

Committee	PLANNING COMMITTEE C	
Report Title	MAYOW PARK WAREHOUSE, MAYOW ROAD, LONDON, SE23 2XJ	
Ward	PERRY VALE	
Contributors	HOLLY LUCAS	
Class	PART 1	31 October 2019

Reg. Nos. (A) LE/176/K/TP  
(B) DC/19/113521

Application Dated 15/08/2019

Applicant Lewisham Council

Proposal The demolition of an existing two (2) storey warehouse to allow for the construction of one (1) part six/part seven storey building containing thirty-two (32) dwellings, comprised of twenty-six (26) Temporary Accommodation dwellings (Use Class C3) and six (6) Supported Living dwellings (Use Class C2) at Mayow Park Warehouse, Mayow Road, SE23 2XJ, together with the provision of two (2) accessible parking bays on Mayow Road, associated landscaping, refuse storage and cycle parking

Background Papers (1) Case File LE/176/K/TP  
(2) Local Development Framework Documents  
(3) The London Plan

Designation PTAL 1b  
Not in a Conservation Area  
Not a Listed Building

## 1 **SUMMARY**

1 This report sets out Officer's recommendation for the above proposal. The report has been brought before members for a decision as permission is recommended to be approved and there are three (3) or more valid planning objections.

## 2 **SITE AND CONTEXT**

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

2 Mayow Road Warehouse is located within Perry Vale SE23 2XJ with a total site area of approximately 0.096ha.

3 The site has been identified as a potential site for infill as part of Lewisham Council's programme to deliver 1000 new Council homes by 2022 to provide genuinely affordable housing across the borough.

4 Mayow Road Warehouse is an existing two (2) storey warehouse with an internal area of approximately 0.07ha. The warehouse was previously occupied by Lewisham Council's Housing Needs Services and provided storage for families in temporary accommodation (TA), however has been identified as a surplus provision and is now vacant.



**Figure 1.0: Site Location Plan**

- 5 The existing warehouse covers almost the entire site (as identified above in Figure 1).
- 6 It includes a raised planter on the eastern portion addressing Mayow Road, which supports three (3) mature trees.
- 7 The site is generally flat with a level change of 1.4m increasing from south to north.

**2.2 CHARACTER OF AREA**

- 8 The site and its surrounding context is predominately residential in character, presenting generally 2-3 storeys in height with the exception of the twelve (12) storey tower blocks and five (5) storey Forest Hill Secondary School.
- 9 The subject site is located on Mayow Road in Forest Hill SE23 2XJ. There is small patch of land to the north of the site, which fronts Dacres Road and services the three (3) existing tower blocks (Heathwood Point, Ashleigh Point and Deepdene Point) to the north-west. The former Brent Knoll School is located to the east of the warehouse on the opposite side of Mayow Road and its imminent re-development is therefore a key consideration. Mayow Park, which is a large established park, frames the remainder of the site. Forest Hill School is also located in close proximity to the north of the site. The character of the surrounding area is predominately Victorian, low-rise residential.

**2.3 HERITAGE/ARCHAEOLOGY**

- 10 The site is not located within or near a Conservation Area. It does not contain any statutory Listed Buildings on or within close proximity to the site, nor is it an Area of Archaeological Priority.

## **2.4 SURROUNDING AREA**

11 Mayow Park adjoins the site. Dacres Wood Nature Reserve and Albion Millennium Green are all located within approximately 900m of the subject site and provide opportunity for public open space.

12 Forest Hill Secondary School, Perry Mount Primary School, Our Lady & St Philip Neri and St George's CE Primary School are also located within an approximate 900m radius.

## **2.5 LOCAL ENVIRONMENT**

13 The site falls within Flood Risk Zone 1 and is therefore considered as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).

## **2.6 TRANSPORT**

14 The site presents a Public Transport Access Level (PTAL) score of 1b (poor) on a scale of 1-6b, 1 being lowest and 6b is highest.

15 It is located within 900m of the Sydenham Overground Station and within 1 mile of Lower Sydenham Station and Forest Hill Overground Stations. It is well serviced by three (3) bus links (Bus Routes 75, 122 and 185), approximately 200m from the site providing access to Lewisham, Crystal Palace and Victoria.

## **3 RELEVANT PLANNING HISTORY**

16 Nil

## **4 CURRENT PLANNING APPLICATION**

### **4.1 THE PROPOSALS**

17 Full planning permission is sought for the demolition of the existing warehouse (Use Class B8), to allow for the construction of a part 6/part 7 storey building to provide thirty-two (32) dwellings comprised of six (6) Supported Living dwellings (Use Class C2) and twenty-six (26) Temporary Accommodation dwellings.

18 In addition, the proposal includes two (2) new wheelchair parking bays, fifty-six (56) cycle parking spaces, refuse, landscaping and shared amenity space for the Supported Living cluster.

19 The six (6) Supported Living dwellings would be located on ground and first floor and are designed as 1BED/2PERSON dwellings to accommodate one (1) resident with support staff. Staff would be present 24 hours a day, but would not live in the flats. Staff rest and office spaces are provided at First & Second Floors. All six (6) dwellings would be wheelchair dwellings in accordance with M4(3).

20 The temporary accommodation is comprised of twenty-six (26) dwellings, including fourteen (14) 2BED/4PERSON dwellings and twelve (12) 3BED/6PERSON dwellings. All TA dwellings would be accessible and adaptable in accordance with M4(2).

21 The flats are designed to meet Building Regulations Part M4 with 81% % (26 dwellings) meeting M4(2) to be Accessible and Adaptable and 19% (6 dwellings) to be M4(3) Wheelchair User Dwellings.

22 The proposed development would provide thirty-two (32) new dwellings of which 100% would be for Affordable Rent at Local Housing Allowance Levels, including Supported Living and Temporary Accommodation. They will be managed by Lewisham Homes.

## 5 CONSULTATION

### 5.1 PRE-APPLICATION ENGAGEMENT

23 Pre-application discussions started between the Applicant (Lewisham Strategic Housing Team) and Council Officers in December 2018 and continued up until June 2019, which included input from Urban Design, Highways, Ecology and Tree Officers.

24 Two (2) pre-application meetings were held in December 2018 and April 2019 prior to submission of the planning application, which included input from Urban Design, Highways, Ecology and Tree Officers.

### 5.2 APPLICATION PUBLICITY

25 Consultation for the application has been carried out in accordance with Lewisham Council's Statement of Community Involvement for a major development.

26 Site notices were displayed on 23 August 2019 and a press notice was published on 28 August 2019.

27 Letters were sent to 140 residents and businesses in the surrounding area, including the Forest Hill Society and the relevant ward Councillors on 23 August 2019.

28 Four (4) responses were received, comprising nine (9) objections and one (1) comment.

#### 5.2.1 Objections

Material planning consideration	Para where addressed
<b>Disruption:</b> <i>Already have overflowing of noise, traffic and rubbish from the existing boys school, disruption of three new builds all at the same time; noise, heavy machinery, It is unclear what the demolition/construction impact will be on existing residents</i>	Section 7.2.3
<b>Safety and Security:</b> <i>Concern regarding the type of people who will live in this proposal, cars and property already being defaced and damaged, will make people feel less safe in their homes, lack of safety and security to existing tenants, temporary accommodation tenants have no respect for their neighbours, this will create a whole new level of anti-social behaviour, I will have to worry about being in my home, can you assure me my family will be safe, Class C2 dwellings mean alcohol abuse and mental disorders, not safe and these are usually put in least desirable places, which is not Mayow Road</i>	Section 7.3
<b>Design:</b>	Section 7.4

<i>It was stated the building would be part four but now changed to part 6/part 7, 7 storeys does not fit with the surrounding, Communal garden will encourage fly-tipping and danger</i>	
<b>Parking and Traffic:</b>  <i>More than 2 parking spaces required, traffic increase particularly at peak times, construction vehicles must be banned from the area at the start and finish of school times or it will be more grid locked than currently</i>	Section 7.5.3
<b>Impact on Surrounding Buildings:</b>  <i>Invasion of privacy being so close, overlooking of existing properties, loss of light to existing properties, concern about scale and massing and impact on existing properties, sunlight/daylight impacts will be unacceptable to a couple of windows, impact on already overcrowded diverse community</i>	Section 7.6
<b>Sustainability:</b>  <i>Air quality readings from the site should be available to the public on the day they are taken</i>	Section 7.7
<b>Consultation:</b>  <i>No one from the department has visited any surrounding properties</i>	Section 5

29 Some non-material planning considerations were also raised as follows:

- Proposal may affect value of surrounding properties
- Residents will come from criminal backgrounds with drugs and be unsafe in the local area and is unacceptable next to a school.

### 5.3 INTERNAL CONSULTATION

30 The following internal consultees were notified on 23 August 2019, their responses are summarised below:

#### 31 Highways

Highways Officers have been involved throughout pre-application stage and raise no objection to the proposal subject to Conditions to secure section 278 Highways works, a Delivery and Servicing Plan, Cycle Parking details, Travel Plan and Construction Management Plan.

32 Tree Officer

Involved throughout pre-application and provided significant input throughout the design process.

33 Ecological Regeneration

Raised no objection subject to details and area of the Living Roof being Conditioned, in addition to a Condition to secure two (2) swift boxes, two (2) bird boxes and four (4) bat boxes.

34 Met Police (Designing Out Crime Officer)

Met Police have not been involved throughout pre-application, however raise no objection and consider the application incorporates excellent crime prevention methods including lines of site and natural surveillance, which would activate the area. The ground floor design is also considered to include positive crime prevention design with no alcoves or secluded areas. An informative would be added to include the recommendations made by Met Police.

35 Urban Design

Involved throughout pre-application and provided significant input throughout the design process.

36 Environmental Protection/Health – Contamination

Raised no objection, however requested a Site Contamination condition.

37 Environmental Protection/Health - Air Quality

In principle accept the assurances and recommendations in the Air Quality Report, however request clarification relating to assessing background levels, details/confirmation that all plant equipment will meet NRMM standards in relation to emissions, confirmation on the make and number of boilers and calculations that the buildings emissions would be Air Quality Neutral. A Dust Management as part of the Construction Logistics Management Plan would be Conditioned.

38 Planning Policy

No response received.

39 Occupational Therapist

No response received.

40 Children and Young People

No response received.

41 Sustainability – Heat

Sustainability Officers are broadly supportive of the proposal, however have requested an appropriately worded pre-commencement Condition to address their outstanding concerns, which is discussed further in section 7.7 of this report.

42 Sustainability – Flooding and Surface Water

Sustainability Officers are broadly supportive of the proposal, however have requested an appropriately worded pre-commencement Condition to address their outstanding concerns, which is discussed further in section 7.7 of this report.

## **5.4 STATUTORY CONSULTATION**

43 The following Statutory Consultees were notified on 23 August 2019:

### **44 Natural England**

Confirmed no comment to make in relation to the proposal as the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

### **45 Thames Water**

With regard to Surface Water, Waste Water and Sewage Treatment Works, Thames Water raise no objection based on the information provided. Conditions and informatives requested.

## **6 POLICY CONTEXT**

### **6.1 LEGISLATION**

46 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).

### **47 MATERIAL CONSIDERATIONS**

48 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.

49 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.

50 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.

### **6.2 NATIONAL POLICY & GUIDANCE**

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

### **6.3 DEVELOPMENT PLAN**

51 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013)

## **6.4 SUPPLEMENTARY PLANNING GUIDANCE**

52 Lewisham SPG/SPD:

- Planning Obligations Supplementary Planning Document (February 2015)

53 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- London View Management Framework (March 2012)
- All London Green Grid (March 2012)
- Play and Informal Recreation (September 2012)
- Sustainable Design and Construction (April 2014)
- Character and Context (June 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Energy Assessment Guidance (October 2018)

## **6.5 OTHER PLANNING GUIDANCE**

- Draft London Plan (July 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)



## **7**      **PLANNING CONSIDERATIONS**

54      The main issues are:

- Principle of Development
- Housing
- Specialist Residential Uses
- Urban Design
- Transport Impact
- Impact on Adjoining Properties
- Sustainable Development
- Natural Environment

## **7.1 PRINCIPLE OF DEVELOPMENT**

### *General policy*

55 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.

56 Lewisham is defined as an Inner London borough in the London Plan. LPP 2.9 sets out the Mayor of London's vision for Inner London. This includes among other things sustaining and enhancing its recent economic and demographic growth; supporting and sustaining existing and new communities; addressing its unique concentrations of deprivation; ensuring the availability of appropriate workspaces for the area's changing economy; and improving quality of life and health.

### *Policy*

57 The application site is not located within a town centre or designated shopping frontage. It is not within any of the defined Strategic Industrial Locations, Local Employment Locations or Mixed Use Locations as defined by Core Strategy and is not located within an Area of Archaeological Priority.

58 The London Plan, London Plan Supplementary Planning Guidance (SPG), Core Strategy, Development Management Local Plan, Residential Standards Supplementary Planning Document and other national planning guidance emphasise the importance of high quality design that complements the existing development and establishes suitable character.

59 NPPF Chapter 11 outlines that planning decisions should make effective use of land by promoting and supporting under-utilised land and buildings, particularly where they would contribute to housing need and where sites could be used more effectively.

60 NPPF Chapter 12 seeks to achieve well-designed places and seeks to ensure that developments are visually attractive. London Plan Policy 3.4 supports new housing schemes where the local character and context are well considered, which is in line with DM Policy 33 which resists residential development on existing amenity areas of landscaped open space attached to existing residential development, unless it is of the highest design quality and it relates successfully to the existing design quality of the streetscape.

61 Core Strategy 5 recognises the importance of maintaining a supply of business clusters in the borough and supports residential development if it can be demonstrated that the site is unsuitable for its current use.

### **7.1.1 Principle of development conclusions**

62 The proposed development forms part of Lewisham Council's programme to deliver 1,000 new genuinely affordable Council homes across the borough by 2022.

63 Providing housing, particularly affordable housing is a current priority to tackle the housing crisis in the borough and wider London.

64 In February 2019, Lewisham Mayor and Cabinet was advised of the intended proposals for Council housing at Mayow Road. A report was put to Mayor and Cabinet setting out that a s105 consultation would be undertaken and to agree the demolition of the existing warehouse. Authority was also delegated to the Executive Director of Regeneration, Housing & Environment (formerly Customer Services) to agree that a planning application should be submitted for the construction of 32 new Council homes on the estate for Supported Living and Temporary Accommodation. Mayor and Cabinet agreed the strategy

for the redevelopment of Mayow Road Warehouse to be demolished to deliver high quality new Council homes on site. The Supported Living component would also employ carer staff at a ratio of 1:1 to residents.

- 65 The site currently supports the Mayow Road Warehouse (Use Class B8), which would be demolished to allow for the thirty-two (32) 100% affordable rented residential dwellings (Use Class C2). The existing warehouse has been identified as no longer suitable for its current use and a more efficient and financially viable option exists outside the borough. The site has therefore been identified as an efficient option to provide high-quality Council housing. The existing warehouse is also not up to standard as a storage facility and is prone to damp. The loss of the B8 use is therefore supported.
- 66 The site will make a valuable contribution towards meeting housing needs as identified in the London Plan Policies 3.3 and 3.4 to increase housing supply and optimising housing potential, taking into account local context and character, design principles and public transport capacity. Furthermore, the London Plan Policy 3.8 identifies the need for Londoners to have a genuine choice of high quality affordable housing, which is considered to be in line with this proposal. The proposal will make use of land and Officers therefore raise no objection to the principle of development, subject to securing a high quality design.

## 7.2 HOUSING

67 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; (iii) the standard of accommodation; and (iv) total affordable housing proposed and its tenure split.

### 7.2.1 Contribution to housing supply

#### *Policy*

68 National and regional policy promotes the most efficient use of land.

69 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF sets out the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

70 The NPPF encourages the efficient use of land subject to several criteria set out in paragraph 122. Paragraph 123 applies where there is an existing or anticipated shortage of land for meeting identified housing needs and strongly encourages the optimal use of the potential of each site.

71 London Plan Policies (LPPs) 3.3 and 3.4 seek to increase housing supply and to optimise housing output within the density ranges set out in the sustainable residential quality (SRQ) matrix.

72 Emerging Draft LPPs H1, H2 and support the most efficient use of land and development at the optimum density. Defining optimum is particular to each site and is the result of the design-led approach. Consideration should be given to: (i) the site context; (ii) its connectivity and accessibility by walking and cycling and existing and planned public transport (including PTAL); and (iii) the capacity of surrounding infrastructure.

73 The current London Plan sets an annual target of 1,385 new homes until 2025. The emerging draft London Plan, if unchanged, would increase this to 2,117.

74 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.

75 NPPF para 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.

76 LPP 3.8 states Londoners should have a genuine choice of homes, including differing sizes and types. Emerging DLPP H12 sets out that an appropriate mix of unit sizes should be informed by several criteria set out in the policy.

77 CSP 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments.

78 Determining an appropriate mix of dwelling sizes for a site depend on several criteria in CSP 1, relating to: (i) the site's character and context; (ii) previous or existing use of the site; (iii) access to amenity space for family dwellings; (iv) likely parking demand; (v) local housing mix and population density; and (vi) social and other infrastructure availability and requirements.

#### *Discussion*

79 The existing site is 959m<sup>2</sup> (0.096ha), which is almost entirely covered by the existing warehouse. The proposed building lies within the footprint of the existing warehouse, with

further reductions to the footprint to allow for the Supported Living secure garden. The proposed thirty-two (32) residential dwellings would present a density of 410 dwellings per hectare, which is considered to be in excess of the London Plan density range for an urban location with a low PTAL. However, with consideration to the high quality building and 12 storey adjoining tower blocks it is considered the proposal would make optimum use of the underutilised site, which would provide much needed genuinely affordable housing offset by the large area of open space adjoining the site. The density is therefore considered to be acceptable.

- 80 The proposed development would provide thirty-two (32) new dwellings of which 100% would be for Affordable Rent at Local Housing Allowance Levels, including Supported Living and Temporary Accommodation. This will make a valuable contribution to housing targets set by the Mayor of London, equating to 2.3% of the 1385 dwelling existing target and to be 1.51% of the 2117 dwelling target.

## **7.2.2 Affordable housing**

### ***Percentage of affordable housing***

#### *Policy*

- 81 Core Strategy Policy 1 and Development Management Policy 7 seek to provide a mix of dwellings and provide affordable housing. It 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 the assessment of viability. The policy seeks provision at 70% social rented and 30% intermediate housing (based on total unit numbers).
- 82 The Affordable Housing and Viability SPG (AHV) introduced the threshold approach to viability. Proposals are not required to be supported by viability information where they: (i) deliver at least 35% affordable housing on-site without public subsidy; (ii) are consistent with the relevant tenure split; and (iii) have sought to increase the level about 35% by accessing grant (GLA, 2017, p17).

### ***Affordable housing tenure split and dwelling size mix***

#### *Policy*

- 83 Core Strategy Policy 1 requires major residential development (10 or more dwellings) to provide a proportion of family sized dwellings (three + bedrooms) to create a balanced mix of dwellings and DM Policy 7 gives priority to providing family dwellings.

#### *Discussion*

- 84 The proposed development would provide thirty-two (32) new dwellings of which 100% would be for Affordable Rent at Local Housing Allowance Levels, including Supported Living and Temporary Accommodation. As the Supported Living element provides specialised housing need, the proposal for all six (6) dwellings to be 1BED is justified to meet demand and has been identified as appropriate by National Health Service (NHS). NHS have provided encouragement for the development and ongoing discussion and agreement is being facilitated by Lewisham Council for them for provisional grant funding to support for Supported Living element. All six (6) Supported Living units would be provided as M4(3) to accommodate the Supported Living residents
- 85 The Temporary Accommodation element of the proposal would include fourteen (14) 2BED dwellings (44% provision) and twelve (12) 3BED (37.5% provision), which is considered to exceed policy of 10% provision of 3+ bed dwellings.

**Table 2: Tenure Mix by Dwelling Size\***

	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed +</b>	<b>Total</b>
<b>Private</b>	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Affordable Rent</b>	6 (6)	14 (0)	12 (0)	0 (0)	32 (0)
<b>Shared Ownership</b>	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	6 (6)	14 (0)	12 (0)	0 (0)	32 (0)

- 86 The proposal would provide thirty-two (32) 100% affordable dwellings at Local Housing Allowance Levels to provide Temporary Accommodation and Supported Living. Whilst the proposed development would not achieve the 70:30 split in favour of social rented dwellings as specified by the Core Strategy, Officers consider the proposal to be acceptable in this instance given the urgent need for Temporary Accommodation dwellings within the borough.
- 87 Lewisham Council is experiencing a significant increase in the number of households facing homelessness and requiring housing assistance. Since 2010 the Council has witnessed a significant increase in the number of households in Temporary Accommodation (TA), whilst the number of available affordable housing lets has almost halved. This reduction in available Council Housing stock is placing a significant strain across Council housing services, including the provision of suitable, high quality and well-designed TA. It is also forcing the Council to utilise expensive private B&B/Nightly Paid emergency accommodation, which can often be of a poor quality, operating basic shared facilities and located in areas outside of an individual's local support network. Over 2200 people currently live in TA in Lewisham, of which approximately 630 people occupy expensive nightly paid/B&B accommodation. In 2018/2019 the Council spent £3.6m on temporary accommodation, which is a significant expenditure for the Council and therefore supports the urgent need for permanent, high quality affordable housing. Objections received relates to potential residents with drugs and criminal backgrounds, the Councils Housing team have confirmed that this is not the case and that the dwellings will be for homeless families with children as well as supported living residents who have challenging learning needs.
- 88 The six (6) proposed Supported Living dwellings have been specifically designed for residents with learning disability and/or autism who have challenging behaviour and may otherwise be at risk of inappropriate hospital admission or out of borough placement, demand has therefore increased for this type of service. The scheme is part of the Council's aim to provide a range of appropriate accommodation aligned with the National Transforming Care Programme to ensure this type of accommodation is aligned with the correct support and type of service locally.
- 89 The residents would live independently with in-house care and support will be provided 24/7 to the Supported Living dwellings. The development is supported by NHS England.
- 90 As such, Officers consider that the proposed development therefore meets the requirements of Core Strategy 1 and significantly contributes to providing affordable housing for the aging community in the borough.

***Dwelling Size***

*Policy*

- 91 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.
- 92 NPPF para 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.
- 93 The London Plan Policies 3.3 and 3.4 seek to increase housing supply and optimise housing potential, taking into account local context and character. Furthermore, the London Plan Policy 3.8 identifies the need for Londoners to have a genuine choice of high quality affordable housing, which is considered to be in line with this proposal.
- 94 Core Strategy Policy 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments including the site's character and context; previous or existing use of the site; access to amenity space for family dwellings; likely parking demand; local housing mix and population density; and social and other infrastructure availability and requirements.

### ***Summary of Affordable housing***

- 95 The proposed development would provide thirty-two (32) new dwellings of which 100% would be for Affordable Rent at Local Housing Allowance Levels, including Supported Living and Temporary Accommodation. This is in accordance with DM Policy 7 and 32 and London Plan Policies 3.10, 3.11 and 3.13 and exceeds the requirement of DM Policy 7, however when providing genuinely affordable housing is considered acceptable. The development would exceed the requirement of Core Strategy 1 in providing family sized dwellings and would comply with the requirement to provide 10% wheelchair dwellings.

## **7.2.3 Residential Quality**

### *General Policy*

- 96 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LPP 3.5), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).
- 97 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity; and (vii) children's play space.

### ***Internal space standards***

#### *Policy*

- 98 The Technical Housing Standards (2015), Mayors Housing Supplementary Planning Guidance (SPG), London Plan Policy 3.5 and DM Policy 32 set out or make reference to the minimum internal space standards to achieve housing development that provides the highest quality of space externally in relation to its context.
- 99 The London Plan Policy 3.5 seeks to achieve housing development that provides the highest quality of space internally and externally in relation to its context.

#### *Discussion*

- 100 Any single storey 1BED/2P dwelling, as outlined by The London Plan is required to provide a minimum 50m<sup>2</sup> Gross Internal Area (GIA) with a minimum of 1.5m<sup>2</sup> built-in storage, while a 2BED/4P dwelling is required to provide a minimum of 70m<sup>2</sup> GIA with a minimum of 2m<sup>2</sup>

built in storage and a 3BED/4P is required to provide a minimum of 75m<sup>2</sup> GIA with 2.5m<sup>2</sup> built in storage. All of the proposed dwellings would meet or exceed the minimum GIA and storage standards, with most of the Supported Living dwellings exceeding minimum requirement by at least a minimum of 15m<sup>2</sup>.

### **Outlook & Privacy**

#### *Policy*

- 101 DM Policy 32 expects all new development to provide a satisfactory level of privacy, outlook and natural lighting for both its future residents, which is also supported by the Mayors Housing SPG. Furthermore, The London Plan Policy 5.3 requires the highest standards of sustainable design and construction to be achieved, including the avoidance of single-aspect units. The Lewisham Residential Development Standards SPD also requires a flexible 21m distance between habitable windows on main rear elevations.

#### *Discussion*

- 102 The closest relationship with the proposed building to existing buildings would be the 10.3m separation from existing tower block (Heathwood Point), which would address a proposed flank elevation. Windows have been carefully positioned to ensure an appropriate separation distance. Given the proposal adjoins Mayow Park to the west, small greenspace to the north and Mayow Road to the east, all other separation distances would exceed 21m.
- 103 DM Policy 32 also assesses whether the proposed accommodation would provide a good outlook and adequate privacy. The design proposes all dwellings to be at least single aspect with twenty-five (25) dwellings achieving dual aspect and the remaining seven (7) achieving east facing single aspect. Private terraces and perimeter planting are proposed to the ground floor amenity spaces, which will help to increase privacy.
- 104 Owing to the block style design, there is no scenario of habitable windows directly facing one and other.

### **Overheating**

#### *Policy*

- 105 London Plan Policies 5.3 and 5.9 seek to avoid internal overheating through design, materials, construction and operation of the development. The Mayors Housing SPG also demonstrates that development proposals should achieve an appropriate design of dwellings to avoid overheating without heavy reliance on energy intensive mechanical cooling systems.

#### *Discussion*

- 106 The design allows for a combination of single, dual and triple aspect dwellings, which would allow for better daylight and reduce overheating which is supported.

### **Daylight and Sunlight**

#### *Policy*

- 107 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents.



108 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards. This is not formal planning guidance and should be applied flexibly according to context. The BRE standards set out below are not a mandatory planning threshold.

109 In new dwellings, the BRE minimum recommended average daylight factor (ADF) is 1 % for bedrooms, 1.5% for living rooms and 2 % for kitchens.

#### *Discussion*

110 The Daylight and Sunlight Study (Within Development) undertaken, determined that all rooms within the development would meet the recommended Average Daylight Factor (ADF), with one (1) achieving negligible ADF of 1.47% where the BRE recommends 1.50%, however this window serves a living room and the dwelling is also dual aspect and therefore the impact would not be noticeable.

111 Ninety (90) of the one-hundred and six (106) surveyed windows would achieve appropriate Daylight Distribution. The remaining sixteen (16) windows would receive a noticeable reduction, however none of these dwellings are single aspect and most of these windows serve bedrooms which BRE guidance acknowledge are less important than kitchen and living rooms with regard to daylight. Furthermore, all of these dwellings are dual aspect and meet the ADF recommended levels.

112 Majority of the assessed rooms will meet the Annual Probable Sunlight Hours (APSH), with one (1) achieving negligible sunlight levels and ten (10) achieving noticeable sunlight amenity levels. Where rooms achieve results below the recommended levels, they are generally obscured by their own inset balcony.

113 Overall, Officers acknowledge that a major development may result in some dwellings not receiving the recommended internal daylight and sunlight levels, however on balance it is considered that the proposal achieves a satisfactory level of residential amenity and that all units would have good outlook through most dwellings (25 dwellings) achieving dual aspect and the remaining seven (7) achieving east facing single aspect.

#### **Noise & Disturbance**

##### *Policy*

114 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions. Para 180 states decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

115 Planning controls the effect of noise from external sources on residential uses and noise transmission between different uses. The relevant standard is BS: 8233:2014. This states the internal noise levels within living rooms must not exceed 35dB(A) during the daytime (0700-2300) and 30 dB(A) in bedrooms during the night –time (2300-0700).

116 With respect to external areas, BS 8233:2014 recommends that external noise level does not exceed 50dB LAeq,T with an upper guideline of value of 55dB LAeq,T

117 The NPPG states LPAs should consider noise when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved

118 The objectives of the NPPF and NPPG are reflected in LPP 7.15, DLPP D1,D12 and D13, CS Objective 5 and DMP 26.

*Discussion*

119 A Construction Management Plan would be Conditioned to ensure details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process. This would also include details of construction traffic movements including cumulative impacts, rationalising travel and traffic routes to and from the site, 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 relates activity and details of how the impacts of construction activities and associated traffic will be managed.

**Accessibility and inclusivity**

*Policy*

120 The Local Plan Policy 3.8 requires 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings' and therefore be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% to M4(2) 'accessible and adaptable dwellings'.

121 Core Strategy Policy 1 requires major schemes to provide 10% of all units and each tenure type to be constructed as accessible. DM 32 states that the Council will require new build housing to be designed to ensure that internal layout and external design features provides housing that is accessible to all intended users.

*Discussion*

122 The proposed development has been designed to comply with Core Strategy 1 in providing 72% Lifetime Homes and 18% wheelchair accessible in accordance with Part M of the building regulations. All wheelchair user dwellings would be provided within the Supported Living element of the proposal.

123 Overall, the proposed standard of accommodation and private/public amenity space proposed for each unit are considered to be acceptable and policy compliant.

124 Two (2) wheelchair parking bays are proposed to be located on Mayow Road, which would support the Supported Living element of the proposal. The parking bays would be unallocated, however would provide an opportunity for convenient access to the proposal.

125 Furthermore, an independent parking survey was undertaken to assess the existing parking stress on the public highway surrounding the application site and confirmed there is capacity on the surrounding street network to accommodate the parking demand generated by the development proposals.

**External space standards**

*Policy*

126 The Technical Housing Standards (2015), Mayors Housing Supplementary Planning Guidance (SPG), London Plan Policy 3.1 and DM Policy 32 set out or make reference to

the minimum space standards required for amenity space to achieve housing development that provides the highest quality of space externally in relation to its context.

- 127 Standard 4 of the Housing SPG states that, where communal open space is provided, development proposals should demonstrate that the space: is overlooked by surrounding development; is accessible to disabled people including people who require level access and wheelchair users; and is designed to take advantage of direct sunlight; has suitable management arrangements in place.

*Discussion*

- 128 Specifically, the Housing SPG requires private outdoor amenity space standards to provide a minimum of 5m<sup>2</sup> for any 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant with a minimum depth of 1500mm. A 2B/4P dwelling therefore requires 7m<sup>2</sup> of private amenity space and a 3B/6P dwellings requires a minimum of 9m<sup>2</sup> of private amenity space, which is met or exceeded in all circumstances of the Temporary Accommodation.
- 129 For safety reasons, the Supported Living element of the proposal does not propose individual private amenity space, however it does provide a communal 75m<sup>2</sup> secure courtyard garden to be used by the Supported Living residents and their carers, which would exceed the requirement of six (6) 1BED dwellings (30m<sup>2</sup>) as per London Plan standards. It should also be noted that most of the Supported Living dwellings exceeding minimum requirement by at least a minimum of 15m<sup>2</sup>.

**Children's play space**

*Policy*

- 130 LPP3.6 states housing proposals should make provision for play and informal recreation.
- 131 The Mayor's Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG recommends 10sqm of play space per child. The GLA divide the requirements of children's play space into three categories: (i) under 5s, described as doorstep play and generally considered as part of the plot; (ii) ages 5-11; and (iii) children 12 plus.

*Discussion*

- 132 As identified above, all Temporary Accommodation would meet or exceed the required private amenity space and the Supported Living element would provide a significant area of external private amenity space, however owing to the constraints of the site, no play space would be provided. The site does however adjoin Mayow Park (which is located within 50m of the site) which has a play area, outdoor gym, nature reserve, café, tennis and cricket facilities), which is considered to be a convenient and appropriate alternative to providing onsite play space provision.

**7.2.4 Housing conclusion**

- 133 The proposal contributes to the Council's New Homes Programme by creating 100% new Council homes to households on Lewisham's Housing Register.
- 134 The current 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.

135 The site will make a valuable contribution towards meeting affordable housing needs as identified in the London Plan Policies 3.3 and 3.4 to increase housing supply and optimising housing potential in a sustainable urban location making efficient use of the land. Furthermore, the London Plan Policy 3.8 identifies the need for Londoners to have a genuine choice of high quality affordable housing, which is considered to be in line with this proposal. The proposal will make use of open space and officers therefore do not raise an objection to the principle of development, subject to securing a high quality design.

### **7.3 SPECIALIST RESIDENTIAL USES**

#### *Policy*

136 NPPF seeks to ensure that the needs of groups with specific housing requirements are addressed, more specifically DM Policy 5 aims to ensure specialist accommodation is provided in the appropriate locations, which is also consistent with The London Plan Policy 3.1, 3.5 and 3.8.

#### *Discussion*

137 Specialist accommodation is supported by the Council where it is well designed to meet the specific requirements of the intended residents and their social, physical, mental and/or health care needs and where development proposals provide easy access to public transport, shops, local services, community facilities and social networks.

138 The proposal would support six (6) Supported Living flats (Use Class C2) and twenty-six (26) Temporary Accommodation dwellings (Use Class C3) which would provide new high quality Temporary Accommodation for local homeless families in the borough, provide high quality Supported Living accommodation for adults who have learning difficulty and/or autism. It would also relieve financial pressure from the Council where expensive nightly accommodation is currently being used as an alternative.

139 The Supported Living component of the proposal would be purpose built to support the needs of the residents with involvement from the NHS.

140 The building has therefore been designed as fit for purpose with a good fit between the facilities supplied and the specialist needs of residents. The dwellings all provide a kitchen, bathroom, bedroom and living area and therefore provide independent living with the support from full time carer staff.

141 The Supported Living element would also provide social opportunity in the shared amenity space, which would facilitate interaction and help to prevent isolation.

142 In documentation submitted with the application, the Applicant confirmed Supported Living element of the proposal would also employ approximately 26-27 Full Time working staff.

143 Representations received raised concern with regard to the behaviour of residents within the proposed specialist residential uses and residential Use Class. The Temporary Accommodation would provide accommodation for homeless families, as well as those in Supported Living who require 24/7 support. It is considered that the design carefully considers the needs of the existing and future residents and neighbours. There is no promotion of any vulnerable individual accommodation or those with any drug/alcohol dependency.

144 On this basis, Officers are satisfied that the proposal would deliver high quality and much needed genuinely affordable housing for people in the borough.



## **7.4 URBAN DESIGN**

### *General Policy*

- 145 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. The NPPG encourages decision takers to always secure high quality design; this includes being visually attractive and functional, however other issues should be considered.
- 146 LPP 7.6 requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design.
- 147 CSP 15 repeats the necessity to achieve high quality design. DMP 30 states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity.
- 148 Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

### **7.4.1 Appearance and character**

#### *Policy*

- 149 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG).
- 150 In terms of architectural style, the NPPF encourages development that achieves well designed places, specifically development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 127). At para 131, the NPPF states great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area.

#### ***Form, Scale and Layout***

#### *Policy*

- 151 The London Plan Policy 7.1 seeks to shape places by providing lifetime neighbourhoods and outlines the design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of their location. Furthermore, London Plan Policy 7.4 states that buildings, street and open spaces should provide a high-quality design that has regard to pattern and grain of the existing spaces and streets, scale, proportion and mass. The London Plan Policy 7.6 states that buildings should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and further that the building form and layout of new developments should have regard to the density and character of the surrounding development.
- 152 The development has carefully considered designing out crime in accordance with DM Policy 32, London Plan Policy 7.3 and Core Strategy 15 and fear of crime also identified within paragraph 91 of the NPPF (2018). The entrance of the buildings will be safe as they are clearly defined and visible from the street through the use of materiality contrast and lighting in accordance with DM Policy 27.

### *Discussion*

- 153 The scale, massing and articulation of the proposed flats block have been the subject of extensive discussion between Officers and the applicant during pre-application as well as public consultation and further shaped by input from local residents. The proposed development considers its immediate surroundings and wider context. The building is considered to be of an appropriate proportion, scale and orientation to its surroundings.
- 154 The proposal presents a stepped massing of part six/part seven storeys ranging in height from approximately 19.79m – 23.14m, which is considerably lower than the adjoining tower blocks which present twelve (12) storeys in height, however would be noticeably taller than the predominate 2-4 storey surrounding context.
- 155 Two entrances are proposed to the building, one to serve the Supported Living element and one to serve the Temporary Accommodation element, which is necessary for the purpose of the criteria of providing Supported Living dwellings.
- 156 It is acknowledged the development would give rise to a considerable increase in scale and massing comparative to the existing warehouse, however the stepped massing paired with the proposed building being framed predominantly by Mayow Park it is considered to sit comfortably in the context.

### ***Detailing and Materials***

#### *Policy*

- 157 Lewisham Residential Standards Document sets out guidance relating to design, development, layout and materials. The London Plan Policy 7.6 and DM Policy 32 seek to ensure buildings are of a high architectural quality, and comprise details and materials that complement the local architectural character without necessarily replicating it.

#### *Discussion*

- 158 The proposal includes vertical, horizontal and stretcher bond, powder coated aluminium windows, steel balustrade, vertical fins, recessed brick course, brick reveals and privacy glazing.
- 159 The proposal aims to use predominately multi light coloured brick (red/orange tones) with a contrasting darker brick to double height brick panels at ground and first floor.
- 160 Brick detailing would also include vertical bonded banding at each floor level with a return to window reveals.
- 161 The Supported Living proposes louvre panels within the design to provide secure ventilation with consideration to the vulnerable residents.
- 162 Precast concrete is proposed to the external landscape.
- 163 The proposed material palette is considered to be high quality and the final details would be secured by Condition.

## **7.4.2 Public Realm**

#### *Policy*

- 164 The London Plan Policy 7.5 seeks to deliver high quality public realm that is secure, accessible, inclusive, connected and easy to understand and maintain.

### *Discussion*

- 165 The scheme proposes multiple elements of landscape and amenity, which would contribute to public realm including trees and soft landscape, private amenity space, shared amenity space and wider amenity provision.
- 166 Four (4) trees are proposed to be removed to facilitate development on the site, which are discussed in detail below in Section 7.8. The proposed tree loss would be replaced in addition to green living roof, new planting, Supported Living amenity space, hard and soft landscaping and tree-loss provision which cumulatively would present a net gain in green infrastructure.
- 167 Specifically, the Housing SPG requires private outdoor amenity space standards to provide a minimum of 5m<sup>2</sup> for any 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant with a minimum depth of 1500mm. A 2B/4P dwelling therefore requires 7m<sup>2</sup> of private amenity space and a 3B/6P dwellings requires a minimum of 9m<sup>2</sup> of private amenity space, which is met or exceeded in all circumstances of the Temporary Accommodation. The private amenity space to the north-west corner of the building proposes angled louvers to ensure there is no overlooking from existing adjoining tower blocks.
- 168 For safety reasons, the Supported Living element of the proposal does not propose individual private amenity space, however it does provide a communal 75m<sup>2</sup> secure courtyard garden to be used by the Supported Living residents and their carers, which would exceed the requirement of six (6) 1BED dwellings (30m<sup>2</sup>) as per London Plan standards. The amenity space has been designed to be safe and secure and would only be accessible to Supported Living residents and the staff, which will include landscaping, fencing and sensory planting.
- 169 Overall, the site would achieve a high quality landscape scheme including buffer planting to ground floor, understorey planting, gravel maintenance strips (where necessary), concrete paving, replacement and additional tree planting, boundary planting, aggregate paths and biodiverse roof planting.
- 170 Officers consider that the existing warehouse does not positively contribute to the streetscene and the setback building within the footprint of the existing warehouse supported by high quality boundary treatment and planting would be a positive improvement.
- 171 The details of the soft and hard landscaping in addition to the details of the proposed living roof would be secured by Condition.

### **7.4.3 Accessibility and inclusivity**

#### *Policy*

- 172 The London Plan Policy 7.2 seeks to achieve an inclusive environment in all new development by providing the highest standards of accessible and inclusive design. The Mayors Accessible London SPG also outlines and advises who accessible and inclusive design can be achieved. DM Policy 35 aims to design public spaces to be safe, inclusive, accessible, attractive and robust.

#### *Discussion*

- 173 Consideration has been given to the design of the Supported Living element, which includes separate and secure entrance, wheelchair access, lift access, ease of access, supervision and wellbeing through daylight views and limited corridor lengths. The shared amenity space is also designed to be quiet and secluded.



174 The flats are designed to meet Building Regulations Part M4 with 81% (26 dwellings) meeting M4(2) to be Accessible and Adaptable and 19% (6 dwellings) to be M4(3) Wheelchair User Dwellings.

175 Consideration has also been given to safety and access in the event of fire or emergency. Fire engineers have been involved throughout the building design, which ensures the proposal is in line with Building Regulations. Sprinkler protection is also proposed.

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

176 In conclusion, Officers are satisfied that the proposal would deliver a scheme of high quality design and landscaping strategy that would enhance the site while providing much needed affordable housing. The applicant has engaged with officers at pre-application stage consistently and responded to formal feedback to ensure the proposal is considered to be of an appropriate design and scale.

## 7.5 TRANSPORT IMPACT

### *General policy*

- 177 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para 102. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic; and (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.
- 178 Para 109 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 179 Regionally, the Mayor’s Transport Strategy (‘the MTS’, GLA, March 2018) sets out the vision for London to become a city where walking, cycling and green public transport become the most appealing and practical choices. The MTS recognises links between car dependency and public health concerns.
- 180 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

### 7.5.1 Access

#### *Policy*

- 181 The NPPF requires safe and suitable access for all users. Paragraph 108 states that in assessing applications for development it should be ensured that appropriate opportunities to promote sustainable transport modes can – or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users.
- 182 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised; that a restrained approach to parking provision will adopted; and that car-free status for new development can only be assured where on-street parking is managed so as to prevent parking demand being displaced from the development onto the street.
- 183 DMP 29 identifies that car limited major residential will be supported in areas with a PTAL of 4 or above and that amongst other factors development should not have a detrimental impact on on-street parking provision in the vicinity. It outlines that measures such as car-clubs and cycle storage will be expected to ensure that sustainable transport modes are encouraged.

#### *Discussion*

- 184 The site does not support vehicular access and the proposal is for car-free development, however two (2) Wheelchair parking bays are proposed on Mayow Road to support the Supported Living element of the proposal.
- 185 An independent Parking survey was undertaken to assess the existing parking stress on the public highway surrounding the application site. The results of the surveys confirmed that there is capacity on-street to accommodate the parking demand generated by the development proposals.

186 Highways Officers have been involved throughout pre-application stage and raise no objection to the proposal subject to Conditions to secure section 278 Highways works, a Delivery and Servicing Plan, Cycle Parking details, Travel Plan and Construction Management Plan.

### **7.5.2 Servicing and refuse**

#### *Policy*

187 The NPPF states development should allow for the efficient delivery of goods and access by service and emergency vehicles.

188 LPP 6.13 requires schemes to provide for the needs of businesses and residents for delivery and servicing and LPP 6.14 states that development proposals should promote the uptake of Delivery and Service Plans.

189 Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Buildings in accordance with London Plan Housing Supplementary Planning Guidance (2016) standard 23.

#### *Discussion*

190 Separate refuse is proposed for the Temporary Accommodation and Supported Living elements, both are provided at Ground Floor. Internal refuse storage is provided which is accessed via lockable doors that address Mayow Road with a pull length of 10m to collection point for the Temporary Accommodation and 7.5m for the Supported Living element. Facilities maintenance personnel will manage the pull to kerb for collection. Refuse has been provided in accordance with Part H or Building Regulations.

191 The refuse would be collected from Mayow Road in accordance with the current arrangement.

192 A Delivery and Servicing Plan would be conditioned to secure the details of all future deliveries and services.

### **7.5.3 Transport modes**

#### ***Walking, Cycling and Public Transport***

#### *Policy*

193 Paragraph 110 of the NPPF states that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring area.

194 Development should create places that are safe, secure and attractive, minimising the scope for conflicts between pedestrians, cyclists and vehicles

195 LPP 6.9 sets out to bring a significant increase in cycling to at least 5% of modal share by 2026, supported by the implementation of Cycle Superhighways and the central London cycle hire scheme and provision of facilities for cyclists including secure cycle parking and on-site changing and shower facilities for cyclists.

196 The London Plan Housing SPG Standard 20, London Plan Policy 6.9 and DM Policy 29 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

In addition, one short stay cycle parking space should be provided for every 40 units.

#### *Discussion*

- 197 A total of fifty-six (56) cycle spaces are proposed for the Temporary Accommodation element and Supported Living staff, which would be provided at ground floor accessed externally from the cycle store in the north-west corner of the building via a metal bicycle ramp to aid access.
- 198 The number of cycle spaces is in accordance with the London Plan by providing fifty-two (52) spaces for the Temporary Accommodation element and four (4) for Supported Living staff and as such is considered acceptable.
- 199 The site is located within an area with low accessibility to public transport, with a PTAL of 1b, however in reality is well serviced by public transport and within 100m of the site the PTAL increases to 3.

#### ***Private cars (include disabled and electric charging points)***

#### *Policy*

- 200 LPP 6.13 seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use and through the use of well-considered travel, plans aim to reduce reliance on private means of transport. Table 6.2 Car parking standards in the London Plan states that all residential developments in areas of good public transport accessibility should aim for significantly less than one space per unit. It also requires that developments must provide for the needs of disabled users.
- 201 CSP 14 states that the Council will take a restrained approach to parking provision. DMP 29 requires wheelchair parking to be provided in accordance with best practice standards and London Plan Standard 18 requires designated wheelchair accessible dwellings to have a designated disabled car parking space.
- 202 DMP 29 states that development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

#### *Discussion*

- 203 The site does not support vehicular access and the proposal is for car-free development, however two (2) Wheelchair parking bays are proposed on Mayow Road to support the Supported Living element of the proposal.
- 204 The proposed bays would be unallocated and therefore would not be provided exclusively for the proposal, however would allow for ease of parking for the associated Supported Living element. Swept paths provided with the application and consultation with Councils Highways Officers identify the location is acceptable and would not give rise to car or pedestrian conflict.
- 205 The Transport Statement submitted with the application also identifies there is approximately 45% parking capacity on the surrounding street network.
- 206 Highways Officers have been involved throughout pre-application stage and raise no objection to the proposal subject to Conditions to secure section 278 Highways works, a Delivery and Servicing Plan, Cycle Parking details, Travel Plan and Construction Management Plan.

## **Transport impact conclusion**

207 Subject to the proposed Conditions, the development proposal would not result in harm to the local highway network or pedestrian or highway safety.

## 7.6 IMPACT ON ADJOINING PROPERTIES

### *General Policy*

- 208 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At paragraph 180 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.
- 209 This is reflected in relevant policies of the London Plan (LP7.6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA).
- 210 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 211 Further guidance is given in Housing SPD 2017, GLA.

### 7.6.1 Enclosure, Outlook and Privacy

#### *Policy*

- 212 Overbearing impact arising from the scale and position of blocks is subject to local context. Outlook is quoted as a distance between habitable rooms and boundaries.
- 213 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.
- 214 LPP 3.5 focuses on standards in new development, with the Mayor of London's Housing SPG noting that former commonly used minimum separation distances between habitable rooms of 18 – 21 metres may be useful guides, but advocates a more flexible approach to managing privacy.

#### *Discussion*

- 215 The closest relationship with the proposed building to existing buildings would be the 10.3m separation from existing tower block (Heathwood Point), which would address a proposed flank elevation. Windows have been carefully positioned to ensure an appropriate separation distance. Given the proposal adjoins Mayow Park to the west, small greenspace to the north and Mayow Road to the east, all other separation distances would exceed 21m.
- 216 DM Policy 32 also assesses whether the proposed accommodation would provide a good outlook and adequate privacy. The design proposes all dwellings to be at least single aspect with fourteen (14) dwellings achieving dual aspect, six (6) achieving triple aspect and the remaining twelve (12) achieving single aspect, seven (7) of which would achieve east facing single aspect. Private terraces and perimeter planting are proposed to the ground floor amenity spaces, which will help to increase privacy.

#### *Summary*

- 217 The proposals therefore would provide a good level of privacy for the occupants and not result in a harmful impact on the occupants of any nearby dwellings. Officers consider the proposed impacts are policy compliant and would not be materially harmful to adjoining properties.

## 7.6.2 Daylight and Sunlight

### *Policy*

- 218 Paragraph 127 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 219 DMP 32 states that new development must be neighbourly, provide a satisfactory level of outlook and natural light for both its future residents and its neighbours. DMP 32(2) also states that new-build housing development, including the housing element of new build housing will need to respond positively to the site specific constraints and opportunities as well as to the existing and emerging context for the site and surrounding area.
- 220 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards however this is not formal planning guidance and should be applied flexibly according to context.
- 221 The NPPF does not express particular standards for daylight and sunlight. Para 123 (c) states that, where there is an existing or anticipated shortage of land for meeting identified housing need, LPAs should take a flexible approach to policies or guidance relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site.
- 222 Standard 32 of the Housing SPG details that “All homes should provide for direct sunlight to enter at least one habitable room for part of the day.” The Housing SPG further states that where direct sunlight cannot be achieved in line with Standard 32, developers should demonstrate how the daylight standards proposed within a scheme and individual units will achieve good amenity for residents.
- 223 The GLA states that ‘An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.’ (GLA, 2017, Housing SPG, para 1.3.45).
- 224 Alternatives may include ‘drawing on broadly comparable residential typologies within the area and of a similar nature across London.’ (ibid, para 1.3.46).
- 225 It is therefore clear that the BRE standards set out below are not a mandatory planning threshold.
- 226 Daylight is defined as being the volume of natural light that enters a building to provide illumination of internal accommodation between sun rise and sunset. This can be known as ambient light. Sunlight refers to direct sunshine.

### ***Daylight guidance***

- 227 The three methods for calculating daylight are as follows: (i) Vertical Sky Component (VSC); (ii) Average Daylight Factor (ADF); and (iii) No Sky Line (NSL).
- 228 The VSC is the amount of skylight received at the centre of a window from an overcast sky. The ADF assesses the distribution of daylight within a room. Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced by factors including the size of the window relative to the room area and the transmittance of the

glazing, with the size of the proposed obstruction being a smaller influence. NSL is a further measure of daylight distribution within a room. 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.

229 In terms of material impacts, the maximum VSC for a completely unobstructed vertical window is 39.6%. If the VSC falls below 27% and would be less than 0.8 times the former value, occupants of the existing building would notice the reduction in the amount of skylight. The acceptable minimum ADF target value depends on the room use: 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. If the NSL would be less than 0.8 times its former value, this would also be noticeable.

230 While any reduction of more than 20% would be noticeable, the significance and therefore the potential harm of the loss of daylight is incremental.

231 It is important to consider also the context and character of a site when relating the degree of significance to the degree of harm.

### ***Sunlight guidance***

232 Sunlight is measured as follows: (i) Annual Probable Sunlight Hours (APSH); and (ii) Area of Permanent Shadow (APS)

#### *Discussion*

233 The application is accompanied by a Daylight & Sunlight Study (Prepared by Calford Seaden), dated August 2019. This sets out daylight and sunlight impact on adjoining properties.

### ***Daylight***

234 The daylight received from the neighbouring properties is summarised as being BRE compliant, aside from four (4) neighbouring window in Heathwood Point, which serve kitchens and a living room. Only one (1) window (kitchen) would receive a noticeable reduction. It should however be noted that the VSC received (25.1%) would only be marginally below the VSC guidance of 27%, which is considered to be appropriate in an urban location. The remaining three (3) windows would notice a negligible reduction (0.77, 0.78 and 0.8 reduction) however these results are primarily owing to the existing inset balconies.

235 The daylight distribution was also assessed, which found that four (4) windows within Heathwood Point would notice a Daylight Distribution reduction, which service kitchens. The assessment found that one (1) window would experience a negligible reduction and three (3) would experience a noticeable reduction, however would retain between 56-75% daylight. This is considered to be an acceptable outcome in an urban context.

### ***Sunlight***

236 The report confirms that with regard to sunlight, most windows in Heathwood Point would meet or exceed BRE guidance. Five (5) windows within Heathwood Point would receive a reduction in Annual Probable Sunlight Hours, one (1) which would be negligible and four (4) which would be noticeable. The windows which would receive the most impact would service kitchen windows and it is considered in their existing scenario they receive an unusually high amount of sunlight for an urban context. It is considered that the results are also owing to the existing inset balconies.

#### *Summary*



237 The proposed development therefore is considered to comply with DM Policy 32 and paragraph 127 of the NPPF.

### **7.6.3 Noise and estate disturbance**

#### *Policy*

238 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions. Para 180 states decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

239 The NPPG states LPAs should consider noise when new developments may create additional noise.

240 The objectives of the NPPF and NPPG are reflected in LPP 7.15, Draft LPP D1,D12 and D13, CS Objective 5 and DMP 26.

#### *Discussion*

241 Officers consider that subject to a Construction Logistics Management Plan being conditioned, the noise and estate disturbance will not be unreasonable.

### **7.6.4 Impact on neighbours conclusion**

242 Officers consider that proposed development would result in an acceptable impact on the neighbouring amenity of surrounding properties.

## **7.7 SUSTAINABLE DEVELOPMENT**

### *General Policy*

243 NPPF para 148 sets an expectation that planning will support transition to a low carbon future.

244 This is reflected in relevant policies of the London Plan and the Local Plan.

### **7.7.1 Energy and carbon emissions reduction**

#### *Policy*

245 LPP 5.1 seeks an overall reduction in carbon dioxide (CO<sub>2</sub>) emissions whilst LPP 5.2 (Minimising Carbon Dioxide Emissions) states that major development proposals should make the fullest contribution to minimising CO<sub>2</sub> in accordance with the following hierarchy: (1) be lean: use less energy; (2) be clean: supply energy efficiently; and (3) be green: use renewable energy.

246 In addition, LPP 5.2 sets targets for CO<sub>2</sub> reduction in buildings, expressed as minimum improvements over the Target Emission Rate (TER) outlined in national building regulations. The target for residential buildings is zero carbon from 2016 and non-domestic buildings from 2019, prior to which the target is as per building regulations (35%). LPP 5.3 advocates the need for sustainable development.

247 LPP 5.7 presumes that all major development proposals will seek to reduce CO<sub>2</sub> by at least 20 per cent through the use of on-site renewable energy generation wherever feasible.

248 Further guidance is given in The Mayor's Sustainable Design and Construction SPG (April 2014), which sets out targets and provides guidance as to how to achieve those targets as efficiently as possible.

#### *Discussion*

249 The application is accompanied by an Energy Strategy (Prepared by MLM Consulting Engineers), dated 13 August 2019. This sets out the measures to be taken to reduce carbon emissions in compliance with the energy hierarchy.

#### **Carbon reduction**

250 The accompanying Energy Statement identifies that through the incorporation of improved U-values of thermal elements and controlled fittings, careful design and construction to achieve an air tight building, incorporation of accredited construction details, low energy lighting (LED) where viable and an efficient communal gas boiler, the development achieves on site CO<sub>2</sub> reduction of 40.98%.

251 Given that the site does not achieve zero carbon, a financial carbon offset of £45,725.45 would be secured.

### **7.7.2 Overheating**

#### *Policy*

252 LP5.9 states that proposals should reduce potential overheating beyond Part L 2013 of the Building Regulations reduce and reliance on air conditioning systems and demonstrate this in accordance with the Mayor's cooling hierarchy.

- 253 DMP 22 reflects regional policy.
- 254 Further guidance is given in the Sustainable Design and Construction SPG (GLA) and Chapter 5 of the London Climate Change Adaptation Strategy.

*Discussion*

- 255 Sustainability Officers supported the fabric, levels of thermal insulation for the walls, floor and roof elements and the targeted air tightness achieved.
- 256 They requested further detail relating to SAP calculations, building performance, glazing, heating controls, overheating and ventilation strategy, which has been provided and considered to be acceptable.
- 257 An appropriately worded pre-commencement Condition would be attached to the permission to address outstanding points relating to the communal heating system network and Heat Interface Unit (HIU).

***Living roofs***

- 258 The proposal includes 544m<sup>2</sup> of living roof above the 5<sup>th</sup> and 6<sup>th</sup> floor, to be laid under the proposed PV panels. The Council's Ecology Officer is supportive of the proposal and has requested the details and size be secured by Condition.

**7.7.3 Flood Risk and Sustainable Urban Drainage**

*Policy*

- 259 LPP 5.12 requires the mitigation of flooding, or in the case of managed flooding, the stability of buildings, the protection of essential utilities and the quick recovery from flooding. LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including flooding.
- 260 CSP 10 requires developments to result in a positive reduction in flooding to the Borough.
- 261 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance.
- 262 The NPPF at paragraph 165 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 263 LPP 5.13 requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy's drainage hierarchy. The supporting text to the policy recognises the contribution 'green' roofs can make to SUDS. The hierarchy within LPP 5 establishes that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, CSP 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which in effect, comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.
- 264 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems.

### *Discussion*

- 265 The site is located within Flood Zone 1, which indicates a low probability of fluvial or tidal flooding. The site overall is considered to present a low to moderate risk of flooding, which would be reduced with the incorporation of SuDS measures.
- 266 Sustainability Officers requested additional information relating to the proposed drainage hierarchy, runoff detail, drainage hierarchy, agreed point of discharge and rates, attenuation storage, SuDS modelling and a site-specific Maintenance Plan.
- 267 An appropriately worded pre-commencement Condition would be attached to the permission to address these points.
- 268 Overall, there is considered to be no significant flood risk associated with the proposed development in place.

#### **7.7.4 Sustainable Infrastructure conclusion**

- 269 The proposed development has a low risk of flooding and contributes to sustainable development, providing an improvement beyond the present performance of the site and therefore future and existing occupiers would not be exposed to unacceptable risk associated with flooding.

## **7.8 NATURAL ENVIRONMENT**

### *General Policy*

- 270 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 271 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 272 The NPPF at paragraph 180 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.
- 273 LPP 2.18 sets out the Mayor of London's vision for Green Infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

### **7.8.1 Ecology and biodiversity**

#### *Policy*

- 274 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.
- 275 The NPPF at paragraph 170 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. At paragraph 175, the principles which LPAs should apply when determining applications in respect of biodiversity is set out.
- 276 LPP 7.19 seeks wherever possible to ensure that development makes a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 277 CSP 12 recognises the importance of the natural environment and environmental assets and requires the conservation and enhancement of these assets.

#### *Discussion*

- 278 A Preliminary Ecological Appraisal Preliminary Bat Roost Assessment (Prepared by CGO Ecology Ltd), dated March 2019 was submitted with the application. The survey was conducted in February 2019, which is considered to be seasonally appropriate. The existing warehouse and existing trees are considered to have bat roosting potential as well as the possible presence of hedgehog and common birds.
- 279 When surveyed, no evidence of roosting bats were found in the building and during nocturnal surveys, bat activity was recorded around the building but no bats were seen to emerge from or re-enter the building and therefore no further surveys are required.
- 280 Furthermore, the report recommends that new native planting of berry-rich and nectar-rich and shrubs to benefit invertebrates, birds and bats should be incorporated in the design and any tree and vegetation removal must take place between September to February to avoid bird-nesting season or be preceded by a nest-check giving the all-clear. These would be added as informatives.

- 281 Hedgehog searches should also be undertaken and conducted by an ecologist during site clearance, and hibernation houses provided as enhancement, which has also been added as an informative
- 282 Bat boxes should be incorporated in the design and have therefore be secured by Condition.
- 283 The proposal is acceptable in terms of ecology and biodiversity, subject to those conditions.

## **7.8.2 Green spaces and trees**

### *Policy*

- 284 Section 197 of the Town and Country Planning Act gives LPAs specific duties in respect of trees. This includes a duty to, wherever it is appropriate, that in granting planning permission for any future development adequate provision is made, by the imposition of conditions, for the preservation and planting of trees.
- 285 LPP 7.21 protects trees of value and replacements should follow the principle of 'right place, right tree'. New development should include additional trees wherever appropriate, particularly large-canopied species.
- 286 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".
- 287 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.

### *Discussion*

- 288 The proposal requires the removal of four (4) trees, which will be replaced in addition to green living roof, new planting, Supported Living amenity space, hard and soft landscaping and tree-loss provision which cumulatively would present a net gain in green infrastructure.
- 289 The four (4) proposed trees to be removed include two (2) Category U trees (unsuitable for retention) and two (2) Category B trees.
- 290 Both of the Category B trees to be removed are Horse Chestnut species. One (T8) is a mature tree located very close to the building and has already been heavily pruned as it overhangs the existing warehouse. Ecology and tree officers are supportive of its removal. The other Category B tree for removal (T17) is a mature tree in the raised planter on the eastern boundary, which is required to be removed to facilitate the access ramp. Throughout the design process options were explored to avoid their removal however were not possible. While it is acknowledged that their loss is regrettable, on balance, is considered to be acceptable as its retention would have compromised the design of the building and allow for the provision of thirty-two (32), high quality, 100% affordable dwellings.

- 291 There are no Category A (high quality) trees on site and none of the trees are covered by Tree Preservation Orders (TPOs).
- 292 Some construction works are proposed within root protection areas and therefore a Condition would be attached to ensure they are protected.

### **7.8.3 Ground pollution**

#### *Policy*

- 293 The NPPF at paragraph 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil pollution. Development should help to improve local environmental conditions.
- 294 The NPPF states decisions should contribute to and enhance the natural and local environment by remediating and mitigating contaminated land, where appropriate (para 170). Further, the NPPF at paragraph 178 and NPPG states decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination.
- 295 The test is that after remediation, land should not be capable of being determined as “contaminated land” under Part 2A of the Environmental Protection Act 1990.
- 296 LPP 5.21 reflects national policy. DMP 28 further reflects national policy and seeks to ensure that future residents are protected from exposure to contaminants.
- 297 Further guidance is given in *Contaminated Land Statutory Guidance* (Defra, 2012)

#### *Discussion*

- 298 A condition requiring a land contamination report would need to be imposed to ascertain likely risks.
- 299 The recommended condition would align with the consultation responses received from Environmental Protection which have requested further information relating to land contamination.

### **7.8.4 Air pollution**

#### *Policy*

- 300 The NPPF at paragraph 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality.
- 301 Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality.
- 302 LP7.14 states new development amongst other requirements must endeavour to maintain the best ambient air quality (air quality neutral) and not cause new exceedances of legal air quality standards. Draft LP S11 echoes this.
- 303 Further guidance is given in the Mayor of London’s Air Quality Strategy.
- 304 CSP 7 and DMP 23 echo this.

### *Discussion*

305 The application is accompanied by an Air Quality Assessment (Prepared by MLM), dated August 2019. The assessment indicates that the air quality impacts during construction has a low risk of dust soiling and the pollutant concentrations will be within the relevant air quality objectives and concludes that based on the results of the assessment, it is not considered that the air quality would impact on the development.

#### **7.8.5 Natural Environment conclusion**

306 The development proposals are appropriate for the context of this urban area and a site which is characterised by its built urban form. The applicant has demonstrated that the proposals will safeguard both the natural environment and the health of surrounding residents and future residents of the proposed development.



## **8**      **LOCAL FINANCE CONSIDERATIONS**

307      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).

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

309      The CIL is therefore a material consideration.

310      The proposed development is CIL liable and the applicant will claim social housing exemption.

## 9 EQUALITIES CONSIDERATIONS

312 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.

313 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.

314 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.

315 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> and <https://www.equalityhumanrights.com/en/publication-download/services-public-functions-and-associations-statutory-code-practice>

316 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

317 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>

318 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**

319      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
- Protocol 1, Article 1: Right to peaceful enjoyment of your property

320      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.

321      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.

322      This application has the legitimate aim of providing thirty-two (32) new 100% affordable dwellings. The rights potentially engaged by this application, including respect for your private and family life, home and correspondence and the freedom to enjoy one's home are not considered to be unlawfully interfered with by this proposal.

**11**        **CONCLUSION**

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

325        The thirty-two (32) proposed dwellings for 100% affordable will meet a defined need, addressing the shortage of affordable housing in the borough, specifically for Supported Living and Temporary Accommodation.

326        Subject to the imposition of conditions the development is judged acceptable and in accordance with the development plan.

## **12**        **RECOMMENDATION**

327        That the Committee resolve to **GRANT** planning permission subject to the following conditions and informatives:

### **12.1**       **CONDITIONS**

#### **1. Full Planning Permission Time Limit**

The development to which this permission relates must be begun not later than the expiration of three (3) 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. Develop in Accordance with Approved Plan**

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

Site Location Plan (Drawing No. 18047-PL-MAY-SI-001); Plan of Demolition (Drawing No. 1804-PL-MAY-DM-001); Existing Elevations and Sections Showing Demolition (Drawing No. 18047-PL-MAY-DM-002); Plan of Existing Warehouse Building (Drawing No. 18047-PL-MAY-001); Existing Elevations and Sections (Drawing No. 18047-PL-MAY-EX-002); Proposed South Elevation (Drawing No. 18047-PL-MAY-EL-001); Proposed East Elevation (Drawing No. 18047-PL-MAY-EL-002); Proposed West Elevation (Drawing No. 18047-MAY-EL-003); Proposed North Elevation (Drawing No. 18047-PL-MAY-EL-004); Ground Floor Plan (Drawing No. 18047-MAY-PL-GA-001); First Floor Plan (Drawing No. 18047-PL-MAY-GA-002); Upper Flood Plans (Level 2, 3, 4, 5) (Drawing No. 18047-PL-MAY-GA-003); Sixth Floor Plan (Drawing No. 18047-PL-MAY-GA-004); Roof Plan (Drawing No. 18047-PL-MAY-GA-005); Proposed Section AA (Drawing No. 18047-PL-MAY-SE-001); Proposed Section BB (Drawing No. 18047-PL-MAY-SE-002); Topographical Survey and Basement Floor Plan (Drawing No. L8956/1 (Rev 0)); Illustrative Master Plan (Drawing No. D7676.01.001); Planting Plan (Drawing No. D7671.01.201); Tree Pit Details (Drawing No. D7671.01.401); Planting Schedule (Drawing No. D7671.01.200; Section 9 of the Design and Access Statement (Prepared by Avanti Architects), dated August 2019; Tree Protection Plan (Appendix A – Arboricultural Impact Assessment) (Prepared by PJC Consultancy), dated 19 June 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. Construction Management Plan (Construction)**

No development (excluding demolition) 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.
  - (iv) Provide full details of how the impacts of construction activities and associated traffic will be managed.
  - (v) Consideration of the construction phasing of the proposed development opposite the site at the former Brent Knoll School.
  - (vi) Restrict construction deliveries between school arrival and departure times of the nearby Forest Hill School.
- (e) Security Management (to minimise risks to unauthorised personnel).

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2016).

#### 4. **Construction Management Plan (Demolition)**

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.
  - (iv) Provide full details of how the impacts of construction activities and associated traffic will be managed.
  - (v) Consideration of the construction phasing of the proposed development opposite the site at the former Brent Knoll School.
  - (vi) Restrict construction deliveries between school arrival and departure times of the nearby Forest Hill School.
- (e) Security Management (to minimise risks to unauthorised personnel).

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2016).

#### 5. **Site Contamination**

(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 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 shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

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

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

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

## 6. **Future Heating**

(a) No development above ground level (excluding demolition) shall commence until written information has been provided to approved in writing by the Local Planning Authority, identifying:

- (i) Evidence to demonstrate the communal heating system network has been designed in accordance with CIBSE CP1 - to include but not limited to design flow and return temperatures, minimisation of lateral pipework and plant and network sizing;
- (ii) Evidence to demonstrate the make and model of Heat Interface Unit (HIU) specified and installed has undergone BESA testing and provide the result.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.5 Decentralised energy networks and 5.7 Renewable energy in the London Plan (2016) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

## 7. **Site Wide Maintenance Plan**

(a) Prior to commencement of above ground works (excluding demolition), a site-specific Maintenance Plan must be submitted to and approved in writing by the Local Planning Authority, which should include the following:

- (i) Description of maintenance schedule;
- (ii) Details of who will maintain the proposed drainage system together with the full list of Sustainable Urban Drainage System elements over the lifetime of the development, confirming any adoption arrangements;
- (iii) Confirm who will maintain the full proposed drainage system with individual SuDS elements over the lifetime of the development, confirming any adoption arrangements;
- (iv) Provide evidence that access (e.g. easement or rights of way for access) will be physically possible for maintenance to be carried out as SuDS features should be located within public space;
- (v) Provide a plan for the safe and sustainable removal and disposal of waste periodically arising from the drainage system. A maintenance manual should also be produced to pass to the future maintainer. If other parties are responsible for different parts of a scheme, this should be clearly shown on the plan;
- (vi) Outline clearly the frequency of maintenance activities/timetables associated with each drainage system and SuDS elements, linking these into the site plan. Some of these information can be obtained through each proprietary product's manufacturer's instructions and specifications;
- (vii) Reference to CIRIA RP992 The SuDS Manual Update Paper RP992/23 for a guidance on completing a SuDS Maintenance Plan;
- (viii) Reflect the technical details and specifications of the final proposed drainage strategy including individual SuDS elements associated (including proposed geocellular storage and proposed surface water pipes) in the plans and drawings.

(b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

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

## 8. Surface Water and SuDS

(a) Prior to commencement of development above ground (excluding demolition), a revised scheme for Surface Water Management, must be submitted to and approved in writing by the Local Planning Authority. The detail should include:

- (i) Confirmation of all area of site development within the area that will contribute to runoff;
- (ii) An explanation (drawing) of methodology in determining both impermeable and permeable areas used in the detailed calculation sheets;
- (iii) An explanation of how the London Plan Policy 5.13 and individual drainage hierarchy has been followed and provide full explanation of the forms of SuDS to be used on the site including justification for their use, and what flood mitigation, water quality, environmental and social benefits they achieve;
- (iv) Evidence that the site has an agreed point of discharge;
- (v) Existing surface water run-off rates from the site (whole area of contributing runoff);
- (vi) Detailed calculations of the post development discharge rates and an explanation of methodology of the calculation;



- (vii) Detailed estimates of the volume of attenuation storage that would be required on site, which should be based on the 100 year critical storm duration with climate change for the site and the allowable discharge rate;
- (viii) Detailed assessment of the need for long term storage to address the additional volume of runoff generated by the development;
- (ix) Modelling of all the proposed SuDS system for the site (e.g. Microdrainage), showing the behaviour of the site for the main rainfall events (Qbar, 30 year, 100 year, 100 year + climate change) and ensuring:
  - Typical operation of the system for low rainfall and first-flush events, with indication of how treatment of surface water will be achieved
  - Drainage system can contain the 1 in 30 year storm event without flooding occurring on any part of the site
  - Any flooding between the 1 in 30 and 1 in 100 year + climate change storm events will be safely contained on site
  - No flooding from the system to downstream property or access routes for the 100 year + climate change event
- (x) Detailed plan outlining the location for the storage within the proposed development;
- (xi) Fully labelled network diagram showing all dimensions (pipe numbers, gradients, sizes, locations, manhole details etc.) of every element of the proposed drainage system (swales, storage areas, ponds, etc) and how these relate to submitted calculations. Separate, more detailed engineering plans (including levels, detailed drawings, long sections and cross sections etc.) will be needed for each of the SuDS and critical drainage elements, including the details of the methods of flow control.

(b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

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

## 9. Piling Operations

(a) No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the Local Planning Authority, until a Piling Method Statement (detailing depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water.

(b) Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**Reason:** To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network and Development Management Local Plan (November 2014) DM Policy 28 Contaminated land.

## 10. Materials/Design Quality

(a) No development above ground shall commence on site until a detailed schedule and specification/samples of all external materials and finishes/windows and external doors/roof coverings/other site specific features to be used on the building(s) have been submitted to and approved in writing by the Local Planning Authority.

(b) The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 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.

11. **Refuse and Recycling Facilities**

(a) The storage of refuse and recycling facilities as approved shall be provided in accordance with the Refuse and Recycling Strategy in Section 3.8 of the Design and Access Statement (Prepared by Avanti Architects), dated August 2019 and Ground Floor Plan (Drawing No. 18047-MAY-PL-GA-001);

(b) All proposed Refuse and Recycling Facilities shall be provided in full prior to first occupation of any building and permanently retained and maintained, thereafter.

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

12. **Air Quality**

Prior to commencement of above ground work (excluding demolition), further Air Quality information must be provided to and approved in writing by the Local Planning Authority, which must include the following: -

- (i) Evidence that all plant and equipment will meet NRMM standards in relation to emissions;
- (ii) Confirmation of the number of boilers proposed;
- (iii) Evidence (including calculations) that demonstrate the site's NO<sub>2</sub> and PM<sub>10</sub> emissions from the proposed plant and building have been assessed against the relevant benchmarks.

**Reason:** In order that the local planning authority may be satisfied that the development is not going to result in significant health impacts to existing and future residents from a deterioration in local air quality and to comply with Development Management Local Plan (November 2014) Policy 23 Air quality.

13. **Cycle Parking Provision**

(a) Prior to first occupation, full details (including the design/type) of the fifty-six (56) cycle parking shall be submitted to and approved in writing by the Local Planning Authority as indicated on Ground Floor Plan (Drawing No. 18047-MAY-PL-GA-001) hereby approved unless otherwise agreed in writing.

(b) With consideration to the profile of the Supported Living element, the details of the cycle parking (a) should also consider flexibility to allow for wheelchair or mobility scooter storage and associated charging bays, if deemed necessary in the future.

(c) All cycle parking spaces, as approved, 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).

14. **Hard Landscaping Details**

(a) Prior to commencement of above ground works, drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) must be submitted and approved in writing by the Local Planning Authority.

(b) 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 (2016), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

15. **Soft Landscaping**

(a) 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 construction of the above ground works.

(b) None of the trees showing as being retained on the permitted plans shall be felled without the prior written consent of the Local Planning Authority.

(c) 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.

**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).

16. **Boundary Treatment**

(a) Details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(b) The approved boundary treatments shall be implemented prior to occupation of the buildings and retained in perpetuity.

**Reason:** To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply 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).

17. **Bird/Bat/Swift Boxes**

Prior to the commencement of above ground works, details of the location of two (2) swift boxes, two (2) bird boxes (2M Schwegler Bird Box) and four (4) bat boxes (2M Schwegler Bat Box) to be provided as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority 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 (2016), 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).

18. **Living Roof**

(a) The development shall be constructed with a (544m<sup>2</sup>) living roof laid out in accordance with the Roof Plan (Plan no. 3391-LB-000-05-DR-A-0155 (Rev P1)) hereby approved, and maintained thereafter.

(b) A living roof section (to scale), access and watering provision arrangements for the proposed living roof along with details for management/establishment guarantees for a minimum of two growing seasons shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved and maintained in perpetuity.

(c) The living roof must be seeded and plug planted with locally appropriate wildflowers.

(d) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever.

(e) Evidence that the roof has been installed in accordance with (a)-(c) shall be submitted to the Local Planning Authority for its approval in writing prior to the first occupation of the development hereby approved and thereafter maintained in perpetuity.

**Reason:** To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2016), Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

19. **External Lighting**

(a) Prior to first occupation, full details (including beam orientation, illumination, schedule of equipment, directional hoods (or similar)) of the external lighting shall be submitted to and approved in writing by the Local Planning Authority

(b) Any such external lighting as approved shall be installed and retained permanently.

**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).

20. **Delivery and Servicing Plan**

(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).

21. **Accessible, Adaptable and Wheelchair User Dwellings**

(a) The detailed design for six (6) wheelchair dwellings (No. SL.001, SL002, SL003, SL101, SL102, SL103) hereby approved shall meet the required standard of the Approved Document M4(3) of the Building Regulations (2015), all other dwellings shall meet the required standard of the Approved Document M4(2) of the Building Regulations (2015).

(b) Prior to commencement of above ground works, written confirmation from the appointed Building Control Body shall be submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with (a).

(c) The development shall be carried out in accordance with the approved details under part (b).

**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).

22. **Plumbing and Pipes**

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, including rainwater pipes, shall be fixed on the external faces/front elevation of the building(s), unless otherwise agreed in writing.

**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).

23. **Construction Deliveries and Hours**

(a) No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

(b) No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

**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, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

24. **Affordable Housing**

Of the thirty-two (32) residential units hereby granted permission, 100% shall be provided and maintained in perpetuity as affordable housing 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).

25. **Specialist Residential Accommodation**

All twenty-six (26) Temporary Accommodation and all six (6) Supported Living residential units hereby granted permission shall be provided and maintained in perpetuity in accordance with Section 9 of the Design and Access Statement (Prepared by Avanti Architects), dated August 2019 hereby approved.

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

26. **S278 Highway Works**

(a) Prior to first occupation details of the following highways works (including drawings and specifications) must be submitted to and approved in writing by the Local Planning Authority, including:

- (i) Details of two (2) proposed Wheelchair Parking Bays on Mayow Road;
- (ii) Removal of the redundant vehicle crossovers on Mayow Road (the two (2) existing vehicular access points) to be reinstated as footway;
- (iii) Improvement works (including raising) to the pedestrian crossing point at the Mayow Road/Dacres Road junction to improve accessibility, calm traffic and reduce vehicle speeds; and
- (iv) Realignment of tactile paving and dropped kerbs at the pedestrian crossing point at the Mayow Road/Dacres Road junction.

(b) Prior to occupation the works as 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).

## I N F O R M A T I V E S

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 and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. As the proposal was in accordance with these discussions and was in accordance with the Development Plan, no contact was made with the applicant prior to determination.

B. **Thames Water - Prevent Sewage Flooding**

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. 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 will be undertaken 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).

C. **Thames Water - Surface Water**

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

**D. Native Planting**

New native planting of berry-rich and nectar-rich and shrubs to benefit invertebrates, birds and bats.

**E. Tree Removal**

Any tree and vegetation removal must take place between September to February to avoid bird-nesting season or be preceded by a nest-check giving the all-clear.

**F. Hedgehog Searches**

Hedgehog searches must be conducted by an ecologist during site clearance and hibernation houses provided as enhancement.

**G. Designing Out Crime**

- Compartmentalisation of the temporary accommodation for security purposes is recommended. Each floor should only be able to be accessed by persons who live on that floor or legitimate visitors to that floor.
- Stair core should be secure and allow egress from the building while preventing unrestricted access to each floor.
- There should be a secure lobby on ground floor before access to the lift is gained.
- The stair core at ground floor should be controlled, which would provide a secure lobby on each floor.
- The supported living element ground floor lobby should be secure.
- Defensible planting (privacy planting) would prevent people from being able to access windows at ground floor. Plants that are prickly or thorny should be used to create a defensive barrier.
- Shrubs and bushes must be maintained so that they do not increase to more than 1m in height and branches should not go lower than 2m in height to assist in keeping clear sight lines.
- Visitor access should be via an audio visual access control panel and CCTV is encouraged to cover each of the main entrance doors, ground floor lobby and cycle store.
- Secure gates are encouraged where necessary.

**H. Thames Water - Waste Comments**

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 020 3577 9483.

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 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.

**I. Thames Water - Water Comments**

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

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.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://thameswater.co.uk/buildingwater).

**J. Local Colony of Swift Birds**

Please also note and inform the applicant that there is a local colony of swifts and swift boxes (including a microphone to play calls) appropriately located would be a very worthwhile enhancement. This is inexpensive and will exponentially increase the chances of uptake.

**K. Surface Water and SuDS**

To encourage greater consistency in both the applications and the Lead Local Flood Authority information requests, since April 2019, Lewisham Council and 32 other Lead Local Flood Authorities in London has introduced the London Sustainable Drainage Proforma to accompany Sustainable Drainage strategies submitted with planning applications. It sets a clear standard for the information that should be provided in a Sustainable Drainage strategy for all development in London. The proforma is intended to ensure that key information is provided, reducing the need to request additional information throughout the assessment process and preventing delays in approval. Please visit <https://www.london.gov.uk/what-we-do/environment/climate-change/surface-water/london-sustainable-drainage-proforma#acc-i-56812>.

The proforma would also direct the applicant to ensure that the proposed development meets the following policy and guidance:

- Lewisham Core Strategy Policy 10
- London Plan Policy 5.13 and draft New London Plan Policy SI13
- The National Planning Policy Framework
- The Lewisham SuDS Design and Evaluation Guide
- The London Plan Sustainable Design and Construction SPG
- DEFRA non-statutory technical standards for sustainable drainage
- Environment Agency climate change guidance
- CIRIA C753 The SuDS Manual
- Lewisham River Corridors Improvement Plan SPD