

Committee	PLANNING COMMITTEE A	
Report Title	Home Park, 129 Winchfield Road, London, SE26 5TH	
Ward	Sydenham	
Contributors	David Robinson	
Class	PART 1	16 <sup>th</sup> August 2018

Reg. Nos. DC/18/106485

Application dated 26.03.2018

Applicant Rogers Stirk Harbour + Partners on behalf of Lewisham Homes

Proposal The demolition of the existing building and the construction of a part three, part four, part five storey building comprising 8 one bedroom, 16 two bedroom, 7 three bed roomed self-contained flats, and a commercial unit at Home Park Housing Office, 129 Winchfield Road, SE26, together with the provision of 3 disabled parking spaces and 64 bicycle spaces, bins storage and associated landscaping.

Applicant's Plan Nos. 7108\_P\_010, 7108\_P\_011, 7108\_P\_012, 7108\_P\_015, 7108\_P\_016, 7108\_P\_020, 7108\_P\_021, 7108\_P\_022, 7108\_P\_023, 7108\_P\_041, 7108\_P\_042, 7108\_P\_043,

RSHP-01-001-P-XX, RSHP-01-002-P-XX, RSHP-01-003-P-XX, RSHP-01-004-P-XX, RSHP-18-001-E-S, RSHP-18-002-E-N, RSHP-18-003-E-E, RSHP-18-004-E-W, RSHP-18-100-E-S, RSHP-18-101-E-N, RSHP-18-102-E-E, RSHP-18-103-E-W, RSHP-19-100-S-AA, RSHP-19-101-S-BB, RSHP-19-102-S-CC, RSHP-19-103-S-DD, RSHP-19-104-S-EE, RSHP-20-010-P-00, RSHP-20-011-P-01, RSHP-20-012-P-RP, RSHP-20-100-P-00, RSHP-20-101-P-XX, RSHP-20-103-P-03, RSHP-20-104-P-04, RSHP-20-110-P-RF, RSHP-80-100-D-XX, RSHP-80-101-D-XX, RSHP-80-102-D-XX, RSHP-90-100-X-XX, RSHP-90-101-X-XX, RSHP-90-102-X-XX

Air Quality Impact Assessment revision 2 (dated March 2018) (AECOM), Arboricultural Impact Assessment (dated March 2018) (AECOM), Construction Method Statement revision 1 (dated 21 March 2018) (AECOM), Daylight and Sunlight Assessment revision 2 (dated 22 March 2018) (AECOM), Design and Access Statement

(dated 26 March 2018) (RSHP), Ecological Appraisal revision 1 (dated 23 March 2018) (AECOM), Energy Statement revision 2 (dated 22 March 2018) (AECOM), Flood Risk Assessment and Drainage Strategy revision 2 (dated 22 March 2018) (AECOM), Home Park Street Utilities Statement (AECOM), Transport Statement revision 1 (dated March 2018) (AECOM), Planning and Affordable Housing Statement (dated 26 March 2018) (RSHP), Site Waste Management Plan (dated 9 March 2018) (AECOM), Stage 1 Fire Report (dated 1 March 2018) (AECOM), Sustainability Statement revision 2 (dated 22 March 2018) (AECOM), Tree Survey Report (dated 28 March 2017) (AECOM) received 27 March 2018

Home Park, Lewisham – Statutory Response Additional Information (dated 18 May 2018) (AECOM) received 5 June 2018

Bat Survey Report (June 2018) (AECOM) received 25 June 2018

Background Papers

- (1) Case File LE/365/55/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation

Local Open Space Deficiency

Screening

N/A

1.0 **Property / Site Description**

*Existing Site and Location*

- 1.1 The application site is located at 129 Winchfield Road and is currently occupied by the former Lewisham Homes Neighbourhood office, garages and storage buildings with a site area that extends to 2430 square metres. The site forms part of the wider Home Park Estate.
- 1.2 The existing building is two storeys in height and is estimated to have been constructed in the 1960s. To the rear of the building and south of the application site there are single storey garages and a storage unit, as well as a number of mature trees.
- 1.3 A site plan of the application site is included below:



### *Surrounding Context*

- 1.4 The surrounding built context is largely residential in nature. Adjacent to the site to the east and south are three blocks of flats, each eight storeys in height as well as surface car parking and blocks of garages and a large proportion of grassed area.
- 1.5 The site is bounded by Winchfield Road to the north and the rear gardens of two storey, terraced houses in Fairlawn Park to the west. The site and estate take its name from the park across the road to the North, which was opened in 1901 and subsequently named after the Home Park Lodge; a house that formerly stood nearby and gave part of its gardens to the park.

### *Site Designations and Constraints*

- 1.6 The site is not located within a Conservation Area, nor is the land subject to any Article 4 Directions. The site is not located in the vicinity of any locally or nationally listed buildings. The site has a PTAL rating of 2.

## **2.0 Planning History**

- 2.1 No relevant planning history

## **3.0 Background**

- 3.1 Lewisham Homes is acting as the development agent of Lewisham Council as part of the Council's strategy to deliver as much new affordable housing as possible. In 2012 the Council agreed its New Homes, Better Places programme to deliver 2,000 new affordable homes for Lewisham residents in housing need, including 500 new Council homes at social rent.

- 3.2 This programme responds to the on-going housing crisis in London that is felt most acutely by those with the lowest incomes and the least recourse to access market products. In Lewisham, this is expressed most clearly in the fact that 1,900 Lewisham households are homeless and housed in temporary housing of varying kinds. This number has doubled since 2010/11 and has been driven principally by the withdrawal of Government capital funding for new affordable homes, leading to a drop in supply and fewer homes for the Council to use to meet its duties to homeless households.
- 3.3 It was in that context the Lewisham Council initiated its own housebuilding programme to deliver the first new Council homes in the borough for a generation. It is backed by £100m of Council investment, with the new homes being delivered on the Council's behalf principally by Lewisham Homes on a number of small "infill" sites around the borough.
- 3.4 This application is one of the schemes that contribute to this programme, and if approved will contribute thirty one new homes as part of the 500 Council home target for social rent.

#### **4.0 Current Planning Application**

- 4.1 The current application is for the demolition of the existing building and the construction of a part three, part four, part five storey building comprising 8 one bedroom, 16 two bedroom, 7 three bedroomed self-contained flats, and a commercial unit at Home Park Housing Office, 129 Winchfield Road, SE26, together with the provision of 3 disabled parking spaces and 64 bicycle spaces, bins storage and associated landscaping.
- 4.2 The proposed development would consist of a change of use on the site from B1(a) (office) to C3 (dwellinghouses) and a flexible use class for the commercial unit to include A1 / A2 / A3 / B1(a) / D1 (crèche, education, museum, art gallery). The existing building is being occupied, temporarily, by the Lewisham Homes Environmental Services team to help prevent vandalism or trespassing.
- 4.3 The proposed redevelopment would be 'pin wheel' in arrangement in that four blocks would be arranged around an open atrium or core. The proposed building would be three storeys in height adjacent to Fairlawn Park, increasing to five storeys in height adjacent to the eight storey towers in Home Park Estate.
- 4.4 The three and four storey flat roof would accommodate a 'living roof' and the 5 storey element would accommodate photo voltaic panels to the flat roof.
- 4.5 The proposed development would be of a modular construction. All proposed buildings would be finished in Glass Reinforced Concrete (GRC) cladding. The colours proposed are 'Arctic White', 'Silver Grey', 'Sandstone', 'Anthracite' and 'Terra'. Brighter colours would also be used selectively to soffits and the internal atrium. A landscaping scheme is also proposed which would wrap around the of the application site.
- 4.6 The proposed mix is outlined in the table below:

**Table 1**

	Residential						Commercial
Unit Totals	31						1
GIA m2	2509						153
Unit Breakdown	1B2P (Type A)	1B2P (Type b)	2B3P	2B4P	2B5P	3B6P	
Unit Count	5	3	5	11	3	4	
% of unit type	16	10	16	35	10	13	
GIA per Unit	56	58	78	81	110	111	
Total GIA m2 per units type	280	174	390	891	330	444	

4.7 All proposed units would be within a Social Rented tenure as 100% affordable housing.

4.8 Three disabled parking spaces are proposed and access to such would be gained from the south of the application site.

## **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 Site notices were displayed, an advert was placed in the local press and letters were sent to residents and businesses in the surrounding area, as well as the relevant ward Councillors.

### Written Responses received from Local Residents and Organisations

5.3 Representations were received from 4 parties in objection to the proposed development. These were largely from residents of the immediate surrounding residential area. The objections are summarised as follows:

- Concerns over loss of light, privacy and overshadowing to neighbouring properties
- Loss of sight lines when egressing onto Winchfield Road
- The proposed development should become a GP's surgery

- The proposed development is excessive in scale and should be reduced in height. It would also cause loss of views
- Concerns over increase on parking pressure
- Noise during construction

### Internal Consultee Responses

#### Strategic Housing

##### *Housing need*

- 5.4 There is currently is a housing crisis and it has become incumbent on Councils to re-engage with the direct delivery of Council homes. The homelessness Charity, Crisis, have just announced that 100,000 homes would need to be built, each year over the next 15 years in order to resolve the homelessness problem, and that significant amount of tax payers money is being spent on temporary accommodation, which if re-directed to home building, would be better placed to home people permanently.
- 5.5 In July 2012, the Council took the initiative to embark on an ambitious programme to build new Council homes in response to the series of on-going housing policy and delivery challenges, most notably an enduring under-supply of new affordable homes available to the Council to meet housing demand.
- 5.6 Endorsed by the previous Mayor, the New Homes, Better Places programme is to comprise 500 new Council homes and the current application forms part of this programme.
- 5.7 Running concurrently with the delivery of the 500 homes, the New Mayor of Lewisham has pledged to create an additional 1,000 Council homes within his 4 year term. A further tranche of planning applications will therefore follow in the coming months and years in order to deliver the Mayor's bold, but absolutely necessary ambitions.

##### *The Proposal*

- 5.8 Lewisham Council's Housing Strategy and Programmes Team **strongly support** the proposed development of **social rent homes** on at the Housing Office, 129 Winchfield Road, SE26 comprising 8 one bedroom, 16 two bedroom, 7 three bedroomed self-contained flats
- 5.9 The proposal is contributes to the Council's New Homes Programme by creating 31 new social rent Council homes. 100% of the new homes provided at the Housing Office site will be let at social rent on secure tenancies to households on Lewisham's Housing Register. Currently, there are almost 10,000 households on the register, and over 500 households in 'bed and breakfast' temporary accommodation. This application helps to address this demand and is in line with the Council's Housing Strategy. The Strategy states that 'In particular we need to ensure that there is an increase in the supply of affordable homes for those who have least capacity to pay unaffordable market rents' and from this, a key objective of the Strategy is to build the homes the borough's residents need.

### *Policy position*

- 5.10 The scheme has been designed to meet housing need as identified through the Council's Housing Strategy. Core Strategy Policy 1: Housing provision, mix and affordability requires schemes to provide 50% of new homes to be affordable, of which 30% should be intermediate and 70% should be social rent.
- 5.11 Overall, the proposal has been designed to provide the optimum mix of dwellings given the housing need and the constraints of the site.
- 5.12 The scheme will be providing 100% social rent homes, which is significantly over the 50% required by policy. No intermediate housing is to be provided on this site, but given the high level of residents living in temporary accommodation, social rent housing is provided when feasible. Notwithstanding this, across the 1,000 home programme, a mixture of social rent, intermediate and private housing will be provided across the borough and therefore the programme will be policy compliant overall.
- 5.13 Core Strategy Policy 1 also requires a housing mix of 42% of all social units to be 3+ bed; the policy requires only 50% social rent homes (16, rounded up) to be provided of which 7, 3+ bed homes would be required. As 7 family sized units are being provided, officers are satisfied that the proposals remain policy compliant.
- 5.14 Strategic Housing officers therefore fully support the proposal to create 31 social rent homes and dwelling mix thereof.

### *Commercial floor space*

- 5.15 Strategic Housing understand that the Housing office is only occupied for security purposes, and that all housing matters are dealt with outside of the estate. Notwithstanding this, commercial space will be provided at ground floor level and officers are satisfied that Council tenants will not be at any detriment due to the loss of the Housing Office.

### *Loss of garages*

- 5.16 With regard to the loss of 8 garages, officers are satisfied that the provision of 31 new social rent homes significantly outweighs the loss of garages and would overall provide greater benefit to the borough's residents awaiting new homes.

### *Conclusion*

- 5.17 Strategic Housing strongly support the planning application to demolish 8 garages and the former housing office on the Home Park estate and the construction of 31 social rent council homes, and a ground floor commercial unit at the Home Park Housing Office, 129 Winchfield Road.

### Written Responses received from External Statutory Agencies

#### *London Fire Brigade*

- 5.18 No objection

#### *Thames Water*

5.19 No objection subject to informative regarding waste water and piling

5.20 Copies of all representations are available to Members to view.

## **6.0 Policy Context**

### Introduction

6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

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

6.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

### National Planning Policy Framework

6.3 The revised NPPF was published on 24<sup>th</sup> July 2018 and is a material consideration in the determination of planning applications. It contains at paragraph 11, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on its implementation. In summary, this states in paragraph 213, 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 and in regard to existing local policies, that '...due weight should be given to them, 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 and Development Management Local Plan for consistency with the NPPF and consider there are no issues of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraph 213 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, and is subject to continuous periodical updates in different subject areas.

London Plan consolidated with Alterations Since 2011 (March 2016)

6.6 The London Plan policies relevant to this application therefore are:-

- Policy 2.9 Inner London
- Policy 2.13 Opportunity areas and intensification areas
- Policy 2.14 Areas for regeneration
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 Affordable housing thresholds
- Policy 4.1 Developing London's economy
- Policy 5.3 Sustainable design and construction
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.4 Enhancing London's transport connectivity
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing traffic flow and tackling congestion
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

## London Plan Supplementary Planning Guidance (SPG)

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

- Accessible London: Achieving an Inclusive Environment (2004)
- Affordable Housing and Viability (2017)
- Housing (2012)
- Sustainable Design and Construction (2006)
- Shaping Neighbourhoods: Play and Informal Recreation (2012)
- The Control of Dust and Emissions during Construction and Demolition (2014)

## London Plan Best Practice Guidance

6.8 The London Plan Best Practice Guidance's relevant to this application are:

- Development Plan Policies for Biodiversity (2005)
- Wheelchair Accessible Housing (2007)

## Core Strategy

6.9 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

- Spatial Policy 1 Lewisham Spatial Strategy
- Core Strategy Policy 1 Housing provision, mix and affordability
- Core Strategy Policy 7 Climate change and adapting to the effects
- Core Strategy Policy 8 Sustainable design and construction and energy efficiency
- Core Strategy Policy 9 Improving local air quality
- Core Strategy Policy 10 Managing and reducing the risk of flooding
- Core Strategy Policy 13 Addressing Lewisham's waste management requirements
- Core Strategy Policy 14 Sustainable movement and transport
- Core Strategy Policy 15 High quality design for Lewisham
- Core Strategy Policy 19 Provision and maintenance of community and recreational facilities
- Core Strategy Policy 21 Planning obligations

## Development Management Local Plan

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

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

- DM Policy 1 Presumption in favour of sustainable development
- DM Policy 7 Affordable rented housing
- DM Policy 22 Sustainable design and construction
- DM Policy 23 Air quality
- DM Policy 24 Biodiversity, living roofs and artificial playing pitches
- DM Policy 25 Landscaping and trees
- DM Policy 26 Noise and vibration
- DM Policy 27 Lighting
- DM Policy 28 Contaminated land
- DM Policy 29 Car parking
- DM Policy 30 Urban design and local character
- DM Policy 32 Housing design, layout and space standards
- DM Policy 35 Public realm
- DM Policy 41 Innovative community facility provision

Residential Standards Supplementary Planning Document (August 2006, Updated 2012)

6.12 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.

Planning Obligations Supplementary Planning Document (February 2015)

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

**7.0 Planning Considerations**

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

- a) Principle of Development
- b) Design
- c) Housing
- d) Highways and Traffic Issues
- e) Impact on Adjoining Properties
- f) Sustainability and Energy
- g) Ecology
- h) Trees and Landscaping
- i) Air Quality
- j) Contaminated Land
- k) Flood Risk and SuDS

Principle of Development

7.2 The application site is not located within a town centre, a designated shopping frontage nor within any of the defined Strategic Industrial Locations, Local Employment Locations or Mixed Use Locations as defined by Core Strategy.

7.3 The National Planning Policy Framework (NPPF), encourages the redevelopment of previously developed (brownfield land). Policy 3.4 of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

a) *Demolition of Existing Building*

7.4 Officers have reviewed the proposal and have previously visited the site, and do not consider that the existing building is of sufficient architectural merit that would warrant its retention, subject to a high quality redevelopment being proposed on the application site. Furthermore the existing building is only occupied for security purposes, and all housing matters are now dealt with outside of the estate.

b) *Residential Use*

7.5 The existing use onsite is not considered to make best use of the site's location, or to be the optimal use of the land given the low density of the existing development.

7.6 The current application is for the replacement of the existing building with 8 one bedroom, 16 two bedroom and 7 three bedroomed self-contained flats and therefore the proposed development would result in an overall uplift of 31 homes over the existing development.

7.7 Residential use is a priority in both London and the borough and it is considered that an additional 31 (including 7 family units) socially rented units (100% affordable housing) would make an extremely valuable contribution towards meeting housing need, which is set by the London Plan as 1,385 unit per year for the borough or 13,847 as a minimum ten year target.

7.8 The proposed development forms part of a Council strategy to provide 500 new homes across the borough. The 500 home programme provides a variety of housing typologies across a series of sites in the borough including hostels.

7.9 Given the above, and by virtue of its good public transport accessibility and location within an area with a high proportion of residential use, it is considered that the site could be more appropriately used for a residential led development with a small area community use component. The application site is located within a sustainable urban location and would optimise the use of previously developed land as well as providing an uplift in housing which would serve families and others on the Council's Housing Register.

c) *Community Use*

7.10 The proposed development would include a small unit with a flexible use class to include A1 / A2 / A3 / B1(a) / D1 (crèche, education, museum, art gallery) at 153 square metres.

- 7.11 There is no objection to the inclusion of this flexible use in the proposed scheme. All of the uses are considered appropriate for the nature and location of the application site.
- 7.12 Given that occupiers are not confirmed for the space, to ensure the unit is attractive to future prospective tenants, details of fit out of the shopfront are recommended to be secured by condition.

*d) Residential Density*

- 7.13 Core Strategy Policy 15 seeks to ensure a high quality of development in Lewisham, including residential schemes and that densities should be those set out in the London Plan. Policy 3.4 of the London Plan 2016 seeks to ensure that development proposals achieve the maximum intensity of use compatible with local context. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a sites setting (assessed in terms of its location, existing building form and massing) and public transport accessibility level (PTAL).
- 7.14 The site is located within a largely residential area and has a PTAL of 2, indicating less than average accessibility to public transport connections. The scheme proposes 31 dwellings on a 0.2509 hectare site which equates to a density of 124 dwellings per hectare (390 habitable rooms). The relevant London Plan density range states a range of 50-95 units or 150-250 habitable rooms per hectare is sustainable for such a location.
- 7.15 As such, the proposed density is slightly above that recommended by the London Plan density matrix. However, officers do not consider the proposed development to be symptomatic of overdevelopment of the application site as discussed below in the design section of this report.
- 7.16 Given the above and subject to further discussion regarding the proposed design below, the proposed density is considered by officers to be acceptable.

*e) Summary*

- 7.17 Given the above, it is considered that the principle of the proposed development is acceptable. This is subject to achieving a high quality scheme in response to the other policies of the Development Plan, as discussed below.

Design

- 7.18 Paragraph 131 of the National Planning Policy Framework states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 130 states that 'permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions'.
- 7.19 Urban design is a key consideration in the planning process. Part 12 of the NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the

achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

7.20 London Plan Policies 7.1-7.7 (inclusive) and Core Strategy Policy 15 reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.

*a) Layout*

7.21 This application proposes the demolition of the existing two-storey building and the construction of a new part three, part four, part five storey building.

7.22 The layout of the proposed development has evolved through a pre-application process as well as public consultation. The proposal has also been reviewed by the Design Review Panel.

7.23 The main contextual adjacencies which have been considered in the layout of the proposed development are the proximity to the two storey buildings at Fairlawn Park to the west of the site and the eight storey buildings to the east of the site.

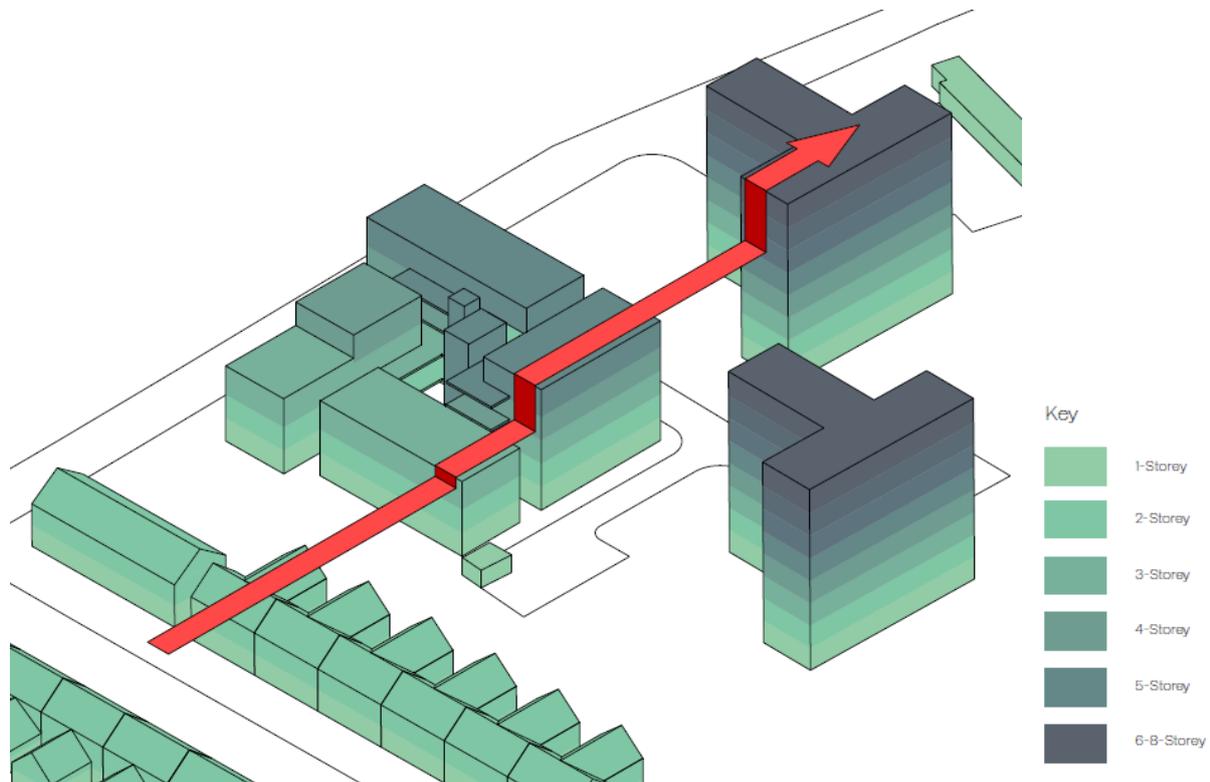
7.24 The proposed building as detailed would consist of a modular construction (similar to that of PLACE/Ladywell) and employ a simple plan form, arranged as a series of boxes. They can be arranged flexibly, and in this instance they will be used to create a building with four main segments arranged in a 'pin wheel' fashion with larger blocks sited away from the two storey terrace on Fairlawn Park.

7.25 It is considered that the proposed layout of the development is an appropriate and successful response to the nature of the site in terms of size, shape and location. The height, massing and design of the development are elaborated upon below.

*b) Height and massing*

7.26 In terms of the impact upon the urban environment, Core Strategy Policy 15 states that for all development the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.

7.27 As stated above, the building is broken down and articulated into four separate blocks with an open atrium / core located centrally between such. The proposed approach to massing is demonstrated in the diagram below:



7.28 Officers consider that the height and massing of the proposed redevelopment is well considered in that it responds directly to the height and massing of the surrounding built environment. The proposal steps up from the two storey context to the west of the site to the eight storey context to the east in three, four and five storey increments.

7.29 This approach is considered to be successful and as such, it is considered that the proposed development would sit comfortably against the scale of buildings in the wider context, and suitably accord with surrounding built environment.

c) *Detailed design*

7.30 The proposed building would be clad in GRC panels. The colour of these panels is indicated as being the following:

- Arctic White in 3 surface textures
- Silver Grey in 3 surface textures
- Sandstone in 3 surface textures
- Anthracite in 3 surface textures
- Terra in 3 surface textures

7.31 Furthermore, bright colours would be used selectively to the soffits and internal courtyard / atrium. The colour of these panels is indicated as being the following:

- RAL 6018 Green
- RAL 1018 Yellow
- RAL 5015 Blue
- RAL 2004 Orange
- RAL 4003 Pink

- 7.32 The use of the colour has been ‘calmed’ through the pre-application process and following a presentation to the Lewisham Design Review Panel. The external walls of the proposal would be finished in calm and muted colours, typical of a suburban and established residential area and colour would be used selectively, mainly on the balcony soffits and internal courtyard to enliven and animate this space. Officers consider that this careful application of colour serves to break up the massing and further articulate the main block of the proposed development.
- 7.33 It is considered that the proposed development, as a result of the cladding and colour, would not appear incongruous on the streetscene. The use of colours are striking and playful rather than brash and would selectively animate and break up the proposed development in a positive manner. Officers therefore support the colour scheme given the very high quality of design.
- 7.34 To support the design, material samples and detailed sections through the building have been submitted with the application, these are considered to provide a realistic impression of the final buildings’ appearance and would allow for a high quality scheme.

*d) Summary*

- 7.35 The success of the design and therefore its acceptability will depend entirely on securing the high quality of the materials and detailing proposed to ensure that the simplicity of the proposal does not lead to a scheme that is bland and fails to respond to the surrounding context.
- 7.36 The detailed plans that have been submitted demonstrate that a quality design is achievable and are therefore considered to be sufficient to justify the scale and height of the proposal. Officers consider that the proposed development has maximised the potential of the site and the scale of building achievable in this location and, subject to the quality of the detailing and design being adequately secured through conditions, it is considered that the development would be a high quality addition to the area.

Housing

*a) Size and Tenure of Residential Accommodation*

- 7.37 Policy 3.12 of the London Plan (Negotiating Affordable Housing on individual private residential and mixed use schemes) states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential mixed use schemes, having regard to:
- a) current and future requirements of affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11.
  - b) affordable housing targets adopted in line with Policy 3.11
  - c) the need to encourage rather than restrain residential development
  - d) the need to promote mixed and balanced communities
  - e) the size and type of affordable housing needed in particular locations
  - f) the specific circumstances of individual sites.
- 7.38 The Policy goes on to state that ‘negotiations on sites should take account of individual circumstances including development viability’.

- 7.39 Core Strategy Policy 1 states that contributions to affordable housing will be sought on sites capable of providing 10 or more dwellings. Core Strategy Policy 1 confirms that the maximum level of affordable housing would be sought by the Council, with a strategic target of 50%, as a starting point for negotiations and subject to an assessment of viability. The policy seeks provision at 70% social rented and 30% intermediate housing (based on total unit numbers) and family housing (three+ bedrooms) in development of more than 10 units. Where existing areas have a high concentration of social rented housing, different proportions of affordable housing could be sought.
- 7.40 The proposals provide 31 units (8 one bedroom, 16 two bedroom, 7 three bedroom) units all within an affordable tenure (social rented). Whilst the proposed development would provide 100% social rented units and would not achieve the 70% social rented and 30% intermediate housing split as specified above; officers consider this mix to be acceptable in this instance given the proposed development is replacing an existing building which is only occupied for security purposes, there is not an existing overprovision of social rented housing in the area and as there is an overriding and urgent need for units within a social rented tenure in the borough. As such, officers consider that the proposed development therefore meets the requirements of Core Strategy 1 and significantly provides housing for families currently homeless in the borough, who otherwise are temporarily housed within bed and breakfast accommodation.

*b) Wheelchair units*

- 7.41 Core Strategy Policy 1 and London Plan Policy 3.8 state that all new housing should be built to Lifetime Homes standards and that 10% of the new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. As such, the application is required to provide 3 wheelchair units.
- 7.42 The applicant has indicated that all units will be wheelchair accessible. A condition is recommended to secure the provision of the wheelchair units to Building Regulations Part M4(3)(2).
- 7.43 The proposed development is well in excess of the required standards regarding wheelchair units and as such is supported by officers.

*c) Standard of Residential Accommodation*

- 7.44 Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing developments to be of the highest quality internally, externally and in relation to their context. This policy sets out the minimum floor space standards for new houses relative to the number of occupants and taking into account commonly required furniture and spaces needed for differing activities and circulation, in line with Lifetime Home Standards.
- 7.45 Core Strategy Policy 1, Development Local Plan Policy 32, London Plan Policy 3.5 and the London Plan Housing SPG seek to ensure that all new residential development meets minimum size standards.
- 7.46 Nationally prescribed space standards were released in March 2015 to replace the existing different space standards used by local authorities. It is not a building

regulation and remains solely within the planning system as a new form of technical planning standard.

7.47 The plans confirm that all the units would exceed minimum standards by at least 10% and all dwellings would have a floor to ceiling height, which exceeds the minimum 2.5m floor to ceiling height as set out in the London Plan.

7.48 Standard 4.10.1 of the Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5sqm to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. The minimum depth for all external space is 1500mm. All units within this development would have private amenity space in the form of balconies and gardens (at ground floor) which meet and exceed the aforementioned standard. All units would also meet the minimum internal storage standards.

#### *d) Playspace Provision*

7.49 London Plan Policy 3.6 (Children and Young People's Play And Informal Recreation Facilities) states that development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. The Mayor's Supplementary Planning Guidance (SPG) *Providing for Children and Young People's Play and Informal Recreation* sets out guidance to assist in this process. This SPG states that 10 square metres of playspace should be provided per child.

7.50 The Providing for Children and Young People's Play and Informal Recreation SPG states that the 10 square metres per child benchmark should be set in the context of the overall open space requirements, and where open space provision is genuinely playable, the open space may count towards the play space provision.

7.51 The SPG playspace requirement calculator indicates the following levels of child occupancy in relation to the proposed development:

**Table 2**

	<i>Number of children</i>	<i>Percentage</i>
Under 5	16	51
5 to 11	10	31
12+	6	18
Total	32	100

7.52 The calculator indicates a child occupancy of 32 meaning that 320 square metres (32 children x 10 square metres) of playspace should be available.

7.53 Given the constrained nature of the site, it has not been possible to provide dedicated play space on the application site. However, officers consider that there is an abundance of playspace available to future child occupants in close proximity to the application site as follows:

- Home Park Adventure Playground (50m from site)
- Home Park (playground and park) (less than 100m from site)

- Mayow Park (playground and park) (750m from application site)

7.54 As such, it is considered that sufficient playspace provision would be provided from existing facilities in close proximity to the application site. As such, the proposal is acceptable in this regard.

### Highways and Traffic Issues

#### a) Access

7.55 The site would be accessed from Winchfield Road. Pedestrian access for the residential use would be provided from the north, south and east of the site with vehicular access to the proposed disabled parking spaces being provided from the south of the site. The proposed commercial unit would be accessed from Winchfield Road to the east of the site. The residential and commercial units would benefit from level access.

7.56 The application site is located less than 10 minutes' walk from the nearest bus stop at Highclere Street (280m away). This bus stop is served by the 194, 202, 356 and 450 bus routes. The site is located approximately a walking distance of 700 metres north west of Lower Sydenham Rail Station and additional services can be reached at Sydenham Station located a walking distance of 1.2km north of the site.

7.57 The application site has a Public Transport Accessibility Level (PTAL) of 2, where '1' is rated as Poor and '6' is rated as Excellent.

#### b) Refuse and servicing

7.58 Refuse and recycling stores would be located to the east of the development and accessed off Winchfield Road. The refuse collection for both the commercial and residential units would be from this location. The store appears not to be separated for commercial and residential uses however officers consider that this could be achieved given there are two access doors to the store. Details of the stores would be secured via condition.

7.59 An amended Delivery and Servicing Plan including further details as to how waste would be managed and collected would also be secured by condition.

#### c) Cycle Parking

7.60 The London Plan Housing SPG Standard 20 and London Plan Policy 6.9 state that all developments should provide dedicated storage space for cycles at the following level:

- 1 per studio and one bed
- 2 per all other dwellings

7.61 Each unit provides internal storage for cycle parking. This would be conditioned to provide 1 or 2 spaces (dependent on the number of bedrooms) per unit in accordance with the London Plan Housing SPG standards.

7.62 The submission does not detail cycle provision for the proposed commercial unit at ground floor level. The details of such would be secured by condition.

#### *d) Car Parking and Highways*

- 7.63 The Council's Highways Officer has considered the parking survey data submitted with the application and the level of car ownership in the surrounding area. The parking surveys submitted with the planning application have demonstrated that there is sufficient capacity on-street within the vicinity of the site to accommodate any overspill parking generated by the proposed development. The surveys have also demonstrated that there is sufficient on-street parking capacity to accommodate the existing parking within the site boundary that will be displaced by the proposed development.
- 7.64 A car-free scheme (with the exception of 3 disabled parking spaces) is considered acceptable in this location, subject to conditions requiring the following:
- Provision of membership to a car club scheme for all residents at the site for three years as a sustainable alternative to car ownership.
  - A Travel Plan for the site. The Travel Plan should include measures to encourage the use of sustainable modes of travel at the development.
- 7.65 Further to the above, to improve the accessibility of the site and the proposed development. The applicant would be required to undertake the following highway improvements:-
- The reinstatement and improvement works to the footways adjacent to the site
  - The installation of an informal crossing between the site and Home Park (on Winchfield Road) to calm traffic and improve the pedestrian accessibility to the application sites.
  - The installation of tactile paving and dropped kerbs at the junction of Winchfield Road / Fairlawn Park, and at Winchfield Road / estate access road.
- 7.66 Finally, a Parking Management Plan would also be secured by condition. The plan should provide details of how informal parking will be enforced/managed within the site and provide details of how the three disabled parking spaces will be allocated.
- 7.67 Subject to the above, the proposed development is considered to be acceptable with regard to parking and highways matters.

#### *e) Construction*

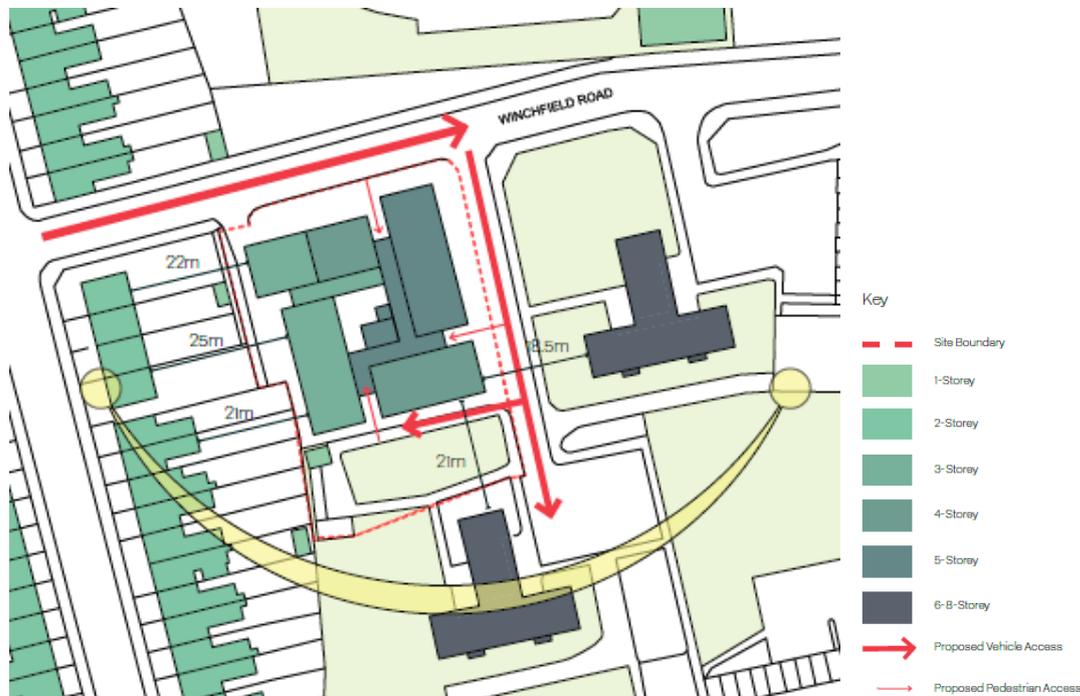
- 7.68 The applicant has not submitted a details of construction management with the application. In order to manage the impacts of construction and traffic, a full Construction Environment Management Plan is required to be secured by condition.

#### Impact on Adjoining Properties

- 7.69 Development Management Policy 32 requires the siting and layout of all new-build housing to respond positively to the site specific constraints and opportunities, as

well as being attractive, neighbourly, provide a satisfactory level of outlook and natural lighting for both future and existing residents and meet the functional needs of future residents. All new-build housing will be required to be sited to minimise disturbance from incompatible uses and be well located in relation to public transport with a high quality pedestrian environment.

7.70 The relationship of the proposed development in relation to surrounding residential uses is outlined below:



a) *Daylight and Sunlight*

7.71 The assessment of daylight is based on the calculation of the vertical sky component (VSC) to an affected window in both the existing and proposed condition. The VSC, simply put, is the amount of light received at the centre of a window. There is a further assessment that assesses the distribution of daylight within a room. This is called the average daylight factor (ADF). Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced by the room area, the area of room surfaces, the reflectance of room surfaces and the transmittance of the glazing with the size of the obstruction being a smaller influence. A further measure of daylight distribution within a room is no sky line (NSL). This divides those areas that can see direct daylight from those which cannot and helps to indicate how good the distribution of daylight is in a room.

7.72 The residential development in close proximity to the application site has been tested with regard to impact on sunlight and daylight. The application has been submitted with a Daylight and Sunlight Assessment, outlining the results of this testing.

7.73 The residential development which has been tested is as follows:

- Home Park Estate, 1 – 63 Winchfield Road
- Home Park Estate, 65 – 127 Winchfield Road
- Fairlawn Terraces, 108 – 120 Fairlawn Park

- Fairlawn Terraces, 122 – 128 Fairlawn Park

- 7.74 With regard to daylight, 72 windows were assessed as part of the daylight and sunlight study, and the majority (58) of were found to meet good practice guidance criteria at façade level, meaning that there would be minimal change to daylight access and further assessment was not required.
- 7.75 Fourteen windows were found to be reduced to below good practice guidance absolute recommendations at façade level and review of their internal daylight was made. These are windows which face the proposed development and are located at Ground through Second Floor level on residential tower 1 – 63 Winchfield Road, Ground Floor level on 65 – 127 Winchfield Road, and a single First Floor window on 118 Fairlawn Park. These windows were only reduced marginally below the recommended good practice levels.
- 7.76 Internal testing of rooms served by these windows confirms that while a visible change may be noticeable by occupants of rooms facing the proposed development, their access to direct daylight will not be significantly reduced and daylight conditions are expected to be similar to those that are currently enjoyed.
- 7.77 Similarly, with regard to daylight, the same 72 windows were assessed as part of the daylight and sunlight study. However, 16 windows on the residential towers facing north and 24 windows for Fairlawn Park terraces facing north of east were subsequently excluded from sunlight assessment as they are not oriented within 90 degrees of south, in accordance with BRE guidelines.
- 7.78 The sunlight analysis indicates that the majority of windows tested are unlikely to be affected by new shadowing in excess of good practice recommendations due to the proposed development. Windows typically at Second Floor level or higher are not expected to experience highly noticeable change in their sunlight access, although this depends on their relative distance and orientation when compared to the proposed development.
- 7.79 Five windows tested as part of residential tower at 1 – 63 Winchfield Road are expected to experience minimal reductions in direct sunlight access in excess of good practice guidance criteria, and these are found at ground, first and one at second floor levels. Rooms served by these windows are found to retain the recommended access to daylight and sky views (no sky line test), meaning that the effects on direct sunlight access are considered to be less significant. Given that daylight and sky views are to remain within an acceptable level as well as the large separation distance between the proposed development and the affected windows, this impact is considered to be acceptable.
- 7.80 All other windows are expected to experience sunlight conditions similar to those that are currently enjoyed.
- 7.81 The analysis also assessed amenity space serving surrounding residential development. This indicates that amenity space would be largely unaffected as a result of the proposed development. Gardens are likely to experience a minor increase in shadowing during early to mid-morning hours.
- 7.82 The analysis found that a minimum of 2 hours of direct sunlight to over 50% of gardens on 21 March, the standard test date, is retained, meeting BRE criteria.

Overall, the expected change in direct sunlight availability is limited to less than 20%, and sufficient amenity is retained with the proposed development in place.

- 7.83 Given the above, officers consider that the proposed development would have no unreasonable or adverse impact with regard to loss of daylight or sunlight to occupants of neighbouring residential dwellings.

*b) Outlook*

- 7.84 The proposed development would be located 18.5m to 25m away from the nearest adjoining residential development, as outlined above.

- 7.85 Given these separation distances, and the moderate height of the proposed development within the existing context, as well as the relationship of the proposed development to primary elevations of surrounding neighbouring development, officers consider that there would be no unreasonable impact on neighbouring properties by way of loss of outlook.

*c) Privacy*

- 7.86 The Council's Residential Development Standards SPD (updated 2012) states that developers will be expected to demonstrate how the form and layout of their proposals will provide residents with a quality living environment, and how privacy will be provided both for the neighbours and the occupiers of the proposed development.

- 7.87 It states that a minimum separation distance of 21 metres should be maintained between directly facing habitable room windows on main rear elevations, unless mitigated through design. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development. A greater separation distance will be required where taller buildings are involved.

- 7.88 The acceptable distance between front elevations should normally be determined by the character of road widths in the area. The use of mews, courtyard, and other similar forms of development may entail relatively small front-to-front distances. The minimum distance between habitable rooms on the main rear elevation and the rear boundary, or flank wall of adjoining development, should normally be 9 metres or more.

- 7.89 With respect to the two adjacent towers in the existing Home Park Estate, it is considered that given the separation distances between the proposed development and the existing windows on elevations facing the application site, there would be no unreasonable impact with regard to loss of privacy.

- 7.90 It is accepted by officers that the tower at 1-63 Winchfield Road would have windows serving habitable rooms less than 21 metres (18.5 metres) from habitable room windows of the proposed development. However, given that the separation distance is only just below the 21 metres recommended, and that the affected windows at 1-63 Winchfield Road would serve bedrooms, it is considered that this relationship is acceptable.

- 7.91 There proposed development would be separated from windows on the rear elevation of residential units on Fairlawn Park by separation distances of 21 to 25m. These distances are considered to be acceptable.

7.92 Views from lower levels of the proposed development towards the rear gardens of properties on Fairlawn Park would be obscured by an existing high boundary wall. Officers acknowledge that some overlooking may occur from upper storeys of the proposed development towards the rear gardens of these properties; however, this would represent a normal degree of mutual overlooking that one would expect in a developed and residential location. As such, officers consider this relationship to be acceptable.

*d) Summary*

7.93 Given the separation distances from surrounding residential uses, which largely are well in excess of the Council's recommended minimum standards it is considered that there would be no unreasonable impact on the occupants of neighbouring residential dwellings with regard to neighbour amenity.

7.94 Where these standards are not met at the flank-to-flank relationship with 1-63 Winchfield Road and at upper floor levels of the proposed development towards the rear gardens of dwellings on Fairlawn Park, it is accepted that there may be a degree of loss of privacy in these locations. However, this is not uncommon for such an arrangement in an developed residential setting and is considered acceptable in this instance.

Sustainability and Energy

7.95 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

7.96 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be green: use renewable energy

7.97 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policy 8 requires all new residential development to meet a minimum of Code for Sustainable Home Level 4.

7.98 The energy assessment confirms that along with a solar photovoltaic panels array of 180 square metres at roof level will achieve a site wide total carbon reduction of 35% beyond those defined in Building Regulations Part L (2013).

7.99 Given the above, the proposal is considered acceptable with regard to sustainability and energy.

Ecology

- 7.100 DM Policy 24 (Biodiversity, living roofs and artificial playing pitches) states that Applicants for all major and, where appropriate, non-major development will be required to use up to date surveys and reports that are based on the latest legislation and carried out by a suitably qualified ecologist registered with the Chartered Institute of Ecology and Environmental Management (CIEEM). The surveys should be carried out during an optimal time and contain the appropriate degree of detail needed to identify and consider existing biodiversity interests and possible impacts on them, where the proposed site is part of, or located adjacent to, a site designated for its biodiversity value.
- 7.101 The applicant has submitted a Preliminary Ecological Appraisal and a Bat Survey Report. The surveys undertaken indicate no bat roosts are present at the existing application site with minimal bat activity noted during the visit in June 2018. Some activity was noted above and adjacent to the site but the report concluded that no roosts were present on the application site.
- 7.102 The Council's Ecological Regeneration Manager has no objection to the proposed development subject to compliance with the measures outlined in section 6 (Discussions and Recommendations) of the Bat Survey Report. This would be secured by condition.
- 7.103 Furthermore, it is recommended that the Ecological Enhancements are carried out as per the recommendations in section 6.4 of the Ecological Appraisal. These include the following:
- Sowing of native wildflower species within an urban meadow. This could be incorporated in smaller spaces such as planters and/ or beds in courtyard spaces, or as part of a green roof
  - Installation of insect habitats such as an urban insect box, urban bee nester, and bee-pot (concrete planter and bee hotel)
  - Installation of house sparrow terraces, where appropriate
- 7.104 It is recommended that full details of Ecological Enhancements be secured by condition. No other ecological issues have been raised.
- 7.105 Given the above, the proposed development is acceptable with regard to impact on ecology.

#### Trees and Landscaping

- 7.106 London Plan Policy 5.11 confirms that development proposals should include 'green' roofs. Core Strategy Policy 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which compromise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity bio-diversity.
- 7.107 Core Strategy Policy 12 (Open Space and Environmental Assets) recognises the importance of trees and details the arboricultural considerations required during the planning process. It states that the Council's targets to conserve nature and green the public realm will be achieved by "protecting trees, including street trees, and preventing the loss of trees of amenity value, and replacing trees where loss does occur".

- 7.108 DM Policy 25 (Landscaping and Trees) states that Development schemes should not result in an unacceptable loss of trees, especially those that make a significant contribution to the character or appearance of an area, unless they are considered dangerous to the public by an approved Arboricultural Survey. Where trees are removed as part of new development, replacement planting will normally be required. New or replacement species should be selected to avoid the risk of decline or death arising from increases in non-native pests and diseases.
- 7.109 The tree survey has categorised the existing trees on site using British Standard BS5837:2012 Tree Categorisation Process as follows:

**Table 3**

<i>Category</i>	<i>Definition</i>
A	High quality, minimum of 40+ years remaining contribution
B	Moderate quality, minimum of 20+ years remaining contribution
C	Low quality, minimum of 10+ years remaining contribution
U	Unsuitable for retention, <10 years remaining contribution

- 7.110 The existing site accommodates 14 items of vegetation including 2 groups and 12 individual existing trees, 3 of which are Category B, 9 of which are Category C and 2 of which are Category U. There are no Tree Protection Orders on any of the trees on the application site.
- 7.111 9 individual trees are to be removed to facilitate the proposed development, 1 of these is classed as being of moderate quality (Category B) and 7 are classified as low quality (Category C) with 1 being unsuitable for retention (Category U).
- 7.112 One tree is to be pruned to provide a reasonable clearance of the proposed vehicular access; this should be completed prior to the commencement of works to ensure the tree is not damaged inadvertently. Two trees are also to be subject to a small degree of root pruning to facilitate construction of the access road. The Arboricultural Impact Statement states that this level of pruning will not have a significant negative impact on the health or amenity value of the trees.
- 7.113 The proposed tree loss will be mitigated by a robust and high quality landscaping scheme. The applicant has submitted plans demonstrating that such a scheme is feasible on site and that the proposed development presents the opportunity for replacement tree planting of a better quality, and more appropriate and diverse species than that existing. This scheme proposes replacement planting to the front, rear and eastern and western flanks of the site as well as within the internal courtyard. The replacement planting would amount to an additional 23 trees being planted onsite, meaning that along with the 5 retained trees, a total of 28 trees would exist on the site. This is double the existing 14 trees on the application site.
- 7.114 The proposed landscaping scheme including replanting is considered to make a positive contribution to the character, appearance and setting of the area, and an improvement over the existing situation. It is recommended that the details of both soft and hard landscaping be secured by condition.
- 7.115 Further to the above, it is recommended that a condition is imposed ensuring that the proposed development is undertaken in accordance with the submitted Tree Protection Plan and Arboricultural Impact Assessment.

## Air Quality

- 7.116 The proposed development is not located within Air Quality Management Area 1 as identified by the London Borough of Lewisham Air Quality Action Plan (2016–2021). The applicant has submitted an Air Quality Impact Assessment with the application. This report concluded that the application site was ‘low risk’ with regard to Air Quality Impact and recommended that appropriate dust control mitigation measures are implemented.
- 7.117 Officers have reviewed the application and confirmed no objections with regard to air quality impact, subject to the development being carried out in accordance with the mitigation measures outlined in Appendix C of the Air Quality Impact Assessment. It is recommended that this be secured by condition.

## Contaminated Land

- 7.118 DM Policy 28 (Contaminated Land) aims to ensure that any land known or suspected of being contaminated, or where a sensitive use is proposed, is dealt with before the development commences. The re-use of previously developed land is commonplace in urban areas such as Lewisham and where this is so, land contamination can exist. Contamination occurs due to human activities, mainly industry, waste disposal, chemical and oil spills.
- 7.119 As indicated by the applicant in the Design and Access Statement, the site was previously used as Home Park Depot from circa 1915 to 1960s. As this use would have carried the risk of contaminants, it is recommended by officers that an appropriate Contaminated Land condition be attached to assess what the potential contamination risks to identified receptors are and how these would be remediated and verified.

## Flood Risk and SuDS

- 7.120 London Plan Policy 5.13 (Sustainable Drainage) states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 7.121 The Lewisham Core Strategy Objective 6 outlines the Council’s expectations around flood risk reduction and water management:
- 7.122 *The Council with its partners will take action to protect the borough from the risk of flooding and reduce the effects of flooding from all sources, including the Thames, Ravensbourne, Quaggy and Pool rivers, and manage improved water quality by:*
- a) *using the PPS25 sequential and exception tests to allocate land for development*
  - b) *Requiring river restoration and appropriate flood defences as part of development proposals, where appropriate*
  - c) *Ensuring appropriate local flood defences are maintained and provided for and*

*d) Requiring sustainable urban drainage systems in new development, wherever feasible.*

- 7.123 The Council promotes the application of the hierarchy of the SuDS management train as detailed in “The SuDS Manual” CIRIA C753 (2015) and the SuDS Hierarchy in “SUDS A Practical Guide” Environment Agency Thames Region (2006).
- 7.124 The proposed development is located in Flood Zone 1 as identified by the Environment Agency, and thus has a low probability of flooding.
- 7.125 The applicant has demonstrated that exceedance flow can be conveyed across the site without putting properties at risk. Water pathways are shown on a topographic layout of the development area as flowing down the access roads, into the on-site green space before discharging into Winchfield Street. The applicant has also included details of correspondence with Thames Water agreeing to the discharge location and foul discharge rate.
- 7.126 The applicant has confirmed that the proposed discharge rate on site would be 5 l/s, which is a considerable improvement on existing conditions; however, does not achieve greenfield run off rate as recommended by the London Plan. Given the considerable improvement over the existing run-off rate and considering the nature and scale of the proposed redevelopment, as well as the wider benefits including the provision of 31 socially rented units; this is considered acceptable in this instance.

## **8.0 Local Finance Considerations**

- 8.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
  - (b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 8.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 8.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application however the applicant has claimed social housing exemption.

## **9.0 Community Infrastructure Levy**

- 9.1 The proposed development is CIL liable and the applicant has claimed social housing exemption which is expected to be granted.

## **10.0 Equalities Considerations**

- 10.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 10.2 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - b) advance equality of opportunity between people who share a protected characteristic and those who do not;
  - c) Foster good relations between people who share a protected characteristic and persons who do not share it.
- 10.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 10.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 10.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
  2. Meeting the equality duty in policy and decision-making
  3. Engagement and the equality duty
  4. Equality objectives and the equality duty
  5. Equality information and the equality duty
- 10.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

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

## **11.0 Human Rights Implications**

11.1 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

11.2 The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

## **12.0 Conclusion**

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

12.2 It is considered that the scale of the proposed development is acceptable, that the building has been designed to respond to the context, constraints and potential of the site and that the development would provide a high standard of affordable residential accommodation which is desperately required by the borough.

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

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

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

### **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990.

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

RSHP-01-001-P-XX, RSHP-01-002-P-XX, RSHP-01-003-P-XX, RSHP-01-004-P-XX, RSHP-18-001-E-S, RSHP-18-002-E-N, RSHP-18-003-E-E, RSHP-18-

004-E-W, RSHP-18-100-E-S, RSHP-18-101-E-N, RSHP-18-102-E-E, RSHP-18-103-E-W, RSHP-19-100-S-AA, RSHP-19-101-S-BB, RSHP-19-102-S-CC, RSHP-19-103-S-DD, RSHP-19-104-S-EE, RSHP-20-010-P-00, RSHP-20-011-P-01, RSHP-20-012-P-RP, RSHP-20-100-P-00, RSHP-20-101-P-XX, RSHP-20-103-P-03, RSHP-20-104-P-04, RSHP-20-110-P-RF, RSHP-80-100-D-XX, RSHP-80-101-D-XX, RSHP-80-102-D-XX, RSHP-90-100-X-XX, RSHP-90-101-X-XX, RSHP-90-102-X-XX

**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 such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-
  - (a) Dust mitigation measures.
  - (b) The location and operation of plant and wheel washing facilities
  - (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
  - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
    - (i) Rationalise travel and traffic routes to and from the site.
    - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
    - (iii) Measures to deal with safe pedestrian movement.
  - (e) Security Management (to minimise risks to unauthorised personnel).
  - (f) Details of the training of site operatives to follow the Construction Management Plan requirements.
  - (g) The development shall be carried out in accordance with the approved Construction Management Plan.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

4. (a) The buildings hereby approved shall be constructed in accordance with the approved Energy Statement revision 2 (dated 22 March 2018) (AECOM) in order to achieve the following requirements:
  - a minimum of 35% improvement in the Target Emission Rate (TER) over the 2013 Building Regulations Part L1A minimum requirement to accord with current (April 2015) GLA requirements for carbon reduction

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

5. Prior to any above ground works a detailed schedule and sample panel of all external materials, including surface treatments, and finishes/windows and external doors/roof coverings to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

6. (a) Prior to any above ground works, details of proposals for the storage of refuse and recycling facilities for each the residential and commercial unit hereby approved, shall be submitted to and approved in writing by the local planning authority.  
  
(b) The facilities as approved under part (a) shall be provided in full prior to first occupation of the development and shall thereafter be permanently retained and maintained.

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

7. (a) A minimum of 54 residential secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.  
  
(b) 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).

8. (a) The commercial unit shall not be occupied until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.  
  
(b) 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) The proposed development hereby approved shall be constructed in accordance with scheme of hard and soft landscaping as indicated on drawing numbers

7108\_P\_010, 7108\_P\_011, 7108\_P\_012, 7108\_P\_015, 7108\_P\_016,  
7108\_P\_020, 7108\_P\_021, 7108\_P\_022, 7108\_P\_023, 7108\_P\_041,  
7108\_P\_042, 7108\_P\_043,

- (b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
- (c) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

10. (a) The development shall not be occupied until a Delivery and Servicing Plan 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 development 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).

11. (a) Notwithstanding the details approved, no part of the development hereby approved shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in

writing by the local planning authority. 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 means other than motor vehicles, 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).

- 12. 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 the elevations or the roof 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).

- 13. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes shall be fixed on the external faces 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).

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

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

Management Local Plan (November 2014).

15. The whole of the amenity space (including roof terraces and balconies) as shown on the approved plans hereby approved shall be retained 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).

16. (a) No development shall commence above ground level on site until plans (1:50) and details showing the physical fit out of the commercial unit hereby approved have been submitted to and approved in writing by the local planning authority.
- (b) No occupation of the residential units shall take place until the commercial unit hereby approved is be constructed in full accordance with the approved details.

**Reason:** To ensure that the fit-out of the units is sufficient to ensure that they are an attractive and commercially viable option and to demonstrate the developers commitment to delivering the commercial units as part of this development in accordance with Core Strategy Policy 4 Mixed Use Employment Locations (June 2011) and Development Management Local Plan (November 2014) DM Policy 9 Mixed Use Employment Locations

17. (a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) standard M4(3)(2).
- (b) No development shall commence above ground level until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a) of this condition.
- (c) The development shall be carried out in accordance with the requirements of part (b) of this condition.

**Reason:** To ensure that there is an adequate supply of wheelchair 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).

18. (a) Prior to completion of superstructure works on site, a Parking Management Plan indicating how the proposed car parking spaces will be allocated to the future residents, and how informal parking will be managed, shall be submitted to and approved in writing by the local planning authority.
- (b) Parking Management Plan shall be implemented prior to occupation of the buildings and retained in perpetuity.

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

19. The proposed development shall be carried out in accordance with the mitigation measures outlined in Appendix C of the Air Quality Impact Assessment (AECOM, 2018).

**Reason:** In order to ensure that the proposed development does not unreasonably impact on local air quality in accordance with Core Strategy Policies 7 Climate change and adapting to the effects and 9 Improving local air quality and Development Management Plan Policy 23 Air Quality.

20. (a) No development shall commence until details of the following works (including drawings and specifications) have been submitted to and approved in writing by the Local Planning Authority:

- i. The reinstatement and improvement works to the footways adjacent to the site
- ii. The installation of an informal crossing between the site and Home Park (on Winchfield Road) to calm traffic and improve the pedestrian accessibility to the application sites.
- iii. The installation of tactile paving and dropped kerbs at the junction of Winchfield Road / Fairlawn Park, and at Winchfield Road / estate access road.

(b) Prior to occupation, the works required under (a) must be completed and evidence of approval from the Highways Authority to this work must be submitted and approved by the Local Planning Authority.

**Reason:** To secure highways improvement works on the public highway and to accord with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

21. Prior to occupation of any of the residential units hereby approved, evidence shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that car club membership for each of the flats has been provided. The memberships shall be a minimum of three years in duration and apply 7 days a week.

**Reason:** To limit car ownership/use and encourage sustainable modes of transport in accordance with Policies Objective 9: Transport and accessibility and Core Strategy Policy 14: Sustainable movement and transport (June 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

22. (a) No development above ground level shall commence on site until plans and sectional details at a scale of 1:10 or 1:20 showing the proposed frontage to the commercial unit hereby approved have been submitted to and approved in writing by the local planning authority. Such information should demonstrate the location of the fascia sign, any shutter/grill box, the window system, the stall riser (if included), canopies, awnings and the entrance.

(b) The development shall be constructed in full accordance with the approved details prior to first occupation of the residential units hereby approved.

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 19 Shop fronts, signs and hoardings.

23. The development hereby approved shall be constructed in accordance with the detail within the Arboricultural Impact Assessment (dated March 2018) (AECOM) and tree protection outlined in drawing number 7108\_P\_012.

**Reason:** To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

24. The proposed development shall be carried out in accordance with Section 5 (Discussions and recommendations) of the Bat Survey Report (June 2018) (AECOM).

**Reason:** In order to ensure compliance with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

25. Details of the ecological mitigation measures to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

**Reason:** To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

26. All of the thirty-one (31) residential units hereby granted permission shall be provided and maintained in perpetuity as affordable housing for social rent to meet the needs of householders whose incomes are not sufficient to permit them to access and afford to rent on the open market. The affordable housing shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it.

**Reason:** In order to meet the housing needs of the Borough and comply with Core Strategy Policy 1 of the Lewisham Core Strategy (2011).

27. (a) No development or phase of development (including demolition of existing

buildings and structures, except where prior agreement with the Council for site investigation enabling works has been received) shall commence until :-

- (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
- (ii) 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, (including subsequent correspondences as being necessary or desirable for the remediation of the site) to and approved in writing by the Council.

(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 or phase of development shall not be occupied until a closure report for the development or phase 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 policy DM 28 ‘Contaminated Land’ of the Development Management Local Plan (November 2014).

## **Informatives**

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council’s website. On this particular application, positive discussions took place which resulted in further

information being submitted.

- B. The applicant is 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.
- C. The applicant is advised that the name and contact details of the person(s) accountable for air quality and dust should be displayed on the site boundary during construction of the proposed development.
- D. Thames Water

#### *Waste Comments*

The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning

02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).”

Thames Water would advise that provided the developer followed the sequential approach to the disposal of surface water we would have no objection to the proposed development.

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

#### *Water Comments*

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide ‘working near our assets’ to ensure your workings are in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures.

Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. 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.