

Committee	PLANNING COMMITTEE (C)	
Report Title	86-92 Bell Green SE26	
Ward	Bellingham	
Contributors	Geoff Whittington	
Class	PART 1	2 August 2018

Reg. Nos.

DC/17/102792

Application dated

27 July 2017

Applicant

IMA Projects Two Limited

Proposal

Demolition of the existing building and the construction of a part 6/ part 7/ part 8-storey mixed use development comprising 23 self-contained residential units, and 59sqm (GIA) commercial ground floor space (Use Class A1 (Retail), A2 (Financial and Professional Services) & B1 (Business), 5 car parking spaces, 40 cycle parking spaces, refuse stores, and private residential balconies and communal amenity area at 86-92 Bell Green SE26.

Applicant's Plan Nos.

1535-01 V10; 1535-03 V10; 1535-04 V10; 1535-05 V10; 1535-06 V10; 1535-07 V10; 1535-08 V10; 1535-09 V10; 1535-16 V10; 1535-31 V10; 1535-33 V10 Planning Statement; Architectural Drawings; Marketing Assessment; Daylight & Sunlight; Phase 1 Habitat Survey Report; Transport Statement; Noise & Vibration Assessment; Geo-Environmental Desk Study; Sustainability and Energy Statement Rev A Received 30 August 2017;

1535-10 V11; 1535-14 V11; 1535-15 V11; 1535-21 V11; 1535-26 V11; 1535-27 V11; 1538-28 V11; 1535-32 V11; 1535-33 V11; 1535-36 V11; 1535-37 V11; Design and Access Statement; Air Quality Assessment; Transport Note: Response to Highways Comments Received 14 December 2017;

1535-02 V12; 1535-10 V12; 1535-11 V12; 1535-12 V12; 1535-13 V12; 1535-18 V12; 1535-19 V12; 1535-20 V12; 1535-23 V12; 1535-24 V12; 1535-25 V12; 1535-29 V12; 1535-30 V12; 1535-34 V12; 1535-35 V12 Received 9 February 2018;

1535-50 V12; 1535-51 V12 Received 26 June 2018.

Background Papers

- (1) Case File LE/214/46/TP
- (2) Local Development Framework Documents
- (3) The London Plan (2016 as amended)
- (4) The NPPF

Designation

Area of Archaeological Priority
PTAL 3
Flood Risk Zone 3

2.0 Property/Site Description

- 2.1 The application site is a 3-storey mixed use building located on the western side of Bell Green, near the junction with Sydenham Road, Staunton Way and Southend Lane. At ground floor are four unoccupied commercial units, comprised of two former retail (A1), a *Sui Generis* and a Hot-food takeaway (A5) uses. On the upper floors are four residential units that are currently occupied.
- 2.2 The site lies adjacent to a pedestrian footpath that links Bell Green to Holmshaw Close to the west, which is an area comprising mostly two-storey housing. A part single/ part 2-storey health centre building is located directly to the rear of the site.
- 2.3 The adjacent site to the immediate north is comprised of a part two/part three/part four storey building – Cippa House - that provides a commercial unit on the ground floor and 23 flats (4, one bedroom, 5, two bedroom self-contained flats, 8, two bedroom, 4, three bedroom and 2, four bedroom self-contained maisonettes).
- 2.4 To the east is the former Bell Green gas works site, which has been largely redeveloped since the early 1990s to accommodate mixed use residential and commercial units. On the western side fronting Bell Green is a residential development (Orchard Court) that rises from 3 to 8-storeys (being between 5 & 6 storeys where directly opposite the application site).
- 2.5 The application site is not located within a conservation area or subject to an Article 4 direction, but is situated within an Archaeological Priority Area and Flood Risk Zone 3.
- 2.6 Bell Green (A212) is a busy highway with restricted on-street parking, and is served by six bus routes. The PTAL rating is 3, where on a scale of 1-6, 3 represents a moderate access to public transport. Lower Sydenham Train Station lies approximately 0.5 miles to the south of the application site.

3.0 Relevant Planning History

- 3.1 No relevant planning history on the application site.
- 3.2 Planning permission was granted in 2010 to the adjacent site for the demolition of the existing buildings at 50-84 Bell Green for the development referred to at paragraph 1.3 above.

4.0 Current Planning Application

- 4.1 The current application proposes the demolition of the existing building, and the construction of a part 6/ part 7/ part 8-storey building (overall height of 25.2 metres).
- 4.2 The building would accommodate 59sq.m of commercial floorspace at ground floor, with flexible use proposed including A1 (Retail), A2 (Financial and Professional services) and B1 (Business).

- 4.3 23 no. self-contained residential units would be provided on the upper floors, comprised of:
- 10 one bedroom units;
 - 8 two bedroom units;
 - 5 three bedroom units.
- 4.4 Each unit would be afforded individual amenity space by way of balconies, with the first floor rear facing 1 bedroom unit provided with a 9sqm 'winter garden'. A 3 bedroom unit on the 7th floor would have access to a 38sqm private garden, whilst there would be a communal roof terrace adjacent. The top floor 'penthouse' would benefit from a 107sqm private roof terrace. Each floor would be served by a lift.
- 4.5 No affordable housing units would be provided within the development. This will be discussed in the Housing and viability section of this report.
- 4.6 3 x two bedroom wheelchair accessible units would be provided.
- 4.7 The predominant facing material would be grey brick, with an element of patterned perforated brickwork at ground floor.
- 4.8 Fenestration would be grey coloured composite aluminium and timber, with upper floor balconies enclosed by black steel balustrades. Coloured glass block windows would run vertically on the south elevation serving the communal stairs.
- 4.9 5no. residential car parking spaces would be provided to the rear within the ground floor footprint of the building, including 3 disabled bays and 2 electric vehicle charging points. The parking bays and 40 cycle spaces (38 residential and 2 commercial) would be accessed from Holmshaw Close.
- 4.10 The residential refuse store would be located adjacent to the car-park area, whilst the commercial refuse and cycle stores would be sited within the footprint of the unit, and accessed from the existing pedestrian access.

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 A site notice was displayed, letters were sent to residents in the surrounding area and the relevant ward Councillors. The application was also advertised in the local newspaper.

Written Responses received from Local Residents

- 5.3 Two neighbour letters have been received, objecting to the proposed development, on the following grounds:
- The current building height should not be exceeded because it will block out the light;
 - the building so close to other tall buildings will provide additional hiding places for the gangs that the police are currently finding hard to control on the estate;
 - parking and traffic congestion;

- this will now be the 6th tall block of flats within a small radius built with no additional facilities - this is how ghettos are formed as planners take no consideration of this;
 - the road dirt noise and dust is impossible as access and egress with cranes, lorries building materials the well being of current dwellers is being jeopardised;
 - there is no reason why the current building cannot be refurbished and provide adequate living.
- 4.4 The building is interesting, although too high in the current context with the low profile of the surgery. Bell Green can certainly cope with tall buildings, but we need to have a planning review of the area, so it can develop into an attractive area.
- 4.5 The Sydenham Society have objected to the planning application. Extracts of their response are as following:
- 5.6 The Sydenham Society objects to the above proposal on a number of grounds. In design terms, the building, if constructed, would appear as a monolith totally out of context with its surroundings. The applicant's Design & Access statement provides images of the Bell Green gas holders, Orchard Court, Haseltine School and residential blocks in Bell Green Lane as reference points. In the Society's view the existence of these buildings does not support the applicant's case as they are on the other side of the road and were all designed with some regard for the local context – in a reference to the Bell Green gas holders, Orchard Court is circular. Haseltine School is a fine example of late Victorian architecture and the Bell Green residential blocks sit within pleasant landscaped grounds away from a busy road on the northern approach to Home Park.
- At 8 storeys plus the proposed building is totally out of context in relation to neighbouring buildings located to the side and rear of the proposed development.
 - The proposed design is not of high quality nor is it complementary to the local area being a monolithic grey brick and glass slab of disproportionate height compared to its surroundings.
 - The proposed building will at its closest point be less than 2m from the kerb (less than 1.8m taking into account street furniture, traffic lights and railings) of the busy road at Bell Green (A212) and at eight storeys it will visually dominate the streetscape from every angle viewed.
 - The proposed design is incongruous in relation to the surrounding residential neighbourhood on the left-hand side of Bell Green which is mostly composed of two-storey houses with private gardens and sloping roofs plus the health centre.
 - There is no precedent on the left-hand side of Bell Green or Sydenham Road for an eight-storey building. The developer is disingenuous in referencing other similar height buildings as provenance for the proposal (eg Haseltine School and the two residential blocks to the front of the Bell Green site). All the buildings cited in the vicinity are located on the opposite side of Bell Green and Sydenham Road, and were designed with some architectural ambition to act as 'landmark' buildings.
 - Proposing a building of eight storeys comprising 23 units is a severe over-development of the small site and plot which will firmly give the impression of cramming. Given Lewisham is already ahead of its housing targets (original and revised) and is projected to remain so (with development approvals in place) for several years to come such overdevelopment is unnecessary and contrary to *Core Strategy Objective 10: Protect and enhance Lewisham's character* which states Lewisham's distinctive local character will be protected through sensitive and appropriate design. This means: a) ensuring that new development achieves high standards of urban design and

residential quality, and contributes to a sense of place and local distinctiveness informed by an understanding of the historic context; b) ensuring that new development and alterations to existing buildings are sensitive, appropriate to their context, and make a positive contribution to the urban environment.

- Erecting an eight-storey building to within 1.8m of Bell Green highway is neither sensitive or appropriate and is totally at odds in terms of the largely residential context of the immediate surrounding low-rise urban neighbourhood with its modestly scaled housing.
- The proposed development lacks adequate amenity space for families. A communal amenity space located on the sixth floor does not provide meaningful facilities for children and is considered dangerous given the open access provided by the stairs and lift.
- The development is not accessible to local open space as Home Park, the closest green space, is on the opposite side of Bell Green/ Sydenham Road. This very busy A road presents a formidable obstacle to access for both children and adults.
- The proposed development will overlook surrounding properties resulting in a severe loss of privacy.
- Whilst understanding the need for increased use of public transport by design the construction of 23 flats with only 5 spaces for cars will inevitably lead to increased parking stress in the immediate vicinity as the number of vehicles and vehicle movements in Holmshaw Close substantially increases. There is also the distinct probability of competition for spaces within the site of the Health Centre.
- Substantial additional service vehicle movements will cause additional noise and pollution leading to loss of amenity for existing residents in the neighbourhood as the local roads are narrow.

4.7 32 letters of support for the proposal have been received. One support letter states;

- This building presents a significant improve (sic) to the Bell Green roundabout; provides a significant and positive contribution towards increasing housing stock in the area; and would set a new benchmark for improving the build-quality and design of high-density housing in this area.
- The visual impact of the development is positive. It is an improvement on the current building.
- It is lower than the gas holders and nearby developments, and therefore cannot be considered in any sense to be "out of keeping" or overshadowing.
- The building materials - in particular the patterned brickwork and recessed windows - are of high quality and improve the area.

(Letters are available to Members)

5.8 Transport for London: Raise no objections, subject to conditions.

5.9 Environment Agency: No objections

5.10 Metropolitan Police: Refers to anti-social issues experienced within the immediate area, and requires a planning condition to ensure the scheme achieves the security requirements of Secured by Design with the guidance of Secured by Design Homes

2016 and Commercial Developments 2015 as well as recommendations from the SE Designing Out Crime office.

Design Review Panel

- 5.11 A pre-application proposal for an 8-storey building with no commercial use at ground floor was presented to the Design Review Panel (DRP) in February 2017. The Panel welcomed the redevelopment of this site, and considered that the existing building makes little positive contribution to the character of the area, and its replacement with a building that would provide much needed residential accommodation of a higher quality was encouraged.
- 5.12 The Panel observed that the context to the site lacks coherence and a clearly defined character, with the hostile environment of the highways of Bell Green dominating, whilst the street elevation is fragmented with this site marking a point in the townscape between a neglected open space associated with the Health Centre to the south and the modern residential scheme, Cippa House, to the north.
- 5.13 The Panel stated, *'it is acceptable that the proposal takes the view that it should address the space of Bell Green and that the site offers an opportunity for a taller building. The proposed development optimises the residential accommodation on the site. Given the highly unusual nature of the site, its location facing Bell Green, terminating the view from the east, and the very mixed character of the area we think that a building of up to 8 storeys could be acceptable here.'*
- 5.14 However, this would be subject to a scheme of high quality design, with improved massing and articulation, whilst the Panel suggested a step-down in height to the west.
- 5.15 The Panel encouraged the applicants to explore alternative materials and finishes to the white render proposed, with a quality brick façade being more robust and respectful of the immediate context.

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 shall 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.

6.6 The London Plan (2016 as amended)

6.7 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:-

6.8 The London Plan policies relevant to this application are:

Policy 2.15 Town Centres
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality & Design of Housing Developments
Policy 3.8 Housing Choice
Policy 3.9 Mixed and balanced communities
Policy 3.12 Negotiating Affordable Housing
Policy 3.13 Affordable Housing Thresholds
Policy 3.16 Protection and enhancement of social infrastructure
Policy 5.13 Sustainable Drainage
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.12 Road network capacity
Policy 6.13 Parking
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.14 Air Quality

Nationally Described Space Standard

- 5.8 Technical housing standards – nationally described space standard (2015)

London Plan Supplementary Planning Guidance (SPG)

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

Planning for Equality and Diversity in London (2007)

Shaping Neighbourhoods: Play and Informal Recreation (2012)

Accessible London: Achieving an Inclusive Environment (2014)

Sustainable Design and Construction (2014)

Housing Supplementary Planning Guidance (May 2016)

Affordable Housing and Viability (2017)

Core Strategy

- 6.10 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

Policy 1 Housing provision, mix and affordability

Policy 6 Retail hierarchy and location of retail development

Policy 7 Climate change and adapting to the effects

Policy 8 Sustainable design and construction and energy efficiency

Policy 13 Addressing Lewisham's waste management requirements

Policy 14 Sustainable movement and transport

Policy 15 High quality design for Lewisham

Policy 18 Tall buildings

Development Management Local Plan

- 6.11 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:-

DM Policy 7 Affordable rented housing

DM Policy 16 Local shopping parades and corner shops

DM Policy 19 Shopfronts, signs and hoardings

DM Policy 22 Sustainable design and construction

DM Policy 23 Air quality

DM Policy 25 Landscaping

DM Policy 27 Lighting

DM Policy 29 Car parking

DM Policy 30 Urban design and local character

DM Policy 32 Housing design, layout and space standards

DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas

- 5.12 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:

- a) Principle of development;
- b) Design;
- c) Housing; including standard of proposed accommodation;
- d) Impact upon neighbouring properties;
- e) Highways and traffic issues;
- f) Employment;
- g) Sustainability and energy;
- h) Refuse;
- i) Children's playspace;
- j) Air quality;
- k) Planning Obligations.

Principle of Development

- 6.2 The National Planning Policy Framework (NPPF) in chapter 6 states that local planning authorities should, through their evidence base, objectively assess the needs of the housing market to ensure that affordable housing is delivered.
- 6.3 The London Plan (2016) outlines (in Policies 3.3, 3.5 and 3.8) that there is a pressing need for more homes in London, and that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures in accordance with the Local Development Framework.
- 6.4 Lewisham Core Strategy Spatial Policy 1 '*Lewisham Spatial Strategy*' which links to Core Strategy Objective 2 '*Housing Provision and Distribution*' supports the delivery of new housing to meet local need. The Core Strategy recognises the Borough's need for housing and outlines the objectives to achieve 18,165 new dwellings between 2009/2010 and 2025.

Demolition of existing building

- 6.5 DM Policy 30 states that the retention and refurbishment of existing buildings that make a positive contribution to the environment will be encouraged and should influence the character of new development and the development of a sense of place. Their value and significance as a heritage asset will be assessed as part of any development proposal.
- 6.6 In addition to this, Part 1(c) and (d) of DM Policy 20 relates to the historical importance of buildings and highlights that an assessment of the buildings importance within the streetscape must first be assessed before the loss is accepted.

- 6.7 The subject 3-storey 1960s building is not listed, and is not located within a conservation area. Having assessed the character and appearance of the building, officers consider it has no discernable architectural merit that would justify its retention, whilst its poor design detracts from the wider area.
- 6.8 In Planning terms, a heritage asset is '*a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.*'
- 6.9 In this case, the existing building is not considered to be a heritage asset, therefore the principle of the proposed demolition is considered acceptable. Notwithstanding the loss, the proposed building would be required to be the highest standard of design, in compliance with core planning principles of the NPPF, Core Strategy Policy 15 and DM Policy 30.

Reduction in Existing Commercial Floorspace

- 6.10 London Plan Policy 2.15 (a and c) states that development proposals should 'sustain and enhance the vitality and viability of the centre' and 'support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services'. Locally, CS Policy 6 (c) seeks to 'protect local shopping facilities from change of use where there is an economic demand for such services' and Policy LTC16 (3 a-d) Retail Area specifies criteria against which proposals resulting in the loss of A1 shops will be acceptable. The criteria outlines that loss of A1 may be acceptable where the change of use is to another A use class and it does not result in an over-concentration of non A Use Classes. The site does not lie within a defined town centre / retail area.
- 6.11 The four existing commercial units included retail, *sui generis*, and takeaway uses, prior to their closure in July 2016. The units are small, ranging between 34.2sqm – 43.2sqm, with an overall floorspace of 153sqm. In comparison, the proposed commercial unit floorspace would measure 58sqm, in addition to internal cycle and refuse stores.
- 6.12 Whilst there would be a net loss of 95sqm of commercial floorspace, officers are mindful that this would be due mainly to the significantly greater provision of residential accommodation on the site, which is supported.
- 6.13 The applicant has advised that the tenants had all accrued rental arrears, and subsequently had their leases forfeited. Subsequent to their closure, the units have not been formally marketed for further commercial use. Strettons Chartered Surveyors have assessed the commercial viability of the existing premises, and conclude that the units would be undesirable to potential occupiers for the following reasons:
- Poor external appearance of the building;
 - Limited size of each unit, being prohibitive and commercially unfeasible;
 - Fails to provide modern commercial facilities.
- 6.14 On balance, the proposed re-provision of a reduced commercial floorspace would be acceptable in this instance, considering the existing parade does not fall within a designated employment or shopping area. Given there is a high retail presence within the immediate area, including the ground floor of the adjacent Cippa House, and the Bell Green Retail Park opposite, officers raise no objection to the principle of the proposed development providing commercial A2 or B1 uses rather than A1, should there be no interest from a potential retail operator.

Existing Residential Units

- 6.15 No objections are raised toward the loss of the four existing residential units on the upper floors of the building, which comprises two undersized units that fail to accord with the minimum flat size guidance stated in the London Plan Housing SPG (2016). The proposal would provide a higher density of residential provision, which would also provide an improved standard of accommodation.

Design

- 6.16 Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.17 Paragraph 15 of the National Planning Policy Framework states: “local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however proper to seek to promote or reinforce local distinctiveness.”
- 6.18 The London Plan also places great importance on design and local character. Policy 7.4 (Local Character), states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 ‘Architecture’, reinforces the emphasis on good design and provides that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.
- 6.19 In accordance with national and regional policy, the Core Strategy and the Development Management Local Plan also set out policies to ensure design is a fundamental consideration in all planning decisions. Core Strategy Policy 15 (High quality design for Lewisham) states that for all development, the Council will ensure the highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.20 Core Strategy Policy 15 also requires that all new residential development be attractive and neighbourly, and meet the functional requirements of future residents.
- 6.21 Core Strategy Policy 18 (Tall buildings) advises that they may be appropriate in specific locations identified by the Lewisham Tall Buildings Study. These locations are Lewisham and Catford town centres, Convoys Wharf, Oxestalls Road, Plough Way and Surrey Canal Triangle. Within these locations the Study identifies further details of areas which may be appropriate, inappropriate or sensitive to tall buildings. All tall building proposals should be accompanied by detailed urban design analysis to assess its impact upon the immediate and wider context. Tall buildings will be considered inappropriate where they would cause harm to the identified qualities of the local character, heritage assets, landscape and open space features.
- 6.22 CS Policy 18 and the Tall Buildings Study (2012) defines ‘tall buildings’ as buildings that are significantly taller than the predominant height of buildings in the surrounding area, and more than 25 metres high adjacent to River Thames, or more than 30 metres high elsewhere in the Borough. In this case, the proposed building would measure a maximum of 25.2 metres in height.

a) Scale, Height, and Appearance

- 6.23 The proposal has gone through a pre-application process, whereby officers reviewed and challenged the rationale for the proposed scale, massing, and form of the project. The scheme was referred to the Lewisham Design Review Panel (LDRP), whose comments have been summarised in the consultation section of this report. It was and is considered that the existing building appears unattractive, and no objections are therefore raised toward the principle of its demolition and redevelopment.
- 6.24 The site lies within an area of mixed architectural style, characterised by low rise dwellings to the west, the single-storey health building to the rear, a 4-storey building to the adjacent northern plot (Cippa House), and a 3 to 8-storey residential development on the opposite side of Bell Green. DM Policy 30 requires proposals to create a positive relationship to the existing townscape, preserve and/ or create an urban form that contributes to local distinctiveness such as plot widths, roofscape, views, panoramas and vistas.
- 6.25 The site therefore lies in the midst of a significant variation in architectural style, mass and height. The context of Bell Green itself, and the 4 and 5/7 storey forms of Cippa House and Orchard Court are clearly more relevant to the site than the low density, low rise development to the west. London Plan Policy 3.4 requires schemes to optimise the housing potential of any given site, albeit within the density ranges referred to within Table 3.2 of that Plan. It must be highlighted that the new draft London Plan, under consultation earlier this year, has not retained a restrictive density range for new schemes, but instead seeks design led density, to be used positively in the context of a significantly increased need for housing.
- 6.26 Officers consider that the insertion of contrasting designs and heights within a streetscape, especially where that streetscape already exhibits that character, provided they are of high quality, can improve the appearance and character of an area and can often contribute to the streetscene more positively than the existing buildings.
- 6.27 The development would have a significantly greater presence than the existing building, particularly when viewed from the northern approach of Bell Green, however officers consider that it would serve to complement the existing (up to) 8-storey Orchard Court development directly opposite. The Design Review Panel concluded that 'given the highly unusual nature of the site, its location facing Bell Green, terminating the view from the east, and the very mixed character of the area, we consider that a building of up to 8-storeys could be acceptable here.'
- 6.28 There are no existing significant historical assets that would be adversely harmed by the development, with the Grade 2 Listed Livesey Hall lying a sufficient distance away to the north of the site.
- 6.29 In terms of design, the proposal does not seek to replicate the appearance of existing buildings, incorporating a predominantly brick finish, as opposed to the rendered and clad exteriors to more recent developments nearby. The use of brick facades including patterned brickwork, together with provision of terraces and balconies would contribute to a high quality modern development, whilst serving to reflect the brickwork character of façade to more established buildings in the local area.
- 6.30 Details and samples will nonetheless be required to be submitted, and facing materials presented on-site, to officers, secured by condition.
- 6.31 The overall appearance and detailed massing of the building has progressed significantly since the initial pre-application proposal, which was entirely 8-storeys, with a notable absence of sufficient articulation. Following advice from officers and the Design Review Panel, the number of units has been reduced, and the overall height of the building reduced to the rear, with increased visual interest to the elevational form. The 6-8 storey approach would enable an appropriate relationship with the existing townscape, and is therefore supported by officers.

Impact Upon Development Potential of Adjoining Sites

- 6.32 The applicants have considered the development potential of the existing health centre site and the vacant plot to the immediate south fronting Bell Green, should permission be granted for the current proposal. The Design and Access Statement (pages 13/14) indicates that a 3-4 storey residential/ D1 use development with associated landscaping upon the health centre site would be feasible, with dual aspect north/south facing units that would not be impaired by the siting or height of the proposed development.
- 6.33 The plot fronting Bell Green could potentially accommodate a residential development of increased height than the existing built form, with sufficient space between the two to ensure adequate outlook, and prevent against direct overlooking.
- 6.34 In summary, officers' view is that the scheme would make the best use of the application site to contribute to housing delivery, and also achieve a positive relationship to the existing townscape, specifically in terms of its massing, height and urban grain.

b) Density

- 6.35 Given the need for housing, Policy 3.4 of the London Plan states that, taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. This is also carried through in DM Policy 30.
- 6.36 The site has a PTAL rating of 3, and is located upon a busy 'A' road. The site lies close to the out of centre Bell Green Retail Park, whilst Sydenham centre is a short distance away. It is acknowledged that there is a high density of residential flats to the north and east of the application site, in comparison to the relatively low density of dwelling-houses to the immediate west. Taking this into account, officers consider the most appropriate setting for the application site to be 'urban'.
- 6.37 In applying the density matrix of Table 3.2, the stated density range is between 200-450 hr/ha. The proposal would provide 23 units, therefore officers calculate the density to be 676 hr/ha, which exceeds the London Plan density range guidelines.
- 6.38 The London Plan advises that density should not be applied mechanistically and the Housing SPG (2016) confirms that the density ranges should be considered as a starting point rather than an absolute rule when determining the optimum housing potential of a particular site. Officers are mindful that exceeding the density ranges could be symptomatic of an over intensive development of the site, however it is important to take into account the quality of proposed residential accommodation and dwelling mix, whilst acknowledging the proposed footprint and height of the building upon this constrained site. Reference has also been made above the emerging steer of the draft London Plan, which no longer provides an upper limit for density levels, instead promoting design led density.

Housing

a) Affordable Housing

- 6.39 In addition to having regard to contributing in simple number terms, new residential development must also meet the needs of potential residents. This is highlighted in

Objective 3 of the Core Strategy which states that this will include provision of affordable housing and mix of dwelling size and types, including family housing.

- 6.40 The National Planning Policy Framework (NPPF) in chapter 6 states that local planning authorities should, through their evidence base, objectively assess the needs of the housing market to ensure that affordable housing is delivered.
- 6.41 Core Strategy Policy 1 has been adopted following the evidence base of the Lewisham and South-East London Strategic Housing Market Assessment (SHMA). This policy has been adopted in line with London Plan policies 3.8-3.13 and the NPPF.
- 6.42 With respect to affordable housing, CS Policy 1 outlines that the Council will seek the maximum provision of affordable housing with a strategic target of 50% affordable housing from all sources. To ensure a mixed tenure and promote mixed and balanced communities, the affordable housing component is to be provided as 70% social rented and 30% intermediate housing. This is also recognised in DM Policy 7.
- 6.43 In addition to this, the Council have adopted the Planning Obligations SPD which outlines the evidence behind the affordable housing targets, definitions of affordable housing and where obligations will be sought. Contributions on affordable housing will be sought on sites that are capable of providing 10 residential units or more. The Council's preference is for affordable housing to be provided on-site and off-site provision will only be accepted in exceptional circumstances. This is to ensure the chance to provide mixed and balanced communities and has been adopted in line with Paragraph 50 of the NPPF.
- 6.44 However, the provision of affordable housing is subject to a financial viability assessment to ensure meeting this policy does not make development unviable. In this case, the applicant has proposed no affordable housing or off-site payment, which was supported in viability assessment studies completed by the applicant's consultants, Sheridan Development Management Limited.
- 6.45 The financial information was assessed by independent consultants UrbanDelivery to provide assistance and advice to the Council on the matter of viability. In their report, they challenged the applicant's viability assumptions, including site value, profit return and professional fees, yet nonetheless concluded that the scheme would be unable to provide any on-site affordable units or an in-lieu payment. This is based upon a developer profit of 17.5% on Gross Development Value – in most cases developers would typically target a 20% profit, however a 17-20% developer profit on GDV for residential development is an accepted level of return at the current time, which can be a minimum requirement of some lenders to ensure there is sufficient margin to cover potential cost over-runs or falls in sales values, while ensuring the lender has recourse to recover its debts.
- 6.46 The Mayoral CIL and LB Lewisham CIL charges also form part of UrbanDelivery's appraisal. At £35 and £70 per sqm respectively, this would equate to £184,809. This is in addition to demolition costs; and agreed highways works/ CPZ, and children's playspace s106 financial contributions.
- 6.47 The NPPF states that 'where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the LPA should be flexible in seeking planning obligations. This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance.'
- 6.48 Officers have reviewed the viability and ensured that UrbanDelivery's have robustly supported their conclusions during the process. The outcome is that their

independent and robust examination of the applicants' viability justification in regard to nil affordable housing delivery has been accepted by officers.

6.49 The GLA Affordable Housing and Viability SPG (2017) seeks to maximise affordable housing delivery in the longer term and acknowledges the potential for significant changes in values in the housing market, therefore the use of review mechanisms are supported. This would include an early review which is triggered where an agreed level of progress on implementing the permission has not been reached after two years of the permission being granted. Following this, a late review would be applied once 75 per cent of homes are sold. The SPG advises that the benefit of this approach is that the review can be based on values achieved and costs incurred. The review takes place prior to sale of the whole development to ensure that the review and any additional contribution arising from this are enforceable. The outcome of this review will typically be a financial contribution towards off-site affordable housing provision. Such review mechanisms would be secured in the S106.

6.50 The proposed development would give rise to additional demands on existing social infrastructure such as schools and health services. Funding of the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the Borough is now secured through Community Infrastructure Levy (CIL) payments.

b) Unit Mix

6.51 The SHMA studies have determined there is a lack of family dwellings in the Borough. Following from this evidence base, together with accommodating mixed and diverse communities as outlined in the London Plan, the Council requires a suitable mix of units, including three bedroom family units. Core Strategy Policy 1 states that this is subject to the following criteria:-

- 1) the physical character of the site or building and its setting;
- 2) the previous or existing use of the site or building;
- 3) access to private gardens or communal garden areas for family dwellings;
- 4) the likely effect on demand for car parking within the area;
- 5) the surrounding housing mix and density of population;
- 6) the location of schools, shops, open space and other infrastructure requirements.

6.52 Table 1 below shows the residential size and mix of the proposed units that comprise the scheme. The 'minimum' internal flat size requirements for each unit type derive from the Technical housing standards – nationally described space standard (2015).

6.53 As shown in Table 1, 21% of the units proposed would be family units. Officers have considered the criteria outlined in Core Strategy Policy 1 and consider that the provision of 5 family units (3 bed) would be acceptable on the site.

6.54 In addition to the number of family units, Core Strategy Policy 1 states that 10% of new build residential development should be wheelchair accessible housing. The scheme would achieve this by providing three wheelchair dwellings.

6.55 Overall, officers consider the mix and type of units to be in line with the policy requirements and therefore is acceptable.

Table [1]: Residential Units and Sizes

Tenure	1b2p <i>Min 50sqm</i>	2b3p <i>Min 61sqm</i>	3b4p <i>Min 74sqm</i>	Total
1st Floor	2 <i>50sqm</i>	2 <i>61-75sqm</i>	-	4
2nd Floor	2 <i>50sqm</i>	2 <i>61-75sqm</i>	-	4
3rd Floor	2 <i>50sqm</i>	2 <i>61-75sqm</i>	-	4
4th Floor	2 <i>50sqm</i>	1 <i>61sqm</i>	1 <i>75sqm</i>	4
5th Floor	2 <i>50sqm</i>	1 <i>61sqm</i>	1 <i>75sqm</i>	4
6th Floor	-	-	2 <i>74-79sqm</i>	2
7th Floor	-	-	1 <i>75sqm</i>	1
TOTAL	10	8	5	23

c) Standard of Accommodation

- 6.56 The NPPF states that, as a core principle, planning should seek to provide a high quality of amenity for future residents.
- 6.57 London Plan Policy 3.5 states that local frameworks and planning decisions should incorporate requirements for accessibility and adaptability, minimum space standards and water efficiency. The Mayor will, and boroughs should, seek to ensure that new development reflects these standards. The design of all new dwellings should also take account of factors relating to 'arrival' at the building and the 'home as a place of retreat'. New homes should have adequately sized rooms and convenient and efficient room layouts which are functional and fit for purpose, meet the changing needs of Londoners over their lifetimes, address climate change adaptation and mitigation and social inclusion objectives and should be conceived and developed through an effective design process
- 6.58 In line with this, the Council's adopted DM Policy 32 states that the standards in the London Plan Housing SPG will be used to assess whether new housing development

provides an appropriate level of residential quality and amenity. This will involve an assessment of whether the proposals provide accommodation that meet the following criteria:

- a) meet the minimum space standards for new development which should conform with the standards in the London Plan;
- b) habitable rooms and kitchens and bathrooms are required to have a minimum floor height of 2.5 metres between finished floor level and finished ceiling level. Space that does not meet this standard will not count towards meeting the internal floor area standards;
- c) 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. 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. North facing single aspect flats will not be supported; and,
- d) include sufficient space for storage and utility purposes in addition to the minimum space standards.

6.59 Since the adoption of DM Policy 32, the national Technical Housing Standards prepared by DCLG have been adopted. The London Plan Housing SPG is now generally in compliance with the national standards and therefore these are also considered in the assessment of standard of accommodation.

6.60 The housing standards state that new 1b2p units should be provided with 50 sqm of internal floor area and 1.5 sqm of utility space, while new 3b5p units should be provided with 86 sqm and 2.5 sqm of utility space. Double and twin bedrooms should be a minimum 11.5 sqm and single bedrooms should be 7.5 sqm.

6.61 The proposed development would comply with the overall internal floor area of the technical housing standards, as advised in Table 1. In addition, having measured each habitable room, officers consider that the individual rooms would also meet the relevant standards, whilst floor to ceiling heights would be compliant. A sufficient provision of internal storage space would be afforded to occupiers. Therefore, in terms of internal amenity, the proposed units would be acceptable.

6.62 All habitable rooms would be afforded sufficient outlook, and would therefore be acceptable. The rear facing first floor 1 bedroom unit would look directly toward the sloping roof of the health centre, however it would have a sufficient outlook separation distance of approximately 8 metres.

6.63 In terms of natural light intake, the Council uses the BRE guide to good practice (2011) standards to assess the quality of daylight/sunlight into new development. The applicant has submitted an assessment to address the standards, which concludes the proposed units would achieve the BRE recommended values regarding Average Daylight Factor.

6.64 DM Policy 32 (4c) states that residential development should 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. In this case, all proposed units would be dual aspect, with some upper floor units being triple aspect, therefore no concerns are raised in respect of daylight.

6.65 Overall, the standard of internal accommodation within each unit would be of high quality, in accordance with the Technical housing standards – nationally described space standard (2015).

d) External Amenity

6.66 DM Policy 32 'Housing design, layout and space standards' should be provided with a readily accessible, secure, private and usable external space and include space suitable for children's play. The Council will apply the standards of the London Plan Supplementary Planning Guidance, 'Providing for Children and Young People's Play and Informal Recreation', which specifies 10 square metres of play space for each child.

6.67 The London Plan Housing SPG Standards 26 and 27 relates to external amenity and outlines that 5 sqm should be provided for one bedroom dwellings with an additional 1 sqm per additional occupant. This space should have a minimal depth of 1.5m.

6.68 The proposed development would provide private external amenity in the form of terraces to all floor units, with the 'penthouse' unit benefitting from a 107sqm roof terrace. In addition, all occupiers would have access to a 81sqm communal roof terrace at 7th floor level.

6.69 The rear facing 1 bedroom first floor flat would lie closest to the neighbouring health centre, and a rear access to its yard area. The applicant has therefore proposed that full height toughened sliding glass panels be formed around the perimeter of the balcony so that it can be enclosed as a winter garden, whilst serving to protect future occupiers from any neighbouring noise/ disturbance.

6.70 In summary, officers are satisfied with the provision of proposed private and communal amenity spaces, in line with the Housing SPG standards.

Impact on Neighbouring Properties

6.71 DM Policy 32 states that new residential development should be neighbourly and not result in adverse impacts on the amenities of nearby properties.

6.72 The NPPF outlines as a core principle that planning should ensure quality amenity for existing residents. DM Policy 32 states that development should be neighbourly and provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours.

6.73 The Council also uses BRE guidance 'Site layout planning for daylight and sunlight: a guide to good practice', where relevant, to assess the impact on existing properties in terms of daylight/ sunlight.

6.74 In regard to privacy, Paragraph 2.3.36 of the London Plan Housing SPG states that a distance of 18-21 metres will generally be sought between existing and proposed habitable windows. However, it is considered that rigidly adhering to this distance can limit the variety of urban spaces and restrict density. Paragraph 2.250 of DM Policy 32 also references a distance of 21 metres, however it also outlines that this must be interpreted flexibly, taking into account the height of buildings.

6.75 The proposal would be considerably higher than the existing 3-storey building that currently occupies the site, however the nearest dwelling-houses within the Holmshaw Close estate are sited approximately 48 metres to the north, with dwellings to the west lying 60 metres away. Officers are therefore satisfied there would be no adverse overlooking between existing and proposed habitable rooms, or from the proposed terraces.

- 6.76 Upper floor units within the neighbouring Cippa House would lie a sufficient distance away to not be significantly impacted upon by the proposed buildings rear (westwards) projection beyond their rear elevation. A Daylight & Sunlight report has been undertaken by BVP, and it concludes that in terms of Average Daylight Factor (ADF), this would be retained well above the BRE recommended values in all locations, and there would be no adverse effect to the daylight benefitting this residential accommodation.
- 6.77 The nearest building to the application site is the part single/ part 2-storey health centre to the adjacent plot, which accommodates offices and treatment rooms. The Daylight & Sunlight report concludes that only one existing opening in the east elevation (W7) would fall below the benchmark 27% Vertical Sky Component, due in part to the small size of the opening, and its close proximity to the boundary wall. The north facing openings of the health centre would not be affected by the proposed development.
- 6.78 Overall, there is not considered to be any significant adverse impacts on the amenities of neighbouring occupiers to warrant the refusal of the scheme.

Employment

- 6.79 London Plan Policy 2.15 requires development proposals to 'sustain and enhance the vitality and viability of the centre'.
- 6.80 The proposed ground floor commercial unit would provide flexible A1, A2 or B1 floorspace measuring 58sqm. It is acknowledged that the amount of floorspace is less than the existing 153sqm, however the proposal would provide a larger individual unit than the existing, (the largest unit is only 43sqm), whilst being modern and more attractive to commercial operators.
- 6.81 It is considered appropriate that a marketing strategy for the commercial unit is formally submitted to the Council within 4 months of commencement of development, demonstrating that sufficient measures are being undertaken to ensure occupancy of the unit. This would be secured by a planning condition.
- 6.82 It is acknowledged that the main difficulties for small businesses being able to occupy new premises includes the affordability of the units that come forward, the start-up costs associated with fitting out beyond shell and core and lack of flexibility with leases. In order to address this issue and to ensure that the reduced amount of commercial floorspace to be delivered as part of this mixed use development offers genuine employment opportunities, it is considered appropriate to secure measures that would make the commercial units more affordable for small businesses, whilst increasing potential for occupancy at an early stage.
- 6.83 In accordance with DM Policy 11 Other employment locations, following discussions with officers, the developers have agreed to undertake an initial fit-out of the unit. This would include service connections for gas, electricity, water and foul drainage, and provision for telecommunication services and broadband services; wall and ceiling finishes; wheelchair accessible entrances and screed floors, which would be secured in a S106 Agreement. The ingoing tenant would then be responsible for the final fit-out.
- 6.84 The applicant has advised that a 3 month rent free period would be granted to allow the tenant to complete the fit-out of the unit and begin trading before any rental payments are due.
- 6.85 The above measures would enable a small business to take over the unit without significant start-up costs, which can be prohibitive and would facilitate a 'bedding in' period.

Local Labour

- 6.86 The Lewisham Obligations: Supplementary Planning Document (2015) states that ‘the addition of further population from new development has the potential to exacerbate the rate of unemployment as competition for a limited number of local jobs rises.’ For this reason, ‘financial support for the Local Labour and Business Scheme is vital in mitigating the impact of new development. Most development will have an impact and therefore obligations in this respect will be required.’
- 6.87 The Lewisham Local Labour and Business Scheme is a local initiative that helps local businesses and residents to access the opportunities generated by regeneration and development activity in Lewisham. It is therefore appropriate that the developer in this case incurs a financial contribution toward Local Labour in the Borough.
- 6.88 The Planning Obligations SPD states that the Council requires a contribution of £530 for each new job / dwelling. In this case, the contribution would be £4,169, which will be secured in the S106.

Highways and Traffic Issues

a) Car Parking

- 6.89 The Council, in line with the London Plan and NPPF policies, takes a restrictive approach to private car parking provision in order to promote use of sustainable modes of transport. Parking should comply with the standards of the London Plan, as shown in Table 6.2 of the Parking Addendum to Chapter 6. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.
- 6.90 The London Plan also favours sustainable transport modes where it is reasonable to decrease the need to travel by car. This is in order to reduce traffic congestion and the environmental impacts of car use. This is achieved through promoting cycling through the provision of storage space, improve pedestrian routes were necessary, supporting the use of public transport through travel plans and preventing excessive parking through the maximum standards provided.
- 6.91 Core Strategy Policy 14 states that a managed and restrained approach to car parking provision will be adopted to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities. The car parking standards contained within the London Plan will be used as a basis for assessment.
- 6.92 The existing development incorporates a mixed use commercial and residential development which benefits from off-street parking provision.
- 6.93 The proposed development would provide 23 units with a mix of sizes, including 5, three bedroom family units. 5no. parking spaces are proposed, including three disabled bays. Access would be from the existing Holmshaw Close, which is an estate road to the west of the application site.
- 6.94 A Transport Statement has been submitted in support of the application and used in the assessment of the impact.
- 6.95 The site has a PTAL of 3 within an urban setting and, with regard to the habitable rooms per unit, the parking provision should therefore be up to one space per unit.
- 6.96 It also states under the notes of the residential parking standards that all developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit. The PTAL rating is moderate, however there is good access to a number of bus routes in Bell Green and Lower Sydenham Train Station is a short distance away.

- 6.97 The proposed on-site parking provision would equate to one space per 4.6 units. In support of the proposal, midweek parking surveys were conducted at 5am, 11am and 1am in December 2016 within 200 metres of the application site. The survey found there was a 73-74% parking stress, with 39-43 observed free spaces.
- 6.98 The statement then utilised the most recent car ownership data taken in the 2011 census for Bellingham Ward to predict car ownership of future occupiers. It found that, given there are 0.69 cars per household generally, the 23 units has the potential to result in 16 vehicles, based upon full occupancy. Therefore, when deducting the proposed 5 on-site spaces, the overspill may be up to 11 spaces. This would not be significant considering the availability of parking to neighbouring streets identified in the parking surveys, which could adequately absorb any potential over-spill from the site.
- 6.99 Highways officers have therefore raised no objections to the proposal, however they consider it appropriate that given the existing parking stress identified in the streets within the vicinity of the site (which will be exacerbated by visitors) a financial contribution is required towards consultation/ implementation of a controlled parking zone (CPZ).
- 6.100 The sum sought would be £30,000, which is based upon:-
- Meeting with Local groups to discuss the attractors in the area, the timings of the zone and the area to be consulted;
 - Consult residents in the agreed area on the agreed options and proposed design of the zone;
 - Provide drop-in events and allow Local Assemblies and TRAs time to raise issues at their meetings if necessary. Also highlight the approach to disabled bays;
 - Publish the results of the consultation on the web, identifying which options were favoured for the timings and area of the zone to be implemented;
 - Statutory consultation.
- 6.101 The applicants have agreed to pay the sum, which will be secured in the S106.
- 6.102 The applicant will also be required in the S106 to demonstrate to the Council that reasonable endeavours have been undertaken with Lewisham Homes (land owners) to introduce waiting restrictions on the vehicle turning head adjacent to the site on Holmshaw Close. The waiting restrictions would restrict informal parking in the vehicle turning head and facilitate delivery/servicing access to the site.
- 6.103 The applicant has also confirmed that following discussions with Highways officers, they agree to provide a car club contribution.
- 6.104 It is considered appropriate that residential and commercial travel plans be submitted that sets out objectives and targets to ensure occupiers have a greater awareness of how they generally travel, and to promote use of sustainable modes of travel. Conditions will require the submission of evidence to demonstrate compliance with the proposed monitoring and review mechanisms within 6 months of first occupation for both the commercial and residential uses.
- 6.105 A planning condition will require details relating to the installation of electric charging facilities within the car park, in accordance with London Plan standards.
- 6.106 In summary, the proposed development is not considered to adversely impact upon the level of parking in the area. In addition, through the appropriate management of parking, cycle parking provision and a Travel Plan, the scheme would meet the policies

of the NPPF, The London Plan (2016) and DM Policy 29: Car parking in reducing private vehicle travel.

b) Access

- 6.107 DM Policy 29 requires new development to have no negative impact upon the safety and suitability of access and servicing.
- 6.108 The site would be accessed from Holmshaw Close, which is an unadopted estate road to the west of the site. The Transport Statement advises that servicing and delivery vehicles would be likely to access the site from Holmshaw Close and utilise the existing turning head adjacent to the application site. On-street parking to the front of the building on Bell Green is restricted by yellow lines and a bus stop with lay-by. Deliveries to the four existing commercial units were also undertaken to this area, therefore it is considered that as the proposed commercial provision would be less, as would the future delivery and servicing trip levels.
- 6.109 Nevertheless, Highways officers advise the inclusion of a Servicing and Delivery condition relating to the commercial unit to ensure the formal submission of further details once an end user has been confirmed. The applicant has advised of dialogue with the owner of the private road, who has 'not made the developer aware of any existing delivery and servicing issues'.
- 6.110 Refuse collection is also currently undertaken from Holmshaw Close, and this would continue should permission be granted.
- 6.111 Whilst there would be less commercially related vehicular movement, the site would provide 5 residential spaces, which would be accessed from Holmshaw Close. Considering the low provision and expected trips, this would be unlikely to materially change vehicular and pedestrian access conflicts.

c) Cycle Parking

- 6.112 Cycle parking standards are provided in Table 6.3 of the Parking Addendum to Chapter 6 of the London Plan. It states that residential dwellings should provide 1 space per one bedroom dwelling and 2 spaces per all other dwellings. Therefore the proposed development should provide 38 cycle parking spaces (36 residential, and 2 commercial.)
- 6.113 The proposed ground floor plan (1535-10 V12) indicates that 38 residential, and 2 commercial, dry and secure cycle spaces would be provided, thereby exceeding the London Plan standards.
- 6.114 A planning condition will be included which requires further details regarding the type of cycle stands, whilst ensuring they are provided prior to first occupation.

d) Refuse

- 6.115 Standard 22 and 23 of the London Plan Housing SPG highlights guidance on refuse for new residential development and references the British Standard BS5906:2005. The minimum refuse capacity required would be:
- Recycling Provision = 3no. x 1280l eurobins
 - Residual Waste Provision = 3no. x 1100l eurobins
- 6.116 In this case, the proposal would be compliant, providing separate residential and commercial stores. The residential store would be sited within the car-park area, with doors opening onto Holmshaw Close to enable collection. The commercial unit would also have an internal store, with opening onto the adjacent side pedestrian footpath.

- 6.117 The applicant has advised that refuse collection would be undertaken from Holmshaw Close, and the bins would be collected from the proposed stores, which would be open/unlocked on collection days.
- 6.118 The capacity of the stores are acceptable, and their provision will be ensured by condition.

e) Construction Impact

- 6.119 A planning condition will ensure the submission of a Construction Management Plan, that will be expected to detail the number and type of vehicles, mitigation measures for dust and noise, safety implications and length of construction period (among other matters). The statement would also be expected to address proposed demolition works.

Sustainability and Energy

- 6.120 London Plan Policy 5.2 states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy;
 - Be clean: supply energy efficiently; and,
 - Be green: use renewable energy.
- 6.121 Major development should look to meet targets in reducing carbon dioxide emissions in new buildings. These targets are expressed as minimum improvements over the Target Emission Rate outlined in the national Building Regulations. For new residential buildings a 35% reduction target beyond Part L 2013 is sought. An energy assessment should be included to demonstrate how the targets for emissions reduction are to be met.
- 6.122 Proposals should outline details of decentralised energy where feasible, such as Combined Heat and Power (CHP), and on-site renewable energy. As outlined within Policy 5.6 and 5.7 of the London Plan, these options should be explored within the energy assessment.
- 6.123 Lewisham's Core Strategy Objective 5 states 'The Council will take action to ensure that climate change is adapted to and mitigated against, including measures necessary to reduce carbon emissions by maximising generation and use of renewable energy and locally distributed energy, particularly for major development sites.'
- 6.124 Core Strategy Policy 7 looks to apply the London Plan policies relevant to climate change including those related to: air quality, energy efficiency, sustainable design and construction, retrofitting, decentralised energy works, renewable energy, innovative energy technologies, overheating and cooling, urban greening, and living roofs and walls.
- 6.125 The application includes an Energy Assessment and Sustainability Statement, which considers that due to the scale of the development and constraints of the site, certain renewable energy options and CHP are not feasible. Officers raise no objections to this.
- 6.126 The assessment outlines that the development would achieve a policy compliant 35% reduction in CO2 emissions. Energy efficiency measures would include the installation of PV panels; high efficiency heating system; advanced heating controls; and installation of water meters. Officers consider the development to be acceptable, and in

compliance with zero carbon targets, a financial contribution of £31,896 to offset the emissions would be incurred by the applicant, and secured in the S106.

Landscaping

- 6.127 DM Policy 25 Landscaping and Trees aims to ensure applicants consider landscaping and trees as an integral part of the application and development process.
- 6.128 The development would occupy the entire site, therefore no landscaping measures around the building are proposed. An 81 sqm communal garden area would however be provided on the sixth floor, with seating and planting measures shown. Further details of this area will be required by planning condition, which must be completed prior to first occupation of the residential units.

Children's Play

- 6.129 London Plan Policy 3.6 and Core Strategy Policy 12 require that residential and mixed use developments make provision for children's play and informal recreation space. The London Plan states that the amount of provision should be proportionally based on the number of children expected to occupy the development and an assessment of future needs. Summarily, the Mayor of London concludes that new development that creates a child yield is expected to provide 10m² of play and recreation space for every child.
- 6.130 Based on the Mayor's playspace SPG, three children between the age of 0-16 are predicted to live in the development. This gives rise to a total child playspace requirement of 30 sqm. Based on this, there is an opportunity to enhance some play facilities within the nearby public spaces, the nearest being Home Park.
- 6.131 The Lewisham Planning Obligations: Supplementary Planning Document (2015) advises that the undelivered playspace then be multiplied by £300 per m², which represents the estimated cost for the Council to deliver off-site children's playspace on behalf of the developer. In this case, the sum would be £9,000.
- 6.132 Children's playspace contributions are considered separate and additional to the Borough CIL. Whilst children's playspace is often located in open spaces, it will not be considered to be covered by any CIL payment, and therefore would be secured separately within a S106.

Air Quality

- 6.133 The NPPF (para.128) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water, noise pollution or land instability.
- 6.134 DM Policy 23 states that the Council will require all major developments that have the potential to impact on air quality will be required to submit an Air Quality Management Assessment. The application site falls within a designated Air Quality Management Area, one of six in the Borough.
- 6.135 In response, an assessment has been undertaken on behalf of the applicants, and it concludes that the implementation of appropriate measures and good practice during the demolition and construction phases would mitigate potential harm from dust.
- 6.136 The Council's Environmental Health officers have reviewed the document, and have confirmed they are satisfied with the conclusions reached, with appropriate measures to be ensured by a planning condition.

Planning Obligations

- 6.137 The National Planning Policy Framework (NPPF) (para. 203) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF (para. 204) also sets out that planning obligations should only be secured when they meet the following three tests:
- (a) Necessary to make the development acceptable
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development
- 6.138 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 6.139 The obligations sought are as follows:
- Financial contributions of:
 - £30,000 toward Controlled Parking Zone (CPZ);
 - £31,896 Carbon off-set contribution;
 - £9,000 Children's playspace;
 - £4,169 Local Labour
 - Developer to undertake initial fit-out of the commercial unit prior to any occupation of the residential units to include:
 - Service connections for gas, electricity, water and foul drainage;
 - Provision for telecommunication services and broadband services;
 - Wall and ceiling finishes;
 - Wheelchair accessible entrances;
 - Screed floors;
 - Glazing solution.
 - A 3 month rent free period granted to the commercial occupier to allow the tenant to fit-out the unit and begin trading before any rental payments are due;
 - Time delay and late stage Viability Review Mechanism;
 - Demonstrate Reasonable Endeavours have been undertaken for the implementation of waiting restrictions on Holmshaw Close;
 - Car-club membership;

- Monitoring, legal and professional costs.

6.140 As set out elsewhere in this report, the obligations outlined above are directly related to the development. They are considered to be fairly and reasonably related in scale and kind to the development and to be necessary and appropriate in order to secure policy objectives, to mitigate the proposed development's impact and make the development acceptable in planning terms. Officers are therefore satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations 2010.

Prevention of crime and disorder

6.141 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 etc in its area. Officers do not consider that this application raises any crime and disorder issues.

Human Rights Act

6.142 Officers consider that this application does not raise any Human Rights Act issues that need to be considered.

7.0 Local Finance Considerations

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

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

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

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

8.0 Community Infrastructure Levy

8.1 The above development is liable for Lewisham CIL.

9.0 Equalities Considerations

9.1 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.

9.2 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.

9.3 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.

9.4 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: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>

9.5 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

9.6 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:

9.7 <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>

9.8 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.

10.0 Conclusion

10.1 The proposal includes the demolition of an existing non-designated building, which serves to detract from the character of the streetscene, and is of insufficient architectural merit to warrant retention.

10.2 The proposal would provide a part 6/ part 7/ part 8-storey mixed use commercial and residential development that officers consider to be acceptable in its siting, height and design, and would be an appropriate addition to the townscape.

- 10.3 Officers are satisfied that due to the proposed siting of the building, the level of visual harm upon neighbouring residential occupiers would not be significant.
- 10.4 The standard of proposed residential accommodation would be acceptable, in accordance with policies, with each unit afforded sufficient private amenity space.
- 10.5 The provision of no affordable units or in-lieu payment has been rigorously tested by an independent viability consultant on behalf of the local planning authority, who agrees with the conclusions of the applicant. The S106 would secure an 'early review' assessment of any changes in the housing market should no development commence on-site within 2 years of the decision date, with a further review undertaken once 75% of homes are sold.
- 10.6 Officers are satisfied with the Highways impact of the proposal, subject to provision of a CPZ financial contribution and car club membership.
- 10.7 For these reasons, it is recommended the redevelopment of the site is granted permission.

11.0 RECOMMENDATION (A)

- 11.1 To agree the proposals and authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters:-

- Financial contributions of:
 - £30,000 toward Controlled Parking Zone (CPZ);
 - £31,896 Carbon off-set contribution;
 - £9,000 Children's playspace;
 - £4,169 Local Labour
- Developer to undertake initial fit-out of the commercial unit prior to any occupation of the residential unit to include:
 - Service connections for gas, electricity, water and foul drainage;
 - Provision for telecommunication services and broadband services;
 - Wall and ceiling finishes;
 - Wheelchair accessible entrances;
 - Screed floors;
 - Glazing solution.
- A 3 month rent free period granted to the commercial occupier to allow the tenant to fit-out the unit and begin trading before any rental payments are due;
- Time delay and late stage Viability Review Mechanism;
- Demonstrate Reasonable Endeavours have been undertaken for the implementation of waiting restrictions on Holmshaw Close;

- Car-club membership;
- Monitoring, legal and professional costs.

RECOMMENDATION (B)

11.2 Upon the completion of a satisfactory Section 106, in relation to the matters set out above, authorise the Head of Planning to Grant Permission subject to conditions securing the following:-

- (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:

1535-01 V10; 1535-03 V10; 1535-04 V10; 1535-05 V10; 1535-06 V10; 1535-07 V10; 1535-08 V10; 1535-09 V10; 1535-16 V10; 1535-31 V10; 1535-33 V10 Planning Statement; Architectural Drawings; Marketing Assessment; Daylight & Sunlight; Phase 1 Habitat Survey Report; Transport Statement; Noise & Vibration Assessment; Geo-Environmental Desk Study; Sustainability and Energy Statement Rev A Received 30 August 2017;

1535-10 V11; 1535-14 V11; 1535-15 V11; 1535-21 V11; 1535-26 V11; 1535-27 V11; 1538-28 V11; 1535-32 V11; 1535-33 V11; 1535-36 V11; 1535-37 V11; Design and Access Statement; Air Quality Assessment; Transport Note: Response to Highways Comments Received 14 December 2017;

1535-02 V12; 1535-10 V12; 1535-11 V12; 1535-12 V12; 1535-13 V12; 1535-18 V12; 1535-19 V12; 1535-20 V12; 1535-23 V12; 1535-24 V12; 1535-25 V12; 1535-29 V12; 1535-30 V12; 1535-34 V12; 1535-35 V12 Received 9 February 2018

1535-50 V12; 1535-51 V12 Received 26 June 2018.

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- (3) No development shall commence on site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority.

Reason: To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (2016)

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (2016) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

- (4) 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) Demolition works, including 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).

- (5) (a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmax (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided.
- (b) Development shall not commence above ground level until details of a sound insulation scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.
- (c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

Reason: To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (6) (a) Notwithstanding the details hereby approved, no development beyond piling shall commence until detailed plans at a scale of 1:5 showing: windows/ doors/ balconies/ terraces and entrances have been submitted to and approved in writing by the local planning authority.
- (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 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.

- (7) No development above ground level shall commence on site until a detailed schedule and specification/ samples of all external materials and finishes (including mortar details) to be used on the building have been submitted to and approved in writing by the local planning authority. Large samples must be presented to officers on site as part of the submission. 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 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.

- (8) (a) A minimum of 38 secure and dry cycle parking spaces for future residential occupiers shall be provided within the development as indicated on the plans hereby approved.
- (b) No development shall commence above ground floor level until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

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

- (b) No development shall commence above ground floor level until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

- (10) (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
- (b) Any such external lighting as approved under part (a) shall be installed prior to occupation in accordance with the approved drawings and such directional hoods shall be retained permanently.
- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

- (11) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the elevations of the building.

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

- (12) The proposed private and communal amenity spaces (including roof terraces) shall be provided prior to first occupation of the residential units, and retained thereafter permanently for the benefit of the occupiers of the residential units hereby permitted.

Reason: In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with 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).

- (13) (a) A user's Travel Plan for the residential units shall be submitted to and agreed in writing by the local planning authority, in accordance with Transport for London's document 'Travel Planning for New Development in London'. The

development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

- (b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.
- (c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

Reason: In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

- (14) (a) A user's Travel Plan for the commercial unit shall be submitted to and agreed in writing by the local planning authority, in accordance with Transport for London's document 'Travel Planning for New Development in London'. The commercial unit shall operate in full accordance with all measures identified within the Travel Plan from first occupation.
- (b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.
- (c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

Reason: In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

- (15) (a) Details of the location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) The electric vehicle charging points as approved shall be installed prior to occupation of the Development and shall thereafter be retained and maintained in accordance with the details approved under (a).

Reason: To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (2016), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

- (16) (a) The residential units shall not be occupied until a Delivery and Servicing Plan relating to the residential use has been submitted to and approved in writing by the local planning authority.

- (b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.
- (c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the residential units and shall be adhered to in perpetuity.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

- (17) (a) The commercial unit shall not be occupied until a Delivery and Servicing Plan relating to the commercial use has been submitted to and approved in writing by the local planning authority.
- (b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.
- (c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the commercial unit and shall be adhered to in perpetuity.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

- (18) (a) Details of the proposed solar panels shall be submitted to and approved in writing by the LPA prior to the completion of the building hereby granted.
- (b) The solar panels approved in accordance with (a) shall be installed in full prior to first occupation of the residential units hereby approved, and retained in perpetuity.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2016) and Core strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (19) (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 below:
 - (i) 3 units shall meet standard M4(3)
 - (ii) All other units shall meet standard M4(2)
- (b) No development above ground level shall commence until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with paragraph (a) of this condition.
- (c) The development shall be carried out in accordance with the requirements of paragraphs (a) and (b) of this condition.

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).

- (20) (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
- (i) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
 - (ii) The required remediation scheme implemented in full.
- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

This shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

Reason: To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

- (21) (a) Prior to the first occupation of the development, a Parking Management Plan shall be submitted to and approved in writing by the local authority. The Management Plan shall include details of allocation and management of car, motorcycle and cycle parking spaces within the development
- (b) The car and cycle parking spaces shall only be operated in accordance with the approved Parking Management Plan.

Reason: To manage car and cycle parking in accordance with London Plan (2016) Policy 6.13 and DM Policy 29 Car parking of the Development

Management Local Plan (November 2014) and to reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (2016).

- (22) No part of the development hereby approved shall be first occupied until certification that the development has achieved Secure by Design accreditation has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the local planning authority may be satisfied that the proposal reduces opportunities for criminal behaviour and makes a positive contribution to a sense of security and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014) and Policy 7.3 Designing out crime of the London Plan (2016).

- (23) (a) The commercial floorspace hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) No works beyond piling shall commence until a Design Stage Certificate for the commercial floorspace (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of the commercial unit, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a).

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2016) and Core Strategy Policy 7 Climate change and adapting to the effects, and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (24) The proposed residential refuse and recycling facilities shall be provided in full prior to first occupation of the residential units hereby granted.

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

- (25) The proposed commercial refuse and recycling facilities shall be provided in full prior to first occupation of the commercial unit hereby granted.

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

- (26) The proposed ground floor commercial unit shall only be used for A1 (Retail), A2 (Financial and Professional Services) or B1 (Business) uses and no other purpose unless agreed in writing by the local planning authority.

Reason: To provide employment floorspace in line with Core Strategy Policy 5 Other employment locations.

- (27) No deliveries shall be taken at or despatched from the commercial premises other than between the hours of 0700 and 2000 on Mondays to Fridays, 0800 and 1300 on Saturdays, and at no time on Sundays or public holidays.

Reason: In order to safeguard the amenities of neighbouring residents and to comply with Paragraph 120 of the National Planning Policy Framework, and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (2014).

- (28) The commercial premises shall only be open for customer business between the hours of 0800 and 2200 on any day of the week.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 32 Housing design, layout and space standards and DM Policy 16 Local shopping parades and corner shops, of the Development Management Local Plan (November 2014).

- (29) The whole of the car parking accommodation, including the disabled bays, hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter

Reason: To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the building does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Table 6.2 of the London Plan (2016).

- (30) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on any elevation of the building.

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

- (31) (a) No development beyond piling shall commence until full written details, including relevant drawings and specifications of the proposed works of sounds insulation against airborne noise to meet $D'nT,w + C_{tr}$ dB of not less than 55 for walls and/or ceilings where residential parties non domestic

use shall be submitted to and approved in writing by the local planning authority.

- (b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.
- (c) The soundproofing shall be retained permanently in accordance with the approved details.

Reason: In the interests of residential amenity and to comply with DM Policy 26 Noise and vibration, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

- (32) (a) The rating level of the noise emitted from any fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.
- (b) Details of a scheme complying with paragraph (a) of this condition shall be have been submitted to and approved in writing by the local planning authority prior to first installation.
- (c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

- (33) Within 4 months of commencement of development, a Marketing Strategy for the commercial unit hereby approved shall be submitted to and approved in writing by the LPA.

Reason: To ensure the occupancy of the employment floorspace.

- (34) (a) Prior to occupation, drawings showing landscaping measures of the communal garden within the development hereby granted shall be submitted to and approved in writing by the local planning authority.
- (b) All landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the residential units.

Reason: In order that the local planning authority may be satisfied as to the details 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.

INFORMATIVES

- (A) 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) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myserVICES/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- (C) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- (D) **Pre-Commencement Conditions:** The applicant is advised that Conditions relating to Site Contamination, Construction Management Plan and Archaeology require details to be submitted prior to the commencement of works due to the importance of: allowing for archaeological investigations; ensuring the site has been cleared of any potential contaminants; and minimising disruption on local residents during construction works.
- (E) The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
- (F) The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- (G) Assessment of all sound insulation scheme should be carried out by a suitably qualified acoustic consultant.
- (H) The weighted standardised level difference (D'nT,W + Ctr) is quoted according to the relevant part of the BS EN ISO 717 series. To guarantee achieving this level of sound insulation, the applicant is advised to employ a reputable noise consultant details of which can be found on the Association of Noise Consultants website.
- (I) Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- (J) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- (K) It is the responsibility of the owner to establish whether asbestos is present within their premises and they have a 'duty of care' to manage such asbestos. The applicant is advised to refer to the Health and Safety website for relevant information