

Committee	PLANNING COMMITTEE C	
Report Title	Demolition of the existing building and erection of a single storey building comprising a new church (D1 Use) and four storey building comprising 8 residential flats (C3 Use) with associated refuse, cycle storage, landscaping and amenity space at land attached to Evelyn Hall, Clyde Street, SE8.	
Ward	Evelyn	
Contributors	Patrycja Ploch	
Class	PART 1	01 August 2019

Reg. Nos. DC/18/110165

Application dated 17/12/2018

Applicant Peacock and Smith (on behalf of Bible Truth Church of God and Opes Real Estate Ltd)

Applicant's Plan Nos  
Proposed Site Plan (Drawing No (000) 001 Rev B); Existing Floor Plan (Drawing No (000) 002); Existing Elevations (Drawing No (000) 003); Proposed Basement Plan (Drawing No (000) 101 Rev D); Proposed Section (Drawing No (000) 111 Rev D) received on 18th December 2018.

Proposed Site Plan (Drawing No (000) 100 Rev E); Proposed Ground Floor Plan (Drawing No (000) 102 Rev H); Proposed First Floor Plan (Drawing No (000) 103 Rev F); Proposed Second Floor Plan (Drawing No (000) 104 Rev F); Proposed Third Floor Plan (Drawing No (000) 105 Rev C); Proposed North (Drawing No (000) 106 Rev F); Proposed South & East Elevations (Drawing No (000) 107 Rev E); Proposed Contextual Elevations (Drawing No (000) 108 Rev C) received on 15th July 2019.

Background Papers  
(1) Core Strategy (2011)  
(2) Development Management Local Plan (November 2014)  
(3) London Plan (March 2016)

Designation Core Strategy – Regeneration and Growth Areas, Flood Zone 2 and 3

## 1

## **SUMMARY**

This report sets out officer's recommendation in regard to the above proposal. The report has been brought before members for a decision as permission is recommended to be approved and there are three or more valid planning objections.

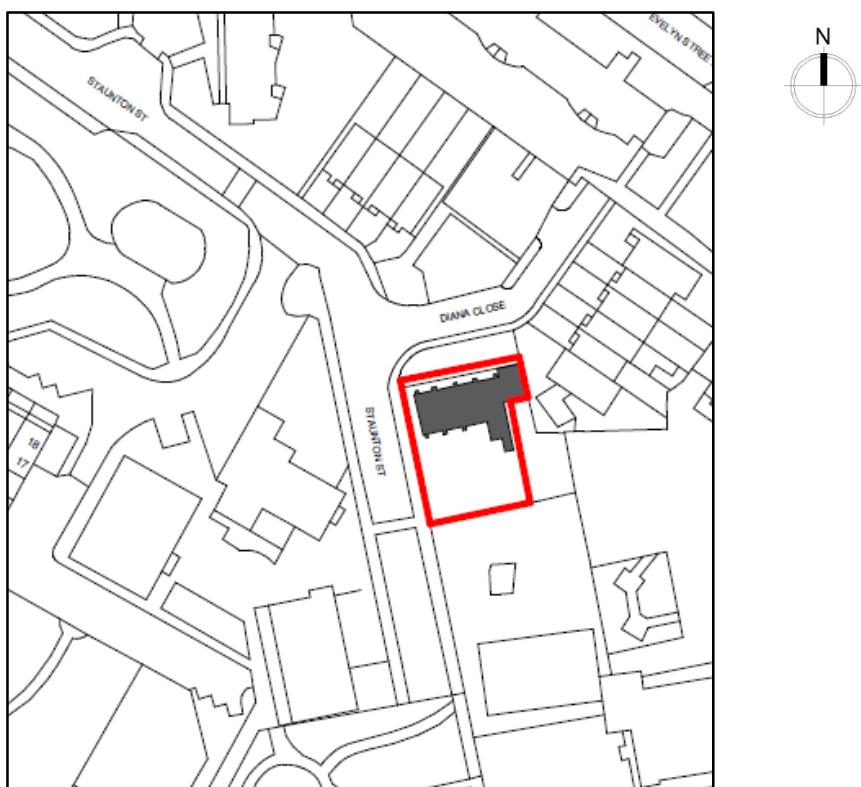
## 2

## **SITE AND CONTEXT**

### 2.1

### **SITE DESCRIPTION AND CURRENT USE**

- 1 The application site is approximately 0.05ha plot located on the eastern side of Staunton Street next to the junction with Diana Close. Staunton Street is a no-through road, blocked to vehicular traffic at its southern end.
- 2 The existing building, Evelyn Hall, is single storey with a steeply pitched roof and was formerly known as the Evelyn Mission Hall. The building dates from the late 19<sup>th</sup> century. Officers understand it has been used a church (Use Class D1) by the current applicants since 1975. It serves a local need with the average attendance approximately 50 persons. The building is in poor repair, with some dilapidated outbuildings. It occupies only part of the site, the rest of which is undeveloped hard standing.
- 3 The application site is bounded to the east in part by the side garden of No 1 Diana Close but mostly by undeveloped land in the Council's ownership which the church have been using and maintaining for a number of years and beyond that the playground to Grinling Gibbons Primary School, the grounds of which wrap around along the southern boundary also. Across Staunton Street to the west is the Redeemed Christian Church of God, Bunnyhops Nursery and Dolphin Tower, which is 16 storeys high residential tower. To the north is a parking area for Diana Close, a residential cul-de-sac.



## **Image 1: Existing Location Plan**

### **2.2 CHARACTER OF AREA**

- 4 The surrounding area is characterised by a mix of architectural styles and scales, dominated by apartment blocks ranging from two to 16 storeys surrounded by a large areas of open space. There is a street tree on the corner of Staunton Street and Diana Close. The part of the school to the south is heavily vegetated.

### **2.3 HERITAGE/ARCHAEOLOGY**

- 5 The application property is not a listed building and is not located in a conservation area. The site falls into an Area of Archaeological Priority. Although the building is a survivor of the mid-20<sup>th</sup> century clearances of the area, its present state means it is not considered a non-designated heritage asset.

### **2.4 SURROUNDING AREA**

- 6 The site has good connectivity and is within a walking distance to Deptford High Street, which provides a number of local services such as shops, restaurants, takeaways and bars. The site also benefits from being in close proximity to areas of open space.

### **2.5 LOCAL ENVIRONMENT**

- 7 The application site falls within Flood Zone 2 and 3 as per the Environmental Agency flood zone mapping.

- 8 The site is also within the Deptford Neighbourhood Forum area.

### **2.6 TRANSPORT**

- 9 The application site has a Public Transport Accessibility Level (PTAL) rating of 3, which indicates 'Good' transport connectivity. There is no Controlled Parking Zone (CPZ) in place, with unrestricted on-street parking along the Staunton Street frontage.

- 10 The site is approximately 800m from Deptford High Street and Deptford Rail Station, served by South-eastern trains that provide regular connections to London Cannon Street. There is a bus stop 210m to the north that links the site to Liverpool Street, Russell Square, Canada Water and North Greenwich.

### **3 RELEVANT PLANNING HISTORY**

- 11 On 21<sup>st</sup> December 2017 planning permission was refused for demolition of the existing church at Evelyn Hall, Staunton Street SE8 and the construction of a 3 storey building comprising a church on the ground floor with mezzanine level (196sqm) and 1 one-bedroom, 6 two-bedroom and 1 three-bedroom self-contained flats incorporating balconies, together with the provision secure cycle parking, refuse stores and associated landscaping (application reference DC/17/104014).

- 12 The application was refused for four reasons.

1. The proposal, by reason of excessive site coverage, roof form and large area of blank elevation would result in an incongruous, poorly designed

addition to the street scene, harmful to the character of the area, contrary to Policies 7.4 'Local character' and 7.6 'Architecture' of the London Plan (2016), Policy 15 'High design quality for Lewisham' of the Core Strategy (2011) and DM Policy 30 'Urban design and local character' of the Development Management Local Plan (2014).

2. In the absence of the proposed activities associated to the church including the size of the existing and proposed congregation, nature of activities, number of staff and visitor, worship and operating hours, the proposed development fails to demonstrate there will be no detrimental effect on local amenities contrary to Policy 44 'Places of worship' of the Development Management Local Plan (2014).
3. In the absence of a parking survey including the church activities, the proposal fails to demonstrate additional parking demand can be accommodated in the area and adequate cycle storage facilities can be provided for the future users and visitors, contrary to Policies 6.9 'Cycling' and 6.13 'Parking' of the London Plan, Policy 14 'Sustainable Movement and Transport' of the Core Strategy (2011), DM Policies 29 'Car parking' and 44 'Places of worship' of the Development Management Local Plan (2014).
4. The proposed communal cycle and waste storage area for the church and residential uses, by reason of its siting, close proximity to the ground floor residential windows and access arrangement would give rise to privacy and conflicts between the prospective occupiers, contrary to DM Policy 32 'Housing design, layout and space standards' of the Development Management Local Plan (2014).

13 There is no other planning history.

## **4 CURRENT PLANNING APPLICATION**

### **4.1 THE PROPOSALS**

- 14 The current full planning application, which is the subject of this committee report, is for demolition of the existing church building and the erection of a single storey building to provide a modern church and a four-storey building to provide eight residential units, together with amenity space, landscaping and the provision of secure cycle parking and refuse storage.
- 15 The new church would be located over two floors, basement and ground floor.
- 16 The residential part of the development will be set out over four floors and provide eight self-contained residential units of various sizes, including two 1-bed/2person units, five 2-bed/4-person units and one 3-bed/4-person unit.
- 17 Access to both the church and residential units would be from Staunton Street through separate entrances. The bin store would be located on the site elevation of the proposed residential unit and it would be shared between church and residential units.

## **4.2 COMPARISON WITH PREVIOUS SCHEME**

- 18 The overall site coverage, scale, mass and design of the scheme has changed. The top floor of the proposed residential block has been set in substantially.
- 19 The current application is supported by a travel plan and a transport statement. These documents provide information on the size of the existing and proposed congregation, worship and operating hours, the proposed activities associated to the church.
- 20 Each reason for refusal and how it is overcome by the current proposal is addressed in Header 7 Planning Consideration, below.

## **5 CONSULTATION**

### **5.1 PRE-APPLICATION ENGAGEMENT**

- 21 The applicant submitted a pre-application enquiry in September 2018.
- 22 The issues that were discussed during the pre-application included but were not restricted to scale of building, mix of units, provision of neighbouring residents and provision of parking spaces and how the refusal reasons could be overcome. The design has developed in response to the advice given.

### **5.2 APPLICATION PUBLICITY**

- 23 Letters were send to residents and business in the surrounding area and the relevant ward Councillors on 22<sup>nd</sup> January 2019.
- 24 The Council received 9 letters in objection. The table below provides a summary of the reasons for objecting to the application together with an officer response.

**Table 1: Summary of objections**

<b>Ground of objection</b>	<b>Para where addressed</b>
<b>Scale, mass and design</b>	
The proposed development would have excessive plot coverage and would result in incongruous, poorly designed addition to the street scene that is harmful to the character of the area.	Paragraph 79
<b>Church</b>	
There is no local need for a church.	Section 7.1.1 Section 7.3
The activities associated with the church including the size of the existing and proposed congregation, nature of activities, number of staff and visitor, worship and operating hours, throwing of summer events that run until late, the proposed development will have a detrimental effect on local amenities.	Section 7.1 Section 7.3

The use of the proposed church would generate unacceptable noise disturbance.	Section 7.7.4, paragraph 119
<b>Impact on amenity of neighbouring uses</b>	
The proposed development will be overlooking the children's playing space of the adjoining school from windows on the east and south elevation.	Section 7.7.2
<b>Transport and parking</b>	
The proposed development would add to the parking and traffic stress in the area and would have an adverse environmental impact on the local residents.	Section 7.6.1
The proposed cycle storage facilities are inadequate for the future users and visitors.	Section 7.6.2
Concerns with how the church will manage and enforce on using sustainable modes of transport instead of relying on the use of the car.	Section 7.6.4

25 A number of non-material planning considerations were also raised as follows:

- The plan view shows an area labelled as 'existing landlocked site' that belongs to the Grinling Gibbons Primary School. We would like to see plans for this as currently it has become filled with waste from the previous users of the site and has no boundary fenestration.
- The proposed development fails to consider wider implications and opportunities in the area.
- The applicant has failed to consult with neighbours, residents and local organisations in advance of the submission of the planning application.
- The proposed building due to its proximity to the southern boundary might affect the structural stability of the boundary wall.
- People behaving loudly after the service, loitering after the service and littering.

### 5.3 INTERNAL CONSULTATION

26 The Council's Highway Department was notified of the planning application on 22<sup>nd</sup> January 2019 and, raised no objections subject to conditions. See para 7.6 for further details.

### 5.4 STATUTORY CONSULTATION

27 The Environment Agency was notified of the planning application on 22<sup>nd</sup> January 2019 and raised no objections subject to conditions. See paragraph 128 for further details].

## **6 POLICY CONTEXT**

### **6.1 LEGISLATION**

28 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

### **6.2 MATERIAL CONSIDERATIONS**

29 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

30 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

31 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to the test of reasonableness.

### **6.3 NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance

### **6.4 DEVELOPMENT PLAN**

32 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Draft London Plan (expect 2019): The Mayor of London published a draft London Plan on 29 November 2017 and minor modifications were published on 13 August. The Examination in Public commenced on 15 January 2019 and concluded on 22 May 2019. This document now has some limited weight as a material consideration when determining planning applications. The relevant draft policies are discussed within the report (DLPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013)

### **6.5 SUPPLEMENTARY PLANNING GUIDANCE**

33 Lewisham SPG/SPD:

- Planning Obligations Supplementary Planning Document (February 2015)

34 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- Sustainable Design and Construction (April 2014)
- Character and Context (June 2014)
- Town Centres (July 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Housing (March 2016)

## **7 PLANNING CONSIDERATIONS**

35 The relevant planning considerations are:

- Principle of Development
- Housing
- Social Infrastructure
- Urban Design
- Transport
- Impact on Adjoining Properties
- Sustainable Development
- Planning Obligations

### **7.1 PRINCIPLE OF DEVELOPMENT**

#### *General policy*

36 The National Planning Policy Framework (NPPF) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay, so long as they accord with the development plan.

37 The principle of development is whether the retention of the church facility and provision of housing on the adjacent land is appropriate for this location.

#### **7.1.1 Demolition and re-provision of community facility**

38 London Plan Policy 3.16 and Core Strategy Policy 19 seek to protect and enhance social infrastructure provision to meet the needs of its growing and diverse population. The NPPF also seeks to ensure that established facilities are able to develop and modernise in a way that is sustainable.

39 The proposal would result in complete demolition of the existing church building. The building is not statutory listed or locally listed, it is also not of any particular architectural or historic merit.

40 The replacement church has been designed as a bespoke, purpose built, high quality facility that would better suit the needs of the congregation and the local community. As such, there is no in principle objection to the re-provision of the community facility.

### **7.1.2 Provision of residential accommodation**

- 41 National, regional and local planning policies all indicate that development should aim to make the most effective use of land. Indeed, the London Plan makes housing a priority for London.
- 42 At present, part of the site proposed for residential development is un-developed. Residential use is the default use where there are no other policy protections established by regional and local policies.
- 43 The site is located in the area of borough where additional residential accommodation is encouraged. There is good access to public transport, schools, health facilities and general amenities.
- 44 In this context, the application seeks to optimise the development potential of the site, by providing additional residential accommodation.

### **7.1.3 Principle of development conclusions**

- 45 In light of the above, the principle of the proposed development of the site is acceptable as it would optimise the use of the site and re-provide a better quality community facility, in accordance with the national and local planning policies on a well located site. This is considered a planning merit to which a substantial weight is given, subject to a planning condition requiring completion of the Church before occupation of the residential units. This is to mitigate the risk the Church is demolished and not replaced, since no case has been put forward for the loss of community facility.

## **7.2 HOUSING**

- 46 This section covers: (i) the contribution to housing supply, including density; and (ii) residential quality.

### **7.2.1 Contribution to housing supply**

#### *Policy*

- 47 National and regional policy promotes the most efficient use of land. London Plan outlines through Policy 3.3, 3.5 and 3.8 that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported that are of the highest quality and of varying sizes and tenures in accordance with Local Development Frameworks.

#### *Discussion*

- 48 The scheme proposed 8 self-contained residential units of various sizes, including two 1-bed/2-person units, five 2-bed/4-person units and one 3-bed/4-person unit.
- 49 The proposed housing mix would provide of a range of housing sizes and contribute towards providing units for which there is an identified need.
- 50 Table 2 below sets out the measures of density criteria required by emerging DLPP D6 for all sites with new residential units.

**Table 2: Measures of Density**

<b>Criteria</b>	<b>Value</b>	<b>Value/site area</b>
<b>Site area</b>	<b>0.05ha</b>	-
Units	8	160 u/ha
Habitable rooms	23	460 hr/ha
Bedrooms	15	300 bedrooms/ha
Bedspaces	27	540 bedspaces/ha

*Summary*

- 51 The proposed would provide good quality and suitable housing mix of dwellinghouses to the optimum density the site can accommodate. The proposal is acceptable in terms of expectant housing provision and consistent with all relevant planning policies.

### **7.2.2 Residential Quality**

*Policy*

- 52 New residential development are expected to provide a good standard of amenity for future occupiers in accordance with London Plan Policy 3.5, the London Housing SPD, Core Strategy Policy CS15 and Development Management Policy DM32.

***Internal space standards***

- 53 All of the proposed units would be well laid-out, and would either meet or exceed the national standards for floorspace and room size. Officers note that units 5, 6, 7, and 8 would under provide on the build in storage as required per the national standard. However, since these properties are slightly oversized this would not warrant reason for refusal as there is ample space within the property to offset the lack of compliance.

***External space standards***

- 54 Private open space should be provided in all new housing developments. London Plan Housing SPD, Standard 26 and 27 state that a minimum of 5sqm of outdoor space is provided for up to 1-2 person dwelling and an extra 1 sqm should be provided for each additional occupant.
- 55 All units have been provided with a private amenity space that have been designed to prevent overlooking, while also providing attractive outlook and access to light.
- 56 Units 3, 4, 5, 7 and 8 would marginally fail to provide the minimum size of private open space. However, as these units are slightly oversized they can offset the lack

of compliance internally. The policy also allows for exceptions where the site constraints make it impossible to provide private open space for all dwelling for that proportion of dwellings to be provided with additional internal living space equivalent to the area of the private open space requirement. Moreover, the residents would also have access to private communal amenity space at the back of the church building.

#### ***Outlook, Privacy and Ventilation***

- 57 The outlook from the proposed units would be acceptable. The ground floor windows facing onto Staunton Street would be separated from the pavement by private garden. At first floor units 03 and 05 would have windows overlooking looking the flank wall of the Church building, however as these windows would be secondary windows, the overall outlook for these units would be good.
- 58 The submitted plans indicate that all the windows on the south elevation would be fitted with obscure glazing. This is to minimise any views over the school's playground. As these windows serve either non-habitable rooms or there is another window on a different elevation, officer do not object to this.
- 59 All units will benefit from adequate privacy. The units are in an urban context and there would be sufficient distance between the neighbouring properties and habitable room windows to provide an acceptable level of privacy.
- 60 Overheating and ventilation are material considerations. The proposed layout results in two single aspects units. These units would benefit from the large floor to ceiling height windows. Moreover, to improve ventilation the entrance doors into apartments 01, 02, 03 and 04 will all have an openable window above the door. The remaining flats would have adequate ventilation.

#### ***Daylight and Sunlight***

- 61 The applicant did not submit a Daylight and Sunlight report with this application However, officers have assessed the proposal and it is considered that the development would provide adequate levels of sunlight and daylight for future occupiers given the scale and siting of the buildings

#### ***Noise & Disturbance***

- 62 Part of the proposed development would be residential. This use is considered compatible with the surrounding area which is residential in nature. Given the quantum of development and the site being car free the proposed would not result in a materially harmful increase in noise or disturbance. The noise impacts arising from the adjoining D1 use are considered commensurate with the existing position and as set out below, a condition to control the operation of re-provided D1 Use is recommended for imposition.

#### ***Accessibility and inclusivity***

- 63 London Plan Policy 3.8 and DLPP D5 require 10% of new build dwellings to be wheelchair accessible as per Building Regulation requirement M4(3).

64 The ground floor units could be reasonably provision for a wheelchair user to live in the dwelling and use any associated private outdoor space and communal facilities that are provided for the use of the occupants.

### **7.2.3 Housing conclusion**

65 To conclude, officers are satisfied that the quality of residential accommodation would be acceptable. Whilst some the units would fail to meet the requirement for built-in storage and private amenity space, these flats are oversized and could accommodate for the shortfalls internally.

## **7.3 SOCIAL INFRASTRUCTURE**

66 The principle of the use has been established at paragraph 7.1.1. National, regional and local polices seek to protect and enhance social infrastructure provision to meet the needs of its growing and diverse population. Places of worship are key community facilities, which offer significant opportunities to support the well-being and social cohesion of communities.

67 Following the public consultation, comments were received from neighbours raising concern that the church use would have detrimental impact on the amenities in the local area. The letters received also questioned whether there is a need for the church.

68 The existing Evelyn Hall has been in operation as a church (Use Class D1) since at least 1975. It was previously known as Mission Hall since the late 19<sup>th</sup> century, indicating a religious use since its construction. This shows that the church use has been established a long time ago. As such there are no planning control over the use of the land for this purpose. The site serves a local need with the average attendance and capacity of worshippers being approximately 50 persons.

69 The existing floorspace of the church is 141sqm. The replacement church would be of high quality to suit the current needs of the congregation. The existing church location and scale would be largely preserved by the proposed development. The replacement church would have the same floorspace as the existing church. However, it would be located over two floors, basement and ground floor. The basement level would comprise a church office and toilets. The ground floor area would comprise an entrance lobby and the church.

70 It is considered that as the church would have the same floorspace as the existing and given that it would be constructed in modern materials and subject to building regulation requirement there would be no additional sound issues beyond the one that are currently being experienced.

71 The proposed facility would also serve as a local community centre. The building would provide community access for voluntary and community groups at rates the same as equivalent local authority controlled community facility in the local area. This would be secured by a way of planning obligation.

72 The current hours of operation will be similar to the hours of operation in the new facility. It is recommended that a condition be added to limit the hours of operation of the church to maintain the amenities of the area.

## **7.4 URBAN DESIGN**

### *General Policy*

- 73 The NPPF at para 124 states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 74 Urban design is a key consideration in the planning process. Part 12 of the NPPF (2019) 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.
- 75 London Plan (2016) Policies 7.1-7.7 (inclusive) and Core Strategy (2011) Policy CS15 reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.
- 76 Further to this, the Development Management (2014) DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.

#### **7.4.1 Layout, form and scale**

- 77 The scale of development is appropriate for the area, and would be a positive contribution to the appearance of the street.
- 78 Complete demolition of all buildings on site is proposed. There is no objection to this, as the building is not of particular architectural or historic merit. The proposed scheme would provide two new buildings, comprising a two storey church and a four storey residential block of flats.
- 79 Concern has been raised by neighbours about the footprint of the buildings. The proposed development would infill the plot boundaries, increasing the footprint from the existing building. The replacement building would be extended to the north-west corner of the site to allow for the set back of the mass from neighbouring buildings located on Diana Close to provide better outlook and create amenity space at the rear of the church.
- 80 The proposed residential building would be set flush with the front boundary and would be set in from the side boundary to allow access. The site is in a dense, urban area. The plot coverage is appropriate and would not represent overdevelopment of the site.
- 81 Officers consider the new active frontage, including residential front doors, as a planning merit, improving the appearance of the area and increasing passive surveillance.
- 82 The top floor of the proposed residential block has been set in substantially from all elevation of the building, reducing the prominence of the top storey in the street scene. This would help the building to achieve an appropriate relationship to the other buildings in the surrounding area.

## **7.4.2 Appearance and character**

- 83 The design of the building is appropriate for its location.
- 84 The proposed residential block would be of contemporary design. The full height glazing gives rise to an attractive elevation. At ground floor the low boundary wall and soft landscaping are used to achieve privacy, screening and a small amount of urban greening. The proposed palette of materials, which relies heavily on the use of a grey (Weinerberger forum smoked branco) brick, anthracite grey aluminium windows and grey cladding panels for the top level, effectively breaks up the massing of the building. The proposed materials are of a high quality and would work effectively together to provide a highly contemporary, interesting and attractive building. Given the simplicity of the building, it is necessary to see some further details including securing deep window reveals.
- 85 The design of the church is simple, minimalistic and contemporary. The use of limited palette of materials (artificial stone cladding with darker cladding to be used around the main entrance) from this building and the use of the tall windows would break down the elevation and create an attractive and welcoming building. A cross-shaped cut on the front elevation clearly indicated the function of the building and it is considered an attractive feature.

### ***Urban design conclusion***

- 86 The proposed development would create two new buildings that would be of high quality and would have a positive effect on the image of the surrounding area. To ensure the high quality of design, it is recommended that a condition is added to secure materials and details such as depth of window and door reveals, details of brickwork headers and soldier courses and window frames (including the means of opening, to address the risk of loss of privacy to the south), both to the Church and to the residential units.

## **7.5 LANDSCAPING**

- 87 The proposal includes landscaped areas to the front and rear of the site. The applicant has not submitted a landscaping plan with this application. The detail of soft landscaping would be secured by condition.
- 88 The proposed development would also result in a remove a tree on the corner off Diana Close. The proposed replacement church would be built a lot closer to the north-west corner of the site. The distance and the proposed foundation depth means that the tree is unlikely to survive. This tree is outside the redline area. Officers are mindful of the site and its setting, and it is considered that the proposal should provide a contribution to address re-planting of additional trees to replace the one that would be lost by way of a planning obligation. A Head of Term is below.

## **7.6 TRANSPORT IMPACT**

### **7.6.1 Car parking**

- 89 The Council, in line with the London Plan and NPPF policies, takes a restrictive approach to private car parking provision in order to promote use of sustainable

modes of transport. Parking should comply with the standards of the London Plan, as shown in Table 6.2 of the Parking Addendum.

- 90 The development would be car-free and would not provide any vehicular access. In order to understand the existing parking level on the roads surrounding the site the applicant has prepared and submitted a transport statement. As part of the transport statement a parking street survey has been carried out. The parking levels were measured on a Tuesday and Sunday when a church service was being held.
- 91 The report confirms that on a Tuesday evening when the majority of the residents living in the area would have returned from work, the parking stress level was at 86%. On average there was a total of 10 spaces available within the study area.
- 92 On Sundays, throughout the entire duration of the Sunday survey there were only two time periods where any of the streets were fully utilised. This being Diana Close between 10am – 10:30am and Dorking Close at 2pm. The average parking stress across the unrestricted kerb space within the survey area is 79%. On average there was a total of 26 spaces available within the study area.
- 93 From looking at the result of the parking survey, officers are of view that it has been sufficiently demonstrated that the area provides some capacity for further parking. To ensure that the development does not add to the parking stress, it is recommended that a condition is added preventing future residents from obtaining a parking permit. Furthermore, the applicant would be required to provide all residents with a car club membership in line with the adopted Planning Obligation SPD.
- 94 The Highway Officer noted that the installation of waiting restrictions to facilitate service vehicle access to the site, will significantly reduce the amount of available on-street parking. It was recommended that a contribution should be sought towards extending the existing Deptford Town Centre CPZ, and the residents of the development should be exempt from obtaining permits in any future CPZ. The applicant would also be required to provide a car club membership for residents for a period of at least 3 years. Officers agree with this recommendation.

### **7.6.2 Cycle parking**

- 95 Cycle parking standards are set out in Table 6.3 of the Parking Addendum to Chapter 6 of the London Plan.
- 96 The proposed development would comprise of two one-bed, five 2-bed and one 3-bed units. The new church would have 141sqm GIA and would have similar capacity to the existing.
- 97 The standard required 14 cycle parking spaces for the residential use and 3 cycle parking spaces for church. The proposed development would provide 17 secure cycle parking spaces at the rear of the church building. These cycling spaces would not be fully enclosed or covered.
- 98 The proposed scheme would provide acceptable level of cycle parking in relation to the standards set out in the London Plan to meet residential and long-term cycle parking needs. A condition is recommended seeking that the cycle parking is

provided in a fully enclosed and covered space. The officers would like to see the design of any enclosures at the site.

### **7.6.3 Servicing and refuse**

- 99 DM Policy 29 requires new development to have no negative impact upon the safety and suitability of access and servicing.
- 100 Standard 22 and 23 of the London Plan Housing SPG provides guidance on refuse for new residential development and references the British Standard BS5906:2005.
- 101 A refuse area of approximately 3.5sqm is proposed on the site elevation of the residential unit. The bin storage would open on the on the amenity space between the church and the proposed building. The servicing would be provided from the kerbside of Staunton Street from the communal bin store to a designated collection point close to the church entrance. Both uses would share the bins.
- 102 The submitted swept analysis demonstrates that the Lewisham size refuse vehicle is capable of serving the site and that the maximum distance the bins would need to be wheeled from the refuse vehicle operators is 6.5m.
- 103 The proposed refuse and servicing arranged are therefore acceptable and in accordance with London Plan guidance.

### **7.6.4 Transport modes**

- 104 Concern has been raised by neighbours about the travel patterns of the worshippers. This section assess whether there are viable alternative to the use of private car.
- Walking and cycling***
- 105 The existing pedestrian network near the site is considered adequate and provides access to the range of services and local facilities in the proximity of 2km. The existing routes are wide, lit footways along the majority of routes to nearby local facilities.
- 106 Moreover, there are two cycle routes National Route 4 and 21 are easily accessible from the site making cycling an attractive and realistic travel option in the local area.
- 107 The Council's Highway Officer reviewed the submitted information and considers that it would be necessary for the developers to enter into a legal agreement with the council to make alterations or improvements to a public highway, as part of a planning application. The improvement that would be sought includes improvements to the crossing, pedestrian facilities at the Staunton Street / Diana Close junction.

***Public transport***

- 108 The site is approximately 800m from Deptford High Street and Deptford Rail Station, served by South-eastern trains that provide regular connections to London

Cannon Street. There is a bus stop 210m to the north that links the site to Liverpool Street, Russell Square, Canada Water and North Greenwich.

### ***Car clubs***

- 109 The application site has access to several car club bays within walking distance. The closest car club is a 7 minute walk from the site on Octavius Street.

#### **7.6.5 Transport impact conclusion**

- 110 For these reasons, subject to recommended conditions and the entering into of a relevant section 106 agreement by the applicant with the Council, any impacts upon parking space capacity in the area, and congestion within the surrounding local highways, are considered to be acceptable. The proposal is considered to be consistent with CS Policy 14 and the higher aforementioned planning policy.
- 111 The Transport Statement and Travel Plan sufficiently demonstrated that there are other viable travel options to the use of private car. The use is established and the application does not propose to increase the size of the congregation or the floorspace of the church. The submitted travel plan would encourage the churchgoers to use sustainable modes of transport reducing the impact on the need to travel by car. The proposed development would reduce car dependence, provide good quality cycle parking spaces. As such, it is considered that, in relation to transport issues, the proposed development should be supported.

### **7.7 IMPACT ON ADJOINING PROPERTIES**

#### *General Policy*

- 112 The NPPF (para 127 and 180), London Plan Policies 7.4 and 7.6, Core Strategy Policy CS15 and Development Management Policy DM 32 require new residential development should be neighbourly and not result in adverse impacts on the amenities of nearby properties, providing a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours.

#### **7.7.1 Enclosure and Outlook**

- 113 The location, mass and height of the buildings would mean that they would be in view from the neighbouring properties. However, given the separation distances between the proposed buildings and existing neighbouring windows and gardens, the development is would not result in an unacceptable sense of enclose and loss of outlook.

#### **7.7.2 Privacy**

- 114 The proposed could have potential privacy impact upon neighbouring occupants, in particular the Grinling Gibbons Primary School to the east and south of the site and the existing houses on Diana Close to the east.
- 115 Concern has been raised by neighbours about overlooking of the children's playing space at Grinling Gibbons Primary School. Officers note that there is no policy protection afforded to school playgrounds in terms of overlooking from residential units. The existing school playground is also overlooking by the properties on Diana Close and from the flats within the residential tower. Nevertheless there is a

general principle of public safety being part of the public interest basis of planning controls.

116 The windows in the rear elevation would serve principal habitable rooms and be approximately 10m from the boundary, which is a high brick wall. Therefore the part of the playground that would be visible behind this wall is significantly farther away than 10m. It is considered that this would not warrant a reason for refusal. When the children are inside the building the distance between the rear elevation of the proposed residential building and the school would be approximately 59m. The applicant proposed that the windows on the south elevation are to be fitted with obscure glazing to minimise any views. It is recommended that a condition be added to this effect.

117 The separation distance between the proposed residential block of flats and the properties on Diana close would be sufficient to prevent a loss of privacy.

#### **7.7.3 Daylight and Sunlight**

118 There is no daylight and sunlight report submitted with this application as the relationship between the proposed building and adjoining residential windows and amenity space is such that no material harm would be likely to arise. Officers have assessed this relationship again and reach the same conclusion as before.

#### **7.7.4 Noise and disturbance**

119 The proposed development would retain the Church use and introduce residential use. It is not considered that the continued use of the site as the church would give rise to any additional noise and disturbance. The replacement church having the same floorspace as the existing. The new building would also be of higher quality with double glazed windows helping to prevent noise egress. Conditions are recommended to control the hours of use of the Church and to control the impact of amplified music on local residents.

120 The residential use is compatible with the surrounding area. A condition is recommended to control the installation of any building mounted or free standing lights to the rear of the site where it is close to No.1 Diana Close, to prevent harmful light pollution.

121 Given the quantum of development and the site being car free the proposal would not result in a materially harmful increase in noise or disturbance.

#### **7.7.5 Impact on neighbours conclusion**

122 The proposed development would have no harmful loss of daylight, sunlight, privacy, outlook, noise and light impact upon the neighbouring properties.

123 As stated above, it is recommended that a condition is added to ensure that the windows in the south elevation are fitted with obscure glazing and be non-openable.

### **7.8 SUSTAINABLE DEVELOPMENT**

*General Policy*

124 The NPPF (para 148) sets an expectation that planning will support transition to a low carbon future. Contributing to conserving and enhancing the natural environment and reducing pollution is a parte principle for planning.

### **7.8.1 Urban Greening**

#### *Policy*

125 The proposal would offer some landscaping. In accordance with DMP25 it is recommended that further details of soft and hard landscaping are conditioned. Officers will seek to ensure this includes areas of permeable surfacing to assist in surface water mitigation.

### **7.8.2 Flood Risk**

#### *Policy*

126 London Plan 5.12, DLPP SI and Core Strategy CS10 require new development to minimise flood risk and suitably protect new development from known flood risk.

#### *Discussion*

127 The application site is located in flood zone 2 and 3 on Environmental Agency flood zone mapping. However, due to the protection afforded to the site by floor defences along both the River Thames and the Thames Barrier, the flood risk to the site is low.

128 The Environment Agency has reviewed the submitted flood risk assessment and concluded that the proposed development would meet the requirement of the NPPF provided that the measured detailed in the Flood Risk Assessment dated 13<sup>th</sup> May 2019 (reference 70105R3) are implemented and secured by a way of a planning condition.

129 It is recommended that a condition requiring the ground floor finished floor level to be no lower than 3.8m above Ordnance Datum (mAOD) is added to this effect.

## **8 LOCAL FINANCE CONSIDERATIONS**

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

- 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
- sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

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

132 The CIL is therefore a material consideration.

133 £66,000 Lewisham CIL and £23,100 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the

applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

## **9 EQUALITIES CONSIDERATIONS**

- 134 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.
- 135 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - advance equality of opportunity between people who share a protected characteristic and those who do not;
  - foster good relations between people who share a protected characteristic and persons who do not share it.
- 136 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.
- 137 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
- 138 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
  - Meeting the equality duty in policy and decision-making
  - Engagement and the equality duty
  - Equality objectives and the equality duty
  - Equality information and the equality duty
- 139 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:  
<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>

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

## **10 HUMAN RIGHTS IMPLICATIONS**

141 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:

- Article 8: Respect for your private and family life, home and correspondence
- Article 9: Freedom of thought, belief and religion
- Protocol 1, Article 1: Right to peaceful enjoyment of your property

142 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.

143 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

144 This application has the legitimate aim of providing a new building with community and residential use. The rights potentially engaged by this application are not considered to be unlawfully interfered with by this proposal.

## **11 LEGAL AGREEMENT**

145 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable

- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

146 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.

147 Heads of terms have been agreed with the applicant:

1. Community Access Plan demonstrating how community access to the facilities available at the church would be given to the local groups and how it will be managed.
2. Contribution of £1,700 for re-provision of a street tree of similar size to the one that would be removed and maintenance cost for upkeep of the tree for three years post planting.
3. Free car club membership for future occupants, one membership per household for three years from first occupation;
4. Contribution of £5,000 towards the consultation to consider if a controlled parking zone should be extended.
5. Contribution of £2,500 towards highway improvement/reinstatement works of Staunton Street to improve pedestrian access to the site and to improve pedestrian route between the application site and the nearest bus stop.

148 Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

## **12 CONCLUSION**

149 This application has been considered in the light of policies set out in the development plan and other material considerations.

150 The proposed scheme presents several planning merits: 1) the re-provision of bespoke, purpose build and high quality community facility, 2) the optimal use of otherwise redundant land south of the church for residential purposes, 3) the provision of a range of appropriate dwellings sized to meet the local need, 4) provision of homes in a sustainable urban location with good access to public transport, local services and amenities. Substantial weight is given to these merits.

151 The scheme has been well designed and would not harm the character or appearance of the wider area.

152 Officers considered that the proposed would result in some overlooking of the Grinling Gibbons Primary School to the east of the site. However, given that there is no policy protection afforded to school playgrounds in terms of overlooking from residential units and officers are satisfied that the general principle of public safety

would be satisfied. The proposed development would be located at a sufficient distance. The weight attributed to this harm does not outweigh the benefits of the scheme.

153 For these reasons, it is recommended that the development is approved.

## **13 RECOMMENDATION**

154 That the Committee resolve to **GRANT** planning permission subject the following conditions and informatics:

### **13.1 CONDITIONS**

#### **1) FULL PLANNING PERMISSION TIME LIMIT**

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) APPROVED PLANS**

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

Proposed Site Plan (Drawing No (000) 001 Rev B); Existing Floor Plan (Drawing No (000) 002); Existing Elevations (Drawing No (000) 003); Proposed Basement Plan (Drawing No (000) 101 Rev D); Proposed Section (Drawing No (000) 111 Rev D) received on 18th December 2018.

Proposed Site Plan (Drawing No (000) 100 Rev E); Proposed Ground Floor Plan (Drawing No (000) 102 Rev H); Proposed First Floor Plan (Drawing No (000) 103 Rev F); Proposed Second Floor Plan (Drawing No (000) 104 Rev F); Proposed Third Floor Plan (Drawing No (000) 105 Rev C); Proposed North (Drawing No (000) 106 Rev F); Proposed South & East Elevations (Drawing No (000) 107 Rev E); Proposed Contextual Elevations (Drawing No (000) 108 Rev C) received on 15th July 2019.

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) DESIGN QUALITY - MATERIALS**

(a) Notwithstanding the details shown on the drawings hereby approved, prior to the construction of the building, detailed schedule and specification (including manufacturer's literature) of materials to be used in the external elevations and surfaces, shall be submitted to and approved in writing by the local planning authority. The development

shall be carried out in accordance with the approved details. The following details are required:

- Walls (brick type, brickwork bond and mortar type and pointing method), reveals, cills, windows and doors (including their vents, surrounds etc)
- Soffits, copings rain water goods,
- Cladding, roofing, boundary treatment/ enclosures / retaining walls;
- Planters

**Reason:** To ensure that the high design quality demonstrated in the plans and submission is delivered and that that local planning authority may be satisfied as to the external appearance of the buildings and structures hereby approved and to comply with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policies 30 Urban design and local character and 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens.

#### 4) PROTECTING RESIDENTIAL PROPERTIES FROM NOISE

- (a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmix (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
- (b) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.
- (c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

**Reason:** To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration, DM Policy 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 and DM Policy 44 Places of worship of the Development Management Local Plan (November 2014).

#### 5) OBSCURED GLAZED WINDOWS

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), all the windows to be installed in the south elevation of the residential building as per detailed hereby approved shall be fitted as obscure glazed and retained as such in perpetuity.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply 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 32 Housing design, layout and space standards, of the Development Management Local Plan (November 2014).

## 6) SOFT LANDSCAPING

- (a) A scheme of soft landscaping (including proposed plant numbers, species and locations) to be implemented as part of the development, and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to the completion of the construction of the superstructure of the approved flatted building.
- (b) All planting, seeding or turfing shall be carried out in the first planning and seeding season following the completion of the development, in accordance with the approved scheme under part (a). Any 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.

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

## 7) EXTERNAL LIGHTING

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

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

8) USE OF FLAT ROOF

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roof on the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 31 Alterations and extensions to existing buildings including residential extensions and, DM Policy 32 Housing design, layout and space standards, of the Development Management Local Plan (November 2014).

9) HIGHWAY IMPROVEMENT

- (a) No development (excluding demolition and site clearance) shall commence until the written confirmation of the Local Highway Authority certifying the completion of an agreement pursuant to section 278 of the Highways Act 1980 ('the Agreement') to allow for the execution of the following works to the highway (including drawings and specifications):
  - i. Highway improved/reinstatement works of Staunton Street to improve pedestrian access to the site, The works should include improvement to the crossing / pedestrian facilities at the Staunton Street / Diana Close.
  - ii. Improving the pedestrian route between the application site and the nearest bus stop on Evelyn Street to encourage sustainable trips to and from the site.
  - iii. Installation of waiting restrictions to facilitate servicing of the site (as per submitted swept path drawings with in the Transport Statement).
- (b) The residential dwellings hereby approved shall not be occupied until a completion certificate has been provided by the local highway authority certifying the highways works defined in the Agreement have been completed to their satisfaction and submitted and approved in writing by the local planning authority.

Reason: In order to ensure that satisfactory on-street parking is provided to mitigate adverse parking displacement impacts, to ensure that the development does not prejudice the availability of existing parking supply to neighbouring residents and congest the free flow of traffic along the neighbouring highway and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011) and Policy 29 Car Parking

within the Development Management Local Plan (2014). This is a pre-commencement condition because the local planning authority needs to be satisfied that the proposed and required Highways works necessary to mitigate adverse impacts of the development are satisfactorily designed before development starts.

10) CYCLE PARKING

- (a) The building hereby authorised by this planning permission shall not be occupied until the dimensions, surface materials, dry cover space, and stand type 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).

11) REFUSE STORAGE:

- (a) Notwithstanding the detail shown on the drawings hereby approved, prior to the commencement of the use hereby permitted, detail of waste and recycling storage, disposal and collection of refuse and recycling facilities to serve the development shall be submitted to and approved in writing by the local planning authority. Specifically, details of the location of food waste collection facilities, and how all refuse and recycling facilities are to be managed by way of provision of a statement detailing who is to be responsible for the transfer of the communal refuse and recycling storage units to the street for collection.
- (b) The approved details shall be carried out in full prior to occupation of each phase of development and retained for the lifetime of the development.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal, storage and collection, 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).

12) FLOOD RISK MITIGATION

All finished flood levels of the houses hereby approved must be no lower than 14.88m above ordnance datum, in accordance with the letter from Ardent Consulting Engineers dated 13<sup>th</sup> May 2019, and retained as such for the lifetime of the development.

Reason: To ensure the proposed houses within the former school building are appropriately protected from flood risks present at the site, in accordance with Policy 10 Managing and reducing the risk of flooding of the Lewisham

Core Strategy (2011) and Policy 5.12 Flood risk management of the London Plan (2016).

### 13) OPENING HOURS

The church building shall only be operational between the hours of 18:00 and 22:00 on Tuesday, Thursday and Friday; 10:00 and 12:00 and 18:00- 22:00 on Saturday; and 10:30 and 15:00 and 18:00 and 22:00 on Sunday or any hours that form part of a community use arrangement that may be agreed in writing beforehand with the Local Planning Authority as part of a planning obligation

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

## 13.2 INFORMATIVES

- 1) **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. The application was the subject of pre-application meeting discussions, and further amendments to the design were made during the processing of the application to improve the quality of design of the building.
- 2) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which would be payable on commencement of the development. Before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- 3) The applicant is advised that to compliance with condition 5 will require the applicant to enter into an agreement with Lewisham Highways pursuant to section 278 of the Highways Act 1980, and pay for the costs of amending the Traffic Regulation Order governing the Lee Green Controlled Parking Zone which will be amended by complying with the conditions of the scheme.
- 4) The applicant is reminded that working hours and the operation of construction machinery and equipment is restricted to the following hours:

Monday – Friday: 8am – 6pm  
Saturday: 8am – 1pm

**Sunday and Bank Holidays:** No operation of construction machinery and equipment permitted.