash between detailing of each frontage, as well as excessively modern and “abstract” detailing at Sunderland Road frontage (amended by revised drawings);
- False doors at Gaynesford Road confusing and poor design (amended by revised drawings);
- Roof pitch at Gaynesford Road excessively steep, and only in keeping with western neighbour;
- Limited access to light and poor outlook for bedrooms in Flats 1 and 3 (windows face towards western neighbour);
- Poor internal layouts (pinch points, cramped areas, attic rooms accessed via perpendicular stairs);
- Overlooked private outdoor spaces;
- Proposal would give rise to an increased demand in on-street car parking, and car free would be not adhered to in reality. Site is within an area of existing parking stress in the area, largely due to Perrymount Primary School;

- Proposal would give rise to traffic conflicts due to location at a busy intersection and in proximity to a school;
- Transport Assessment has been erroneous, and does not reflect exact conditions;
- Construction traffic and amenity impacts;
- Construction impacts in relation to subsidence in area;
- Increased overlooking and loss of daylight/sunlight to western neighbour, through increased footprint at this boundary;
- Poor internal accessibility (lack of a first floor lift); and
- Poor precedents referred to in supporting documents

Drop-in session

- 5.9 Given 31 objections were received, a Local Meeting was carried out in the form of a drop-in session In accordance with Lewisham's Statement of Community Involvement.
- 5.10 15 representees attended the drop-in session, which was held at Perrymount Primary School on 4th December 2017. Present at the drop in session were Council's planning officers and architect and agent representatives.
- 5.11 No additional matters were raised (comments accorded with the summary of responses as outlined above). The main issues discussed related to the principle of demolition, conservation matters and the design of the proposal.

Second Consultation

- 5.12 At Council's request, revisions were made to the application to provide a contemporary design to both frontages, as well as to create two entrances to ground floor flats at the Gaynesford Road elevation.
- 5.13 A re-consultation occurred (14 day), which attracted 25 objections, with additional points of objection summarised below:
- Modern appearance is further at odds with the local character, and fails to reference the style of neighbouring buildings;
 - Proposal fails to take into account comments made at drop-in session regarding the principle of development and conservation matters; and
 - Materials unacceptable (in particular concrete pillars and corten steel doors and surrounds, roof being red terracotta and not slate and large extents of Peterson brick cladding)

Third Consultation

- 5.14 Upon Council's findings during the assessment that the site was within an Area of Special Local Character, further information was requested by Council in order to comply with the conservation based Development Management policies which became applicable. This resulted in the submission of a Heritage Statement, Marketing Appraisal and a strengthened Building Condition Report. Given this information informs the principle of development, this information warranted a full 21 day re-consultation (despite not altering plans of development).

5.15 A re-consultation occurred (21 day), which raised the following additional comments. This section also includes conservation and demolition responses from the original consultation in more detail:

- The economic viability of the proposal should take into consideration the (low) purchase price (£750,000). Other Christmas Houses are worth £950,000 +;
- Purchase price should not include stamp duty and associated purchasing costs, as this inflates price further (to £820,000);
- Applicant has not provided a valuation of the existing building and site (required by Development Management Policy 38). The submitted letter focuses only on the refurbishment; Property has not been marketed for a reasonable period at a price reflecting its condition (also required by DM Policy 38);
- Costs to resolve subsidence and structural issues (£168,000) excessive;
- Works to upgrade insulation (£56,000) are excessive, inflates the refurbishment costs and should be considered as an optional improvement (i.e. would not be required in order to refurbish existing flats, and other Christmas Houses would not have this level of insulation); Quote also includes allowing for a separate planning application for external wall insulation which would be unlikely to gain consent;
- Refurbishment costs excessive (plastering – £52,700, new timber sash windows - £31,700);
- Upgrade of electricals (10-15 years old) not necessary – not excessively old;
- Need for underpinning (identified as necessary in Metcalfe Briggs Surveyors report) not soundly evidenced in other reports;
- Energy efficiency insulation to external walls not normal practice on residential property with solid wall construction;
- Price paid not a relevant starting point (potentially a premium was paid presuming demolition possible), only a fundamental issue (such as contamination, condemned state etc.) should make demolition necessary, not economic matters;
- Nearby 139 Sunderland Road demolition rejected on appeal due to subsidence;
- Heritage Statement dismisses the communal value which no. 62 adds to the area and refuses to acknowledge the contribution of Ted Christmas in the design of the building; Secondary weighting/hierarchy afforded to properties which don't form the original named properties (see site characteristics part of report for relevance); Houses were built by Ted Christmas but in later years have less detail but this doesn't diminish their heritage value;
- Missing chimney stacks and replaced roof tiles are not uncommon on older properties and should not influence the demolition of the property – can be fixed;
- Internal works (stripping of original detail) not of relevance to external appearance and setting, therefore should not be of influence when considering heritage value.

Transport for London

5.16 No objection, subject to the inclusion of 8 cycle spaces, in line with London Plan standards.

Highways & Transportation

- 5.17 While it is accepted there is parking stress in the near vicinity of the site, the parking survey suggests there is the capacity to accommodate any over-spill parking. No requests for additional studies were made.
- 5.18 No objection, subject to conditions in relation to construction management, provision of step-free cycle access and a standard waste management condition.
- 5.19 Copies of all representations are available to Members to view.

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 In March 2016, the London Plan (as amended) was adopted. 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 of the adopted London Plan 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 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 5.3 Sustainable design and construction
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 8.3 Community infrastructure levy

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
- Core Strategy Policy 1 Housing provision, mix and affordability
- Core Strategy Policy 15 High quality design for Lewisham
- Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

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 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 32 Housing design, layout and space standards
- DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest
- DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets

Supplementary Planning Document (August 2006, Updated 2012)

6.11 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.

7.0 Planning Considerations

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

- Principle of Development
- Design & Scale
- Standard of accommodation
- Impact on Adjoining Properties
- Highways and Traffic Issues

Principle of Development

Main policy considerations and framework

7.2 The aim of development Management Policy 2 (Prevention of loss of existing housing) is to ensure that Lewisham's existing housing stock is maintained and adequately replaced, and any housing loss clearly justified. Given the proposal would result in an uplift of accommodation, this policy is not considered applicable to the application at hand. Furthermore, demolition aspects raised under DM Policy 2 are satisfactorily captured under DM Policies 37 and 38.

7.3 The subject site forms part of the Christmas Estate, which is identified as an Area of Special Local Character and which is a form of undesignated heritage asset. It is intended that this ASLC will in future form a designated Conservation Area, however at this point this has not occurred. Notwithstanding, DM Policy 37 (Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest) provides a conservation framework for assessment of the proposal. Specifically, DM 37 (6) and (7) require that:

6. Development in areas of special local character should sustain and enhance the characteristics that contribute to the special local spatial, architectural, townscape, landscape or archaeological distinctiveness of these areas.

7. The Council will resist demolition of unlisted buildings in areas of special local character where these contribute to architectural and townscape merit and local distinctiveness of the area.

7.4 DM Policy 38 (Demolition or substantial harm to designated and non-designated heritage assets) provides the policy framework for demolition of all heritage assets (from those undesignated through to Grade II Listed Buildings). It is noted that broadness of the policy does not specifically reduce requirements in line with the designation hierarchy, however DM Policy 38 allows greater weight to be given according to their importance. Relevant to the proposal are DM 38(1), (3a), (5) and (6). These are included below:

1. Heritage assets are an irreplaceable resource and the greater the importance of the heritage asset, the greater the weight will be given to its conservation. Proposals for the demolition of, or substantial harm to a heritage asset will require clear and convincing evidence...

3. Where applicants cannot demonstrate substantial public benefits all of the following will be taken into account in order to justify the loss or harm:

a. the significance of the asset, architecturally, historically, contextually, and any communal value. The greater the significance of the heritage asset, the greater the weight will be given to its conservation.

6. Where demolition or substantial harm is proposed on the ground that repair is not economically viable, the Council will require full supporting evidence, for example:

a. a valuation of the existing building and site

b. a full survey identifying the repairs required

c. development costs, including a costed schedule of repairs

d. an estimate of the value of the repaired property, including potential yields

e. evidence that the property has been marketed for a reasonable period at a price reflecting its condition.

7.5 In summary, the Council will resist demolition of buildings in an Area of Special Local Character where these contribute to architectural and townscape merit and local distinctiveness of the area, and where demolition is proposed it shall be assessed in accordance with above points of DM Policy 38.

Contribution of building to Area of Special Local Character

7.6 Mapping records indicate that the existing building has been constructed between 1912 and 1916, together with a run of properties west of the site fronting Gaynesford Road. While the property does not form one of the earlier Christmas Houses (constructed around 1906, and bearing the letters of family names), it is recognisable as an original Christmas House through the architectural detailing and being constructed through the same phase as others within the estate. It is noted houses within in the estate which were built later generally have slightly less detail than those built earlier. Regardless of this factor, the architecture of all Christmas Houses is highly distinctive and well preserved Christmas dwellings strongly contribute to the area regardless of when built.

7.7 The site is prominent within the Christmas Estate, given its corner location and visibility along both Gaynesford and Sunderland Road. The site is central along the Sunderland Road run of Christmas Houses and at the eastern end of the Gaynesford Road, but forming an entrance point to the well preserved run of houses on both sides of this road.

7.8 The existing building reads as part of the estate, but is of different proportions to other properties most notably through a different roof typology, higher eaves and different window proportions. It is also noted that by virtue of the two frontages, the property appears to have been designed differently, evident by its triangular footprint. Other than

the established building lines, the property does not closely match neighbouring properties (for example, semi-detached pairs to the west have more consistency in detail and massing proportions).

7.9 The building has been subject to a number of unsympathetic external changes. Most notable is the loss of the chimney which has made the building appear truncated. Other unsympathetic changes include pebbledash render at the southern elevation, installation of unoriginal replacement roof material, some replacement uPVC windows and inappropriate boundary treatment. It is evident that the building is the least well preserved of all buildings within the Christmas Estate.

7.10 However, regardless of the building poorly preserved condition and its differing design, it contributes to the distinctive local character of the area due to its historic interest as an original Christmas building, including how it addresses both road frontages (in particular its consistent front setbacks with neighbouring buildings), and has value in its contribution of the completeness to the estate. Additionally, the large setback provides an open character to the junction of Sunderland and Gaynesford Roads.

7.11 The Council's Conservation department have objected to the proposal, in terms of both the principle of development and quality of the replacement building. Detailed comments are as follows:

- The proposal would introduce a building of a different type and architectural language into the area and would bear no relationship to the size and form of the houses that make up the special interest of this area.
- The design and elevational treatment of the proposed building is out of character and an incongruous to the area. It is not considered to be a successfully contextual response. It would also step forward from the established building line and as such would be singularly incongruent with the established pattern of 'Christmas' housing development.
- The footprint of the new building would extend excessively. The result would present a substantial departure from the existing spatial pattern where traditionally a distinction was made between 'formal front garden' and private generous amenity space to the rear. The front and rear gardens to the houses make an important contribution to the character of the area, providing openness and visible greenery that create a distinctive suburban setting to the 'Christmas' Houses.
- In this case the harm to the heritage asset, specifically the demolition of it and the affect it is considered to have to the townscape value of the area is substantial. The harm is unmerited since the public benefit (the provision of housing) is achievable in less damaging ways.

Justification for demolition

7.12 The applicant has justified the demolition based on the repair of the property not being economically viable. In support of this, a Building Condition Survey (updated 19 March 2018) has been submitted, together with a Marketing Appraisal and Structural Condition Report.

- *Structural Condition Report*

7.13 The Structural Condition Report outlines that the building is in structurally poor condition due a combination of settlement, joist deterioration, insufficient building ties and defective retaining walls. Cumulatively, this has resulted in extensive cracking in ceilings and walls. The report recommends that inadequacies in the existing structural fabric has causes a number of worsening defects to the property, and proposing substantial works in the form

of concrete underpinning or piling, installation of replacement timber joists, the undertaking of remedial strapping (fixing between floors and walls) and strengthening of retaining walls with a secondary retaining mechanism. Following these fundamental works, cracking would be able to be fixed.

7.14 The Structural Condition Report is supported by evidence of the buildings condition (in particular, of extensive visible cracking) which has been verified by Council's officer when inspecting the site.

- *Building Condition Survey*

7.15 The Structural Condition Report informs the Building Condition Survey. The survey makes the following conclusions and recommendations:

- The property requires substantial structural improvements including underpinning and repair of cracks both internally and externally;
- The energy efficiency of the property is very poor and will require substantial work to improve the properties rating, although it will be considerably below that achievable by a modern property; and
- The property as a whole is generally in a poor condition requiring significant structural refurbishment works, upgrades to the external façade and a number of internal upgrades in order to bring the building up to a satisfactory state.

7.16 The total cost of the structural works is approximately £344,000 (£270,000 without energy efficiency works). The total cost of the refurbishment works required to bring the property to a high standard for the selling market is approximately £311,500. Therefore, the total cost for structural and refurbishment works is approximately £654,500 (£580,500 without energy efficiency works). Including the purchase price, refurbishment works, internal insulation and structural repairs the project cost totals approximately £1,400,000 - £1,475,500 (figures adjusted following reduction in re-plastering costs).

7.17 It is noted that the costings are based on the refurbishment of the property maintaining two self-contained two bedroom units, and not the conversion back to a single dwelling. This approach is considered acceptable, given the existing use of the property as two units, together with a number of surrounding Christmas Houses also having been converted into units.

7.18 A extracts of the summary of works is included below:

Table 2 – Overall Costs (Structural Works)

62 Sunderland Road - Overall Costs

Element	Description	Cost
External		
Roof	Replace missing and broken tile to porch roof.	£ 100.00
	Carry out isolated roof repairs above front bedroom.	£ 1,500.00
	Renew flat roof coverings	£ 3,500.00
Chimney Stacks		£ -
Rainwater Goods		£ -
External Walls	Stitch bond cracks/ties (includes internal works).	£ 15,000.00
	Remove Ivy and repoint brickwork.	£ 3,500.00
	Repoint external walls in isolated areas.	£ 2,500.00
	Renew render plinth.	£ 2,000.00
	Replace pebbledash render.	£ 2,500.00
	Repair cracked cills.	£ 1,500.00
	Form retaining wall.	£ 5,000.00
Foundations	Underpinning including removal of floors.	£ 100,000.00
External Joinery	Repairs to fascia, soffit and barge boards.	£ 1,200.00
External Decoration	Redecorate external elements.	£ 6,000.00
Internal		
Floors	Insert floor straps and carry out repairs.	£ 20,000.00
Ceilings	Cut out cracks and repair ceilings.	£ 1,500.00
Internal Partitions etc	Internal decoration.	£ 10,000.00
	RegROUT tiles.	£ 500.00
Internal Joinery	Make good around windows.	£ 500.00
	Service and repair doors.	£ 1,800.00
Services		
Electrical	Upgrade electrics	£ 2,000.00
Gas		£ -
Water		£ -
Heating		£ -
Sanitaryware	Service.	£ 600.00
	Sub Total	£ 181,200.00
	Contractor Preliminaries @12%	£ 21,744.00
	Contractor Overheads & Profit @ 12.5%	£ 22,650.00
	Total Construction Costs excluding Energy Efficiency works	£ 225,594.00
Consequential Works		
Energy Efficiency	Consequential works involving kitchens, bathrooms, wiring etc associated with the internal insulation option.	£ 11,400.00
	Contractor Preliminaries @12%	£ 1,368.00
	Contractor Overheads & Profit @ 12.5%	£ 1,425.00
	Total	£ 14,193.00

* Table above does not include costs for energy efficiency upgrades. Total construction costs in table excludes 20% VAT

Table 3 – Refurbishment Costs

62 Sunderland Road - Refurbishment Costs

Element	Description	Cost
External		
Roof	Replace pitched roof coverings	£ 16,000.00
	Upgrade insulation	£ 2,200.00
	Scaffolding	£ 10,000.00
Windows	Renew with timber sliding sash	£ 31,725.00
Front Entrance door	Renew	£ 900.00
Internal		
Replumb	Strip out and renew inc hot and cold water.	£ 8,000.00
Underfloor heating	Install underfloor heating including lifting floor boards	£ 6,500.00
Electric Rewire	Strip out and renew.	£ 10,000.00
Light Fittings	High spec light fittings.	£ 2,200.00
New Kitchens	Strip out and renew.	£ 20,000.00
New Bathrooms	Strip out and renew.	£ 10,000.00
Additional En-suite	Form partitions, new suite, tiling, flooring, electrics etc.	£ 11,600.00
Replaster	Hack off and replaster walls and ceilings	£ 52,710.00
Redecoration	Redecorate each flat.	£ 12,000.00
Internal doors	Replace internal doors	£ 12,000.00
Fitted Joinery	Renew architraves and skirting boards.	£ 7,040.00
	Sub Total	£ 212,875.00
	Contractor Preliminaries @12%	£ 25,545.00
	Contractor Overheads & Profit @ 12.5%	£ 26,609.38
	Total Refurbishment Costs	£ 265,029.38

* Total refurbishment costs in table excludes 20% VAT

- 7.19 The above table shows the total refurbishment costs covering both units. The applicants Building Surveyor has confirmed that the refurbishment would reflect a high marketable standard. The overall estimating is confirmed to be based on a combination of pricing books published by the RICS and tender experience with similar projects in current market conditions.
- 7.20 Following review of the costings submitted, the applicant provided further justification and a breakdown of cost for both significant or unclarified remedial and refurbishment works. In terms of remedial works, a detailed breakdown of the costings and steps for foundation remedial works was provided. This includes costings and justification for removal of the floor, concrete underpinning, piling, retaining wall strengthening and remedial works to floors. Officers are satisfied that the remedial works are adequately justified.
- 7.21 Justification was also provided regarding the refurbishment costs, in particular in relation to provision of new timber framed windows, kitchens, doors, internal and external redecoration, energy efficiency works and justification for other non-essential works (under floor heating and creation of en-suites). It is noted that on recalculation, the costings for the plastering was reduced from £51,710 to £45,000 (due to door openings being included in original areas). Overall, officers are satisfied that the refurbishment costs are adequately justified. It is noted that the argument for a high end refurbishment is considered justified, when viewed in particular with the comparable listings in vicinity to the site (namely 58 Sunderland Road).

- 7.22 Copies of the further justification information is available for all members to view.
- 7.23 While not shown in above tables, it is noted that the costings include works which would be considered non-essential, such as upgrades to the energy efficiency of each unit (up to £75,000). While desirable, this is not considered a fundamental element in refurbishing the property. Energy efficiency aside, officers are satisfied that the poor state of the existing building warrants the extent of repair and refurbishment proposed.
- *Marketing Appraisal*
- 7.24 The submitted marketing appraisal summaries that if the flats were completely refurbished as outlined in the Building Condition Survey, each unit would attract a sale price of circa £550,000, and a per month rental value of £1,550. Should only remedial works occur, each unit would attract a sale price of circa £500,000, and a per month rental value of £1,300.
- 7.25 Council's searches of nearby properties has indicated that the above figures are accurate based on the following comparable listings:
- A two bedroom unit situated at 23 Gaynesford Road (adjoining neighbour to the west) is listed at £425,000.
 - A two bedroom unit situated at 9 Gaynesford Road is listed at £450,000.
 - A two bedroom unit situated at 58 Sunderland Road is listed at £549,000.
 - Two bedroom units situated at Siddons Road and Normanton Street are listed for rent at £1,400 and £1,500 per calendar month.
 - Surrounding two bedroom units in typical terrace arrangements at Shipman and Aylward Roads and Wesbourne Drive are listed at between £400,000 - £500,000, which indicates that a premium is attached to a Christmas House property.
- 7.26 Both rental properties are in either new or refurbished condition, which indicates that the appraised £1,550 rental price when refurbished to a high standard is accurate. In terms of the comparable properties for sale, 9 Gaynesford Road is converted into at least five units, whereas 23 Gaynesford Road and 58 Sunderland Road are converted into two units and are therefore more accurate comparisons. Of the two, 58 Gaynesford Road has the more modern refurbishment. On this basis the appraised sale prices of £550,000 (refurbished) and £500,000 (remedial works only) are considered accurate.
- 7.27 The information provides that the more major and expensive structural elements (foundations, repair of cracking, insertion of floor straps and formation of a strengthened retaining wall) alone would cost around £140,000. Together with the purchasing cost of £820,000 (including legal fees), this equates to £960,000 which is approaching the circa £1,000,000 marketable sale price (£500,000 per unit) if remedial works only were undertaken. When the total remediation costs are considered, the works are shown to exceed the total marketable sale price by £46,000 before inclusion of any (non-essential) energy efficiency improvements. In the event that remedial works could be done more conservatively, they would still be expected to be unviable in relation to the marketable sale price.
- 7.28 In this regard, it should also be noted that the appraised £500,000 sale price for each unit (remediation only) would substantially exceed the listing price of the two bedroom unit located at 23 Gaynesford Road, which appears to be in superior condition.

- 7.29 As outlined in the market appraisal, when refurbished to a high standard the units would be expected to have sale price of circa £550,000, which is in accordance with the listed price of 58 Sunderland Road, which has been refurbished to a high standard. Building on the remediation works, the total refurbishment costs are estimated at an additional £265,000, which takes the price to £1,311,000, or £211,000 beyond the estimated sale price for the property after a high standard refurbishment. As with the remediation costs, in the event that refurbishment works could be done more conservatively (for example, excluding under floor heating [£6,500], fully re-plastering walls and ceilings [£52,000] and creation of en-suite bathrooms [£11,600]) it would still be unviable in relation to the expected market price.
- 7.30 Given the poor state of the existing building, it is considered reasonable that the extent of refurbishment outlined in Table 3 is required. On this basis, the information demonstrates that repair of the property is not economically viable, and therefore satisfying DM Policy 38(6).
- 7.31 While the assessment does not include a valuation of the existing building and site or marketing of the property at a reasonable period reflecting its condition, it is considered that the level of information is satisfactory, and proportionate for an unlisted building (both locally and statutorily) within an Area of Special Local Character.
- 7.32 While the fundamental attributes of the existing building and its contribution to the distinctiveness of the area are noted, it is in a poor and worsening condition, its repair is demonstrated to not be economically viable and furthermore, it is not considered a high quality example of a Christmas House. On this basis, officers consider that the demolition of the building is acceptable in principle. However, the acceptability is tied to the standard of the proposed replacement building. With this in mind, the Council would only accept a design which would be of the highest quality and relates successfully to the existing streetscape, provides a good standard of accommodation for future occupiers, has acceptable impact on the amenity of adjoining occupiers and is provided with appropriate servicing.

Design

- 7.33 Paragraph 63 of the National Planning Policy Framework 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'. 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'.
- 7.34 Urban design is a key consideration in the planning process. Part 7 of 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.
- 7.35 London Plan Policies 7.1-7.7 (inclusive) and Core Strategy Policy 15 reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.
- 7.36 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.

7.37 In more detail, DM Policy 30 states:-

An adequate response to the following detailed matters will be required in planning applications to demonstrate the required site specific design response:

- a. 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
- b. height, scale and mass which should relate to the urban typology of the area as identified in Table 2.1 Urban typologies in Lewisham
- c. layout and access arrangements. Large areas of parking and servicing must be avoided
- d. how the scheme relates to the scale and alignment of the existing street including its building frontages
- e. 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
- f. 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
- g. details of the degree of ornamentation, use of materials, brick walls and fences, or other boundary treatment which should reflect the context by using high quality matching or complementary materials
- h. how the development at ground floor level will provide activity and visual interest for the public including the pedestrian environment, and provide passive surveillance with the incorporation of doors and windows to provide physical and visual links between buildings and the public domain
- i. new development must be sustainably designed and constructed in compliance with Core Strategy Policies 7 and 8
- j. where there is an impact on a heritage asset a statement will be required that describes the significance of the asset, including its setting, and an assessment of the impact of the proposals upon that significance.

Scale & Massing

7.38 At the Gaynesford Road frontage, the proposal would have an eaves height of 6.5m and a maximum height of 10.5m. Owing to the slope of the site, at the Sunderland Road frontage the proposal would have an eave height from 5.0m – 6.5m, and a maximum height of 9.6m.

7.39 The massing of the proposal is split into three forms, with the largest massing at the Gaynesford Road frontage, and then reducing to lower height projections to towards the east (corner of site) and the north.

- 7.40 The main/highest part of the building would be 1.5m higher than existing, but would match the scale of the semidetached pair to the west, with the corner projection and northern projections appearing as subordinate elements. The hexagonal footprint of the corner part would also reference the detailing of the existing building.
- 7.41 At Sunderland Road, the northern and corner projections would generally sit lower than the existing building, with exception of an existing lower height part at the north which would not be replicated. The main part would bring the maximum height at this frontage to 9.6m, but this portion is substantially set away.
- 7.42 The existing building has a site coverage of approximately 24%, increasing to approximately 45.5% under the proposal. At Gaynesford Road the existing setback is generally maintained (3.5m – 4.5m), however the proposal would extend the existing footprint approximately 2.3m to the north and between 4.0m – 5.2m toward the Sunderland Road frontage. This results in setbacks of between 3.5m – 4.6m to Gaynesford Road and 2.6m – 3.6m at Sunderland Road.
- 7.43 The proposal is considered to sit comfortably within the plot, however it is noted that it would sit substantially forward of the established building lines of adjacent Christmas House properties at Sunderland Road. This original uniformity is noted as an important feature of the design of the Christmas estate, however in the context of a new development it would impose excessive constraint, and would restrict the quality of the accommodation. As the proposal is of an acceptable scale and massing and successfully presenting to two street frontages, the maintenance of the existing and constrained eastern building line is not considered necessary.
- 7.44 While not matching the existing building and taking aside the existing eastern building line, the proposed building would have a scale and massing which is in keeping with the surrounding area and would not appear over developed.

Architectural Details

- 7.45 The massing approach would be enhanced through the different use of external materials, with the corner bay projection constructed of Peterson Cover tiles, which would then extend over the roof of the building. The contrast in materials together with the lower roof height of this part of the proposal allows it to be read as a subservient element to the main building. Additionally, the northern part is also well separated and subordinate to the larger Gaynesford Road portion.
- 7.46 The proposal provides a design which responds well to both street frontages, effectively turning the corner from Sunderland Road to Gaynesford Road, and providing a high quality and well-articulated fenestration which takes subtle but distinctive cues from the existing and nearby properties (particularly in the form of the main roof typology and the bay projections). Additionally, the dual active frontages provide passive surveillance and activity on both public frontages.
- 7.47 The proposal was originally designed to have a contemporary appearance at Sunderland Road and a replica/pastiche appearance at Gaynesford Road. Councils design officers considered the difference between elevational treatments resulted in a design which was not cohesive or successfully integrated. As a result, plans were revised in order to continue the high quality contemporary appearance at the Sunderland Road frontage to the Gaynesford Road frontage.
- 7.48 Overall, the architectural detailing is considered to be high quality, and provides a modern interpretation of Christmas House elements.
- 7.49 In detailed terms, materials are summarised as follows:

- Red brickwork to match 23 Gaynesford Road
- Peterson Cover tiles (colour C36)
- Sliminline aluminium windows
- Concrete plinth and corbel details
- Corten steel doors and canopies

7.50 While the materials are considered to be generally acceptable and would contribute to a high quality scheme, it is recommended that conditions of approval require further details in relation to both key materials, as well as detailed drawings of key design elements (including sections) to ensure that the scheme is developed to the requisite high quality.

Landscaping

7.51 Conceptual landscaping has been shown, which includes perimeter planting, planting around the building and also using landscaping to delineate entrances and private and communal external spaces. It is recommended that a condition is applied to the decision which requires the approval of further details to ensure that this element of the scheme is developed to a high quality.

Design Summary

7.52 In summary, the proposal is considered to represent a high quality, contemporary design that would respect and compliment the character of the surrounding area. The development is appropriate in scale, height and massing, that acknowledges the general form of development within the immediate area.

7.53 The development therefore comprises a scheme of sufficiently high visual quality, which further justifies the demolition of the existing dwelling, taking into account its contribution to the Christmas Estate.

Housing

a) Mix

7.54 The proposal would comprise 4 x 1b2p units and 2 x 3b2p units. Of relevance to the scale of the proposal, Core Strategy Policy 1 requires that an appropriate mix of housing is provided within a development, having regard to the following criteria:

- a. the physical character of the site or building and its setting
- b. the previous or existing use of the site or building
- c. access to private gardens or communal garden areas for family dwellings
- d. the likely effect on demand for car parking within the area
- e. the surrounding housing mix and density of population
- f. the location of schools, shops, open space and other infrastructure requirements.

7.55 Noting the existing use of the site as two units, the proposed mix is acceptable.

b) Standard of Residential Accommodation

- 7.56 Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing developments to be of the highest quality internally, externally and in relation to their context. This policy sets out the minimum floor space standards for new houses relative to the number of occupants and taking into account commonly required furniture and spaces needed for differing activities and circulation, in line with Lifetime Home Standards.
- 7.57 In addition, the DM Policy 32 also seeks to provide accommodation of a good size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. There will be a presumption that residential units provided should be dual aspect, and any single aspect dwellings provided will require a detailed justification as to why a dual aspect dwelling is not possible and a detailed demonstration that adequate lighting and ventilation can be achieved.
- 7.58 Nationally described 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.
- 7.59 As shown in Table 1.0, plans confirm that all the units would meet or exceed minimum standards. All units accord with the minimum gross internal area (GIA) and bedroom dimension requirements for their 1b2p or 2b3p layouts. All units would also have floor to ceiling heights which comfortably exceeds the minimum 2.3m standard for 75% of the floor area.
- 7.60 Standard 26 / 27 of the London Plan Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. The minimum depth for all external space is 1500mm. Private open space would be provided to ground floor units 1 – 3, which exceeds minimum requirements. It is noted that this area is provided via front courtyards for units 1 – 2. While these areas may be overlooked, they would be exclusive and of a good size and would overall provide a high quality external amenity space for the units. While units 4 -6 would lack dedicated private outdoor space, this is reasonably offset through the additional Gross Internal Area (over minimum standards) together with communal open space areas.
- 7.61 All units would be dual aspect and thus offered acceptable levels of outlook and access to daylight sunlight. It is noted that in the case of ground floor units 1 and 3 outlook and daylight/sunlight access to bedrooms at the western elevation would be limited, however when considered as a whole each unit is more than adequate in these respects.
- 7.62 All units would be afforded acceptable levels of privacy between each unit and from adjoining occupiers. In particular, the windows at street frontages are suitably set away and aided by fencing and landscaping to provide defensible space. The number of windows at the western elevation would increase, however attention has been provided to ensure that windows are predominately obscure glazed. Furthermore, main outlook is not towards this neighbour (amenity impacts discussed further in this report).
- 7.63 In terms of standard of accommodation, the proposal is therefore acceptable.

Highways and Traffic Issues

a) Access, servicing and parking

- 7.64 The proposal would have its main pedestrian entrance at Sunderland Road and two exclusive entrances Gaynesford Road for units 1 and 2.

- 7.65 The site has a PTAL rating of 3, which identifies a good level of accessibility to public transport. The site is within close proximity to Forest Hill station (overground and national railway services) and bus routes along Perry Rise and is therefore considered to be well connected to surrounding public transport routes.
- 7.66 The proposed development is to be car free. While not required for a development of this site, the applicant has submitted a Transport Statement. The Transport Statement concludes that the average overnight parking stress in the controlled parking zone within the study area is 54%, demonstrating that the streets are well within maximum capacity. The potential addition of a further three vehicles as a result of the proposal would bring the average parking demand to 55% which is considered acceptable, adding no adverse harm.
- 7.67 Transport for London have confirmed support to the car free nature of the development.
- 7.68 On this basis the parking strategy is considered to be in accordance with Core Strategy 14, DM Policy 29 and London Plan Policy 6.13.

b) Cycle Parking

- 7.69 London Plan standards and DM Policy 29 require secure cycle parking provision at the rate of 1 cycle space per 1 bed unit and 2 cycles per 2 bed unit. The required provision for this scheme would therefore be 8 spaces. The required provision is shown in a dedicated space at basement level, and would include a ramp for entry and exit. Although it is desirable for cycle storage to be provided step free, in this case this is suitably offset through the high quality of the storage space. It is recommended that further details are required to ensure that the proposed cycle storage is carried out in an acceptable design.
- 7.70 Cycle parking is in accordance with the London Plan Policy 6.9 and DM Policy 29 and is acceptable.

c) Refuse

- 7.71 Refuse storage is proposed to be located at the Sunderland Road frontage in a dedicated storage area adjacent to the boundary, and a minimum of 4 bins are shown. There is no objection in principle to the location of the proposed refuse storage. It is recommended that further details are required to be approved which ensure that the design of the storage is well integrated and bins are shielded from public view.

d) Construction

- 7.72 While a Construction Management Plan has been submitted, Council's Highways Department have expressed that the level of information is not sufficient, and requires further information in the following respects:
- A revised plans showing where safe and legal loading can take place
 - Further details of proposed temporary exclusion zone
 - Clarification that vehicles (and what size) can fit within site)
 - Details of a waste management strategy
- 7.73 It is therefore recommended to apply a standard condition with respect to Construction Management.

Impact on Adjoining Properties

- 7.74 Development Management Policy 32 requires that development provides a satisfactory level of privacy, outlook and natural light for both its future residents and its neighbours.
- 7.75 Owing to the triangular shape of the plot together with the dual road frontages, the only adjoining neighbour is 23 Gaynesford Road.
- 7.76 The proposal has a greater span at the shared boundary (increase of approximately 2.2m to the north), with the replacement building being level at its setbacks at north and southern points. The proposal is not considered to give rise to any excessive loss of daylight/sunlight or overshadowing by virtue of the proposed building sitting to the east of 23 Gaynesford Road and generally maintaining the same scale and boundary setback.
- 7.77 The proposal would cause some blocking of an easterly view from an east facing window towards the rear of the property, however as the proposals footprint would not extend beyond its rear elevation it would result in an acceptable level of harm overall.
- 7.78 There are currently two windows (non-habitable) which face towards 23 Gaynesford Road. The proposal would increase this number to 8, over three levels (one at semi-basement level), however the windows would be fitted with fritted glazing, therefore obscuring any direct views between the properties.
- 7.79 The proposal would not cause any unreasonable overshadowing to properties on opposite sides of Sunderland and Gaynesford Roads given the separation distances between the roads which would be maintained.

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 is therefore a material consideration. CIL is payable on this application.

9.0 Community Infrastructure Levy

- 9.1 The proposed development is CIL liable.

10.0 Equalities Considerations

- 10.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.2 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;

(b) advance equality of opportunity between people who share a protected characteristic and those who do not;

(c) Foster good relations between people who share a protected characteristic and persons who do not share it.

10.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

10.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

10.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

10.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

10.7 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

Removal of certain permitted development rights

10.8 Officers recommend that if this application is approved conditions are imposed to remove certain permitted development rights in respect of the site. Paragraph 017 of that part of the Planning Practice Guidance that is concerned with the use of planning conditions states that “conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances”. Officers in this case consider that exceptional circumstances exist to justify the limited removal of certain permitted development rights as set out in proposed conditions for the reasons stated therein.

Prevention of crime and disorder

- 10.9 S.17 of the Crime and Disorder Act 1998 provides that it shall be the duty of the Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment).
- 10.10 Officer's do not consider the layout would give rise to crime based on its open layout and natural surveillance.

11.0 Human rights implications

- 11.1 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 11.2 The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

12.0 Conclusion

- 12.1 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.
- 12.2 It is considered that the principle of the development in this instance is acceptable with the applicant having demonstrated that is not viable to retain and refurbish the existing property. It is considered that the scale of the proposed development is acceptable, that the building has been designed to respond to the context, and that the development would provide a high standard of accommodation for future occupiers while not adversely impacting on the amenity of adjoining occupiers.
- 12.3 Overall, on balance, it is considered that the demolition of the existing property is acceptably justified, particularly in light of the high quality of the replacement building in order to recommend that permission is granted.

- 13.0 **RECOMMENDATION: GRANT PERMISSION** subject to the following conditions:

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:

1612PL001 Rev P01; 1612PL002 Rev P01; 1612PL003 Rev P01; 1612PL004 Rev P01; 1612PL005 Rev P01; 1612PL006 Rev P01; 1612PL007 Rev P01; 1612PL008 Rev P01; 1612PL010 Rev P01; 1612PL011 Rev P01; 1612PL013 Rev P01; 1612PL014 Rev P01; 1612PL015 Rev P01; 1612PL018 Rev P01; 1612PL019 Rev P01; 1612PL022 Rev P01; 1612PL023 Rev P01; 1612PL024 Rev P01; 1612PL025

Rev P01 (received 3 October 2017); 1612PL009 Rev P02; 1612PL012 Rev P02; 1612PL016 Rev P02; 1612PL017 Rev P02; 1612PL020 Rev P02; 1612PL021 Rev P02; 1612PL022 Rev P02 (received 22 December 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.

3. (a) Notwithstanding the details hereby approved, no development shall commence until the following has been submitted to and approved in writing by the local planning authority:
- 1:10 detailed section drawings of street facing windows and doors including window surrounds and recesses and entrance canopies
 - samples (via sampleboard) of brickwork, mortar and tiles;
 - specifications (via schedule) of windows and doors, boundary fencing and paving including RAL colour where necessary.
 - Details of the form of obscure glazing to the western elevation windows
- (b) The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the external appearance and detailed treatment of the proposal 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.

4. Details of refuse storage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. The refuse storage shall thereafter be provided prior to occupation of the development and retained thereafter.

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

5. Details of cycle storage for a minimum of 8 cycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, excluding works of ground preparation and foundation construction. The cycle storage, as approved, shall thereafter be provided prior to occupation of the development and retained 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).

6. (a) A scheme of hard and soft landscaping (including details of any boundary treatment, material and height, 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 soft landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to occupation of the development.

- (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. Hard landscaping shall be provided prior to first occupation of the development and retained thereafter.

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), Development Management Policy 25 Landscaping and trees and Development Management Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

7. 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 shall be permitted on street facing elevations.

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 Development Management Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

8. a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified in the schedule below:

Unit reference number	Approved Document M (2015) Access Requirement	Dwelling type
All units	M4(2)	Accessible and adaptable

(b) No development shall commence above ground level until details of and 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).

9. 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.

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).

Informatives

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.