

Committee	PLANNING COMMITTEE C	
Report Title	49 Carholme Road	
Ward	Perry Vale	
Contributors	Josh Knowles	
Class	PART 1	26/02/2020

Reg. Nos. (A) DC/19/114566

Application dated 04.11.19

Applicant Buf Architecture

Proposal The construction of 2, part two/part three storey, two bedroom dwellinghouses and a garage on the land adjacent to 49 Carholme Road SE23, together with a single storey rear infill extension to the existing house.

Background Papers None

Designation PTAL 3  
Local Open Space Deficiency

## 1 SUMMARY

- 1 This report sets out Officer's recommendations for the above proposal. The application is before members for a decision as the recommendation is to approve and there are five valid planning objections.

## 2 SITE AND CONTEXT

### *Site description and current use*

- 2 The total site area includes an existing two storey end-of-terrace building and is approximately 431m<sup>2</sup>. The plot is adjacent to the intersection of Marler Road and Carholme Road. The site of the proposed two new dwellinghouses is approximately 162m<sup>2</sup> and is the part of the garden of 49 Carholme Road located beyond the northern (side) elevation of the existing building. There is an existing footpath crossover at the rear of the section which provides vehicle access to Marler Road. The surrounding area is residential in nature, and made up of terraced and semi-detached buildings.



**Figure 1: Site location plan**

***Character of area***

- 3 The surrounding area is residential in nature, and largely made up of terraced and semi-detached properties.

***Heritage/archaeology***

- 4 The site is not located in a conservation area, and there are no listed buildings within the immediate vicinity.

***Local environment***

- 5 The property is located within flood risk zone 1.

***Transport***

- 6 The site is located at the intersection of PTAL 2 and 3 areas. Catford and Catford Bridge Stations are approximately a 10 minute walk from the site.

**3 RELEVANT PLANNING HISTORY**

- 7 DC/03/055085/X: The alteration and conversion of 49 Carholme Road SE23, together with the construction of a two storey plus roofspace extension to the side, dormer extension to the rear roof slope and installation of Velux type rooflights in the front roof slope, to provide 2 one bedroom and 3 two bedroom, self-contained flats. Refused 13/11/2003.

- 8 PRE/19/112811: Pre-application advice is sought regarding the construction of two new dwellings on the land adjacent to 49 Carholme Road, SE23.

## 4 CURRENT PLANNING APPLICATION

### 4.1 THE PROPOSALS

9 There are two parts to the proposed development:

- A partial single storey infill extension to the existing dwellinghouse.
- Construct one x 2b3p part two- part three-storey dwellinghouse, and one 2b3p two storey dwellinghouse on the side garden adjacent to Marler road.

## 5 CONSULTATION

### 5.1 APPLICATION PUBLICITY

10 16 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 19/11/2019.

11 4 number responses received, comprising 4 objections.

#### 5.1.1 Comments in objection

Comment	Para where addressed
Principle of the development	24 – 35
Over development	43 - 49
Design	36- 64
Increased noise and disturbance	79, 91, 119, 121, 123, 125, 129
Privacy	72-72, 117, 120, 122, 124, 126
Flooding	As this is not a major application there was no requirement for SUDS calculations to be submitted; furthermore, the proposal is located within Flood Risk Zone 1. This is characterised as low probability – land having a less than 1 in 1,000 annual probability of river or sea flooding. Therefore, given the location, and considering the scale of the scheme, it would have no unacceptable impact on localised flooding, and run-off rates would be acceptable, in line with the relevant policies.
Parking Stress	98 - 103
Hazardous planting adjacent to the pedestrian footpath	59 - 62
Impact upon existing trees	135 - 137

#### 5.1.2 Neutral comments

12 A number of neutral comments relating to non-material planning considerations were also raised as follows:

<b>Comment:</b>	<b>Officers Response:</b>
Failure to send letter of consultation	This comment was received from a non-adjointing property. Under 6.8 of the Lewisham Satatement of Community Engagement directly sending a consultation letter to the occupants of this property is not required.
Inaccurate walking times to nearby railway stations.	The times provided by the applicant reflect those given by Google maps.
Reference to 2 detached dwellings, rather than 1x detached, and 1x semi detached.	The current proposal would result in two end-of-terrace dwellings as each of the proposed dwellings would adjoin the existing dwellinghouse at 49 Carholme Road (see Paragraphs 45 to 49).

## 5.2 INTERNAL CONSULTATION

13 The following internal consultees were notified on 19/11/2019 and 25/11/2019.

14 Highways: raised no objections subject to amendment to the proposed cycle storage arrangement. See para 94 –110 for further details.

15 Urban Design: raised no objections, subject to minor amendments. See para 36 -**Error! Reference source not found.** for further details.

## 6 POLICY CONTEXT

### 6.1 LEGISLATION

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

### 6.2 MATERIAL CONSIDERATIONS

17 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.

18 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.

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

## **6.3 NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

## **6.4 DEVELOPMENT PLAN**

20 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) (SALP)
- Lewisham Town Centre Local Plan (February 2014) (LTCP)

## **6.5 SUPPLEMENTARY PLANNING GUIDANCE**

21 Lewisham SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)

22 London Plan SPG/SPD:

- Sustainable Design and Construction (April 2014)
- Character and Context (June 2014)
- Housing (March 2016)

## **6.6 OTHER MATERIAL DOCUMENTS**

- Draft London Plan: 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 was held between 15th January and 22nd May 2019. The Inspector's report and recommendations were published on 8 October 2019. The Mayor issued to the Secretary of State the Intend to Publish London Plan on 9th December 2019. This document now has some weight as a material consideration when determining planning applications. The relevant draft policies are discussed within the report (DLPP).

## **7 PLANNING CONSIDERATIONS**

23 The main issues are:

- Principle of Development
- Urban Design
- Standard of Accommodation
- Impact on Adjoining Properties
- Transport

- Natural Environment

## 7.1 PRINCIPLE OF DEVELOPMENT

### *General policy*

- 24 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.
- 25 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.
- 26 The London Plan outlines through Policy 3.3, 3.5 and 3.8 that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures in accordance with Local Development Frameworks. Residential developments should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment.
- 27 Locally, Core Strategy Policy 1 Housing provision, mix and affordability sets out that housing developments will be expected to provide an appropriate mix of dwellings having regard to criteria such as the physical character of the building and site and location of schools, shops, open space and other infrastructure requirements (such as transport links).
- 28 National and local planning policies place considerable emphasis on the importance of achieving high quality design that complements existing development, and establishes townscape and character. All new dwellings should be sensitively designed to retain the architectural integrity of the neighbouring buildings and the area.

### *Policy*

- 29 Land in built up areas such as residential gardens is not defined as Previously Developed Land (PDL) in the NPPF. National, regional and local policies support protection of residential gardens from inappropriate development (see NPPF para 70, LPP 3.5, CSP 15, DMP 33).
- 30 DMP 33 of the DMLP sets out requirements for a variety of sites within residential areas that may come forward for development. Paragraph 2.251 lists those sites as (a) infill sites, (b) backland sites, (c) back gardens, and (d) amenity areas.

### *Discussion*

- 31 DM Policy 33 of the Lewisham Development Management Local Plan (DMPL) (2014) sets out that infill sites are defined as sites within street frontages such as former builder's yards, small workshops and garages, gaps in terraces and gardens to the side of houses. Infill sites may present urban design challenges in harmonising the development with the existing built form. Therefore, as an area of land serving as a garden, with a street frontage, the proposal represents an infill site with residential development potential.

32 Whilst the principle of the proposed development may be considered to be acceptable, the proposed development would also be expected to meet the following policy tests as required under Part A 'Infill Sites' of DM Policy 33:

- make a high quality positive contribution to an area
- provide a site specific creative response to the character and issues of the street frontage typology
- result in no significant overshadowing or overlooking, and no loss of security or amenity to adjacent houses and gardens
- provide amenity space in line with DM Policy 32
- retain appropriate garden space for adjacent dwellings
- repair the street frontage and provide additional natural surveillance
- provide adequate privacy for the new development and
- respect the character, proportions and spacing of existing houses

33 In light of the above, the Council is supportive of development of the application site for residential development in principle. However, the development must be sensitively designed to make a high quality positive contribution to the area, ensure no significant harm to neighbouring residential amenity, while providing an acceptable standard of accommodation for future occupiers, and adequately addressing transport and highways issues. These matters are discussed in further detail below.

34 In regards to the proposed partial infill extension of the existing dwellinghouse the Development Plan is generally supportive of people extending or altering their homes. The principle of development is supported, subject to details.

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

35 The site will contribute towards meeting housing needs as identified in LPP 3.3 and 3.4 to increase housing supply and optimise housing potential. The site is considered an infill site which is considered acceptable for residential development in principle. The proposal will make more efficient use of the land and officers therefore support the principle of development. DM Policy 33 requires residential development of infill sites to be of an appropriate design, siting, height, and scale, which respects the character of the local area, whilst ensuring that neighbouring amenity is maintained, and ensures a good standard of accommodation is provided.

## **7.2 URBAN DESIGN**

### *General Policy*

36 The NPPF at paragraph 124 states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. While the NPPF at paragraph 127 requires developments to be "sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change".

37 LPP 7.4 requires development to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It is also required that in areas of poor or ill-defined character, new development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6 seeks the highest quality materials and design appropriate to its context.

- 38 CSP 12 seeks to protect the character, historic interest and amenity of, and within, open spaces, as well as the effects of development outside their boundaries.
- 39 CSP 15 outlines how the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 40 DM Policy 30 'Urban Design and Local Character' (5) of the Lewisham DMLP (2014) requires a site specific design response to have regard for local distinctiveness such as "building features and uses, roofscape, open space and views". Further (5)(b) of the same policy requires the site specific design response to include "height, scale, and mass which should relate to the urban typology". The same policy requires that any development should relate to the scale and alignment of the existing street including its building frontages.
- 41 DM Policy 32 'Housing Design, Layout, and space standards' (2) of the DMLP (2014) requires that the siting and layout of new-build housing development 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.
- 42 DM Policy 33 'Development on infill sites, backland sites, back gardens and amenity areas' establishes that planning permission will not be granted unless the proposed development is of the highest design quality and relates successfully and is sensitive to the existing design quality of the streetscape.

### ***Scale, Massing, Layout***

#### *Policy*

- 43 Part 5 of DM Policy 30 of the DMLP (2014) requires a site specific design response to have regard for local distinctiveness such as "building features and uses, roofscape, open space and views". Further, as per Part 5(b) of the same policy, the "height, scale and mass which should relate to the urban typology of the area".
- 44 The same policy requires that any development should relate to the scale and alignment of the existing street including its building frontages.

#### *Discussion*

- 45 The site is a highly visible corner location which contributes to the openness for the area. The proposed design of the two units is contemporary with flat roofs. Officers consider that the proposed development sits comfortably within the site and respects the character of the surrounding area whilst being a unique piece of architecture which would create interest.
- 46 Officers acknowledge a number of nearby end of terrace residential developments on corner sites that would have originally had similar characteristics to the site of this proposed development. These include Nos. 48 and 60 Blythe Vale. The developments at Nos. 48 and 60 Blythe Vale replicate the terraced pattern and result in blank two storey facades immediately adjacent to the public footpath.
- 47 The proposed development would not create blank facades, instead the orientation of the buildings facing onto Marler Road would provide passive surveillance and minimise the 'wall' effect that other nearby end of terrace developments exhibit. Further, there would be areas of planting between the proposed buildings and public footpath which is

considered to maintain the character of the existing green boundary. Officers consider the current proposal represents a higher quality design than these nearby examples.

- 48 The proposed scale and massing appears appropriate for the location and would not overwhelm the neighbouring properties. The highest part of the development is located towards the front of the site and remains lower than the existing adjoining buildings. The height of the proposed development reduces in a stepped nature towards the rear of the site. The stepped nature of the proposed roof form helps to break up the massing of the development. See below Figure 2 below.



**Figure 2 – Proposed view from Marler Road**

- 49 Officers consider the proposed design is high quality and give material weight to this in recommending the proposal is approved. The layout and orientation of the buildings and outdoor spaces are considered acceptable. The current proposal has been assessed against the relevant DM Policy 30, and DM Policy 33 of the Development Management Local Plan (2014) and CSP 15 of the Core Strategy (2011), and is considered to be acceptable in terms of its height and massing.

### ***Elevations, Detailing, and Materials***

#### *Policy*

- 50 DM Policy 30 (5)(g) of the DMLP (2014) prescribes that “details of the degree of ornamentation, use of materials... should reflect the context by using high quality matching or complementary materials”.

#### *Discussion*

- 51 The design and access statement provides an indepth contextual analysis of the local charatcer and typology. In discussion with the LBL Urban Design Team, Officers consider the feedback from the pre-applcation meeting has been adequately addressed and a high quality appearance achieved.
- 52 The proposal would feature red clay bricks to match the quoins and detailing of the existing buildings. These bricks would be laid side on so that the indentations would be exposed, additionally these bricks would be larger that the standard UK sized bricks. The proposed 'buff' mortar would contrast with the red brick and would match the colour of the surrounding London Yellow Stock Bricks.

- 53 Officers acknowledge that the proposed design decision to lay the bricks on edge would not match the surrounding area, however following discussions with the LBL Urban Design Team and assessment of the applicants contextual analysis, Officers do not find this objectionable.
- 54 The windows located along the Carhome Road elevation of the proposed development would match the heights of the windows of the host terraced building. At ground level the spacing and proportions of the ground floor windows would replicate the bay window of the adjoining existing dwellinghouse.
- 55 If committee members are minded to recommend the application for approval, a materials condition is recommended. The materials condition would require an exemplar panel of the on edge brick finishing to be built on site to be reviewed by the council.
- 56 The proposed bin and bike stores would feature green roofs.

### **7.2.1 Landscaping and Public Realm**

#### *Policy*

- 57 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.
- 58 Paragraph 170 of the NPPF (2019) requires that decisions should contribute to and enhance the natural and local environment. DM Policy 25 'landscaping and trees' seeks to ensure that applicants consider landscaping and trees as an integral part of the application and development process.

#### *Discussion*

- 59 The building would be set back from the footpath along Marler Road to allow for space for soft landscaping between the proposed buildings and the public realm. These areas would be planted with climbers and shrubs. This would help to retain the existing green street frontage. One of the objections to this scheme raised concerns that this aspect of the landscaping would be hazard to pedestrians along this stretch of Marler Road. It would be the owners of the property responsibility to keep the highway clear. Further, if Members are minded to grant permission when the final landscape scheme is assessed under condition the suitability of proposed species will be assessed, disruption to the public footpath would be a consideration of that assessment.
- 60 The front proposed house would benefit from a front garden adjacent to the corner of Marler and Carholme Roads, as well as a courtyard separating it from the proposed rear dwellinghouse. The front garden would provide the bin and bike stores for the proposed front dwellinghouse. These stores would feature greenroofs. This front garden would also feature a specimen tree, shrubs and climber plants.
- 61 The proposed rear dwellinghouse would benefit from a paved courtyard, which would provide space for potted plants.
- 62 The existing dwellinghouse would have a new 'secret courtyard' between the proposed single storey side extension and the rear elevation of the original dwellinghouse. The landscaping of the existing dwelling outside of this courtyard is not detailed in this application.
- 63 See section 135 – 1387 below for the discussion of the aboricultural impact of the proposed development.

## **Urban design conclusion**

64 In summary, the proposed building is a contemporary and high quality, unique, site-specific response that would create interest. It is of an appropriate height and scale; it is considered that the proposed landscaping scheme would retain the character of the site. The design and access statement provides an indepth contextual analysis and provides justification for the choice of materials. The design of the proposal is therefore acceptable, and in line with the aforementioned policies.

## **7.3 STANDARD OF ACCOMODATION**

### **7.3.1 Residential Quality for Proposed Dwellings**

#### *General Policy*

65 NPPF para 127 sets an expectation that new development would 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).

66 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.

#### ***Internal space standards for the proposed additional dwellings***

#### *Policy*

67 DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision. In particular DM Policy 32 states that it will assess whether new housing development including conversions provide an appropriate level of residential quality and amenity in terms of size, a good outlook, with acceptable shape and layout of room, with main habitable rooms receiving direct sunlight and daylight, adequate privacy and storage facilities to ensure the long term sustainability and usability of the homes. Informed by the NPPF, the Mayors Housing SPG provides guidance on how to implement the housing policies in the London Plan. In particular, it provides detail on how to carry forward the Mayor's view that "providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods".

68 London Plan Policy 3.5 sets out the minimum floor space standards for new houses relative to the number of occupants. However, in 2015, the 'Technical housing standards – nationally described space standards' were introduced. The alterations to the London Housing SPG adopted these standards. The technical housing standards will therefore be applied in this instance. An assessment of the proposal against required space standards is considered below.

#### *Discussion*

69 Tables 1 and 2 below set out the required space standards for each of the proposed dwellings proposed dwelling sizes.

**Table 1: Internal summary proposed front dwellinghouse:**

Unit Type	Room	Size	Policy Requirement	Pass/Fail
2 bedroom/ 3 person	Overall Floor Area	90.6sqm	90sqm (N/A for a two bedroom 3 storey building, so assessed under requirement for 3storey 3bedroom house)	Pass
	Floor to ceiling height	2.3m for greater than 75% of GIA (2.15m minimum)	2.3m for at least 75% of gross internal area	Pass
	Master Bedroom (double)	15.7sqm	11.5sqm	Pass
	Second Bedroom (single)	12.63sqm	7.5sqm	Pass
	Built-in storage	3.1sqm	1.5sqm	Pass
	Outdoor space	30sqm	5sqm	Pass

**Table 2: Internal summary of proposed rear dwellinghouse for pre-application advice:**

Unit Type	Room	Size	Policy Requirement	Pass/Fail
2 bedroom/ 3 person	Overall Floor Area	79.15sqm	70sqm (for a 2-storey dwelling).	Pass
	Floor to ceiling height	2.3m	2.3m for at least 75% of gross internal area	Pass
	Master bedroom (double)	12sqm	11.5sqm	Pass
	Second Bedroom (Single)	11.5sqm	7.5sqm	Pass
	Built-in storage	2.7sqm	1.5sqm	Pass
	Outdoor space	14.5sqm	5sqm	Pass

70 The proposed front dwellinghouse complies with the policy requirements for total floor area for a 3 storey 3 bedroom house, this is considered more than adequate for a 3 storey 2 bedroom dwellinghouse. Additionally, the proposed floor to ceiling heights, bedroom floor areas, built-in storage area, and outdoor space area are adequate.

71 The proposed rear dwellinghouse complies with the policy requirements for total floor area, floor to ceiling heights, bedroom floor areas, built-in storage area, and outdoor space area, therefore the internal spaces comply with the requirements of DM Policy 32.

### **Outlook & Privacy**

#### *Policy*

72 LPP 3.5 seeks high quality internal and external design of housing development. Emerging draft London Plan Policy D1(8) requires development to achieve ‘appropriate outlook, privacy and amenity’. Within the same document, policy D4 seeks to maximise the provision of dual-aspect dwellings (i.e. with openable windows on different elevations).

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

*Discussion*

74 Each of the proposed dwellings would be at least dual aspect, and would be provided with good levels of outlook and views from habitable spaces. The outlook provided is therefore considered acceptable.

75 In terms of privacy, the two proposed units would not overlook each other, and all of the habitable rooms are provided with adequate levels of privacy. There are sufficient distances to neighbouring dwellings

***Daylight and Sunlight***

*Policy*

76 LPP 3.5 seeks high quality internal and external design of housing development. Emerging DLPP D1(8) requires development to achieve 'appropriate outlook, privacy and amenity'. DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of natural lighting for its future residents. The London Housing SPD and the Lewisham Alterations and Extensions SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living spaces.

*Discussion*

77 Given the at least dual aspect dwellings, and the amount of glazing proposed, the dwellings would be provided with good levels of natural daylight and sunlight. All habitable rooms would be provided with windows, and officers consider the levels of daylight and sunlight to be provided would be acceptable.

78 Overall the levels of daylight and sunlight provided would be acceptable, in line with Policy DM32.

***Noise & Disturbance***

79 Given the surrounding area is residential in nature, the noise and disturbance for future occupiers is considered to be acceptable

***Summary of Residential Quality for the proposed additional dwellings***

80 Officers are satisfied that the design and layout of the proposed units would be suitable and the proposal would provide an acceptable standard of residential accommodation in accordance with the above policies.

**7.3.2 Residential quality for the Existing dwellinghouse**

***Outlook, Privacy, Daylight and Sunlight***

*Policy*

81 LPP 3.5 seeks high quality internal and external design of housing development. Emerging draft London Plan Policy D1(8) requires development to achieve 'appropriate outlook, privacy and amenity'. Within the same document, policy D4 seeks to maximise the provision of dual-aspect dwellings (i.e. with openable windows on different elevations).

82 LPP 3.5 seeks high quality internal and external design of housing development. Emerging DLPP D1(8) requires development to achieve ‘appropriate outlook, privacy and amenity’. DMP 32(1)(b) expects new developments to provide a ‘satisfactory level’ of natural lighting for its future residents. The London Housing SPD and the Lewisham Alterations and Extensions SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living spaces.

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

*Discussion*

84 The proposed front dwellinghouse would be built flush to the side elevation of 49 Carholme Road, and therefore would form an extension to the host terraced building. This means that the existing bay-window in the side elevation of the ground floor of the existing dwellinghouse 49 Carholme Road would be demolished to allow the proposed development to be constructed. This would reduce the outlook, and sunlight to the downstairs drawing room in 49 Carholme Road and would marginally reduce the living area.

85 The internal design of 49 Carholme Road has been amended to mitigate the impacts of the loss of sunlight on the ground floor drawing, by removing the internal wall between the existing living room and drawing room. The applicant has submitted a daylight assessment in regards to the impact of the proposed development upon this room, the assessment concludes that “the assessed room achieves compliance with Average Daylight Factor (ADF) and Annual and Winter Probable Sunlight Hours (APSH, WPSH) requirements”.

86 The impacts of the proposed new dwellinghouses on the outlook from the windows in the existing dwellinghouse has been assessed by the Massing Study incorporated in the Design and Access Statement. This study shows that from the nearest window in the rear elevation of the existing property the proposed new dwellings at both ground floor and first floor levels would pass both vertical and horizontal 45degree outlook tests. Further, the outlook from the window in first floor of the rear elevation of the main part of the existing dwellinghouse would pass both vertical and horizontal outlook tests.

87 The windows in the side elevation of the existing outrigger would lose some outlook and sunlight.

88 The proposed single storey partial infill extension would mitigate the impacts of the proposed dwellinghouses on the standard of accommodation in the existing dwellinghouse by increasing the floor area and using glazing to maximise the sunlight reaching and outlook from the kitchen/ dining space.

89 Additionally, the gap between the two proposed new dwellinghouses has been designed to mitigate the loss of outlook from and sunlight reaching the remaining side elevation windows. Of the four windows in this side elevation three serve bathrooms/ensuites, and the other serves the extended dining room which would have adequate outlook and sunlight from the glazed extension and windows in the rear elevation. Because the remaining side elevation windows serve bathrooms/ensuites the loss of outlook from and sunlight reaching these windows is considered acceptable. Additionally, the use of these rooms as bathrooms/ensuites mitigates the overlooking of the proposed courtyard between the two new proposed dwellinghouses.

90 The proposal would maintain a rear garden of 100m<sup>2</sup> for the existing dwelling house as well as a front garden of 34.4m<sup>2</sup>, and a court yard of 6m<sup>2</sup>. In total the existing dwellinghouse would lose approx. 40% of its garden area.

## **Noise & Disturbance**

### *Discussion*

- 91 The residential nature of the proposed new dwellings is in keeping with the area, and is not considered to generate increased noise to harm the residential amenity of the existing dwellinghouse.

### **Summary of Residential Quality for the existing dwellinghouse.**

- 92 The design of the scheme across both the proposed dwellings and the existing dwelling has been carefully considered to minimise the impacts of the proposed new dwellings on the residential amenity of the existing dwellinghouse. Officers consider the proposal would maintain an adequate standard of accommodation for the existing dwellinghouse. A planning condition would require the works to the existing dwellinghouse be implemented prior to the occupation of the proposed new dwellinghouses.

### **7.3.3 Housing conclusion**

- 93 The proposal would deliver nine dwellings, including two family sized units, all with a high standard of residential amenity. It would contribute to the Borough's housing targets in a predominantly residential and highly sustainable urban location, making the most efficient use of land and optimising density. This is a planning merit to which very significant weight is given.

## **7.4 TRANSPORT IMPACT**

### *General policy*

- 94 LPP 6.1 sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and development. This is to be achieved by encouraging patterns and nodes of development that reduce the need to travel, especially by car; seeking to improve the capacity and accessibility of public transport, walking and cycling; supporting measures that encourage shifts to more sustainable modes and appropriate demand management; and promoting walking by ensuring an improved urban realm.
- 95 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. Through the use of travel plans, it aims to reduce reliance on private means of transport.
- 96 CSP 14 'Sustainable movement and transport' promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans.

### **7.4.1 Public Transport**

- 97 This site is located at the intersection of PTAL areas 2 (considered poor) and 3 (considered good). Catford Station is 0.6m or an 11 minute walk away. The Elm Lane (L) Bus Stop is a 3 minute walk from the site, this stop serves the 75, 181, and 202 Nos. Buses.

### **7.4.2 Parking**

#### *Policy*

- 98 Policy 6.13 'Parking' of the London Plan (2011)(amended) establishes that the maximum parking standards within Table 6.2 in the Parking Addendum sets the maximum No. of parking spaces for any new residential developments. Table 6.2 of the Parking Addendum sets the maximum parking provision for these proposed units at 1.5 spaces per unit.
- 99 Policy T6 'Car Parking' of the Draft London Plan (2019)(intend to publish) establishes that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. While Policy T6.1 'Residential Parking' requires new residential development to provide no more than the maximum parking provision outlined in Table 10.3. The maximum parking provision for this proposal under Table 10.3 is 0.25 car parking spaces per dwelling.

#### *Discussion*

- 100 The site is not located within a Controlled Parking Zone. The proposal retains the provision of one parking space by replacing the existing garage with a new garage at the rear of the site. This parking space would be used by the occupants of the existing property at 49 Carholme Road. Therefore no off-street parking is proposed for the new dwellings.
- 101 Following the pre-application advice the applicants have produced a Parking Stress Survey to assess what the impacts of the proposed development upon the existing levels of parking capacity.
- 102 In line with the Lambeth Methodology, Surveys were conducted on Wednesday 9th October 2019 and Thursday 10th October 2019 at around 4am and 1am respectively. The survey concludes that the unrestricted parking spaces on surrounding streets is 78%, and that the maximum of 3 additional vehicles generated by the proposed development (Based on London Plan estimated maximum 1.5 vehicles per dwelling) would take up to 0.69% of the available unrestricted parking spaces.

#### *Summary*

- 103 Officers are satisfied that the proposed development would not have a significant impact on the parking stress in the immediate area.

### **7.4.3 Cycle Parking**

#### *Policy*

- 104 LPP 6.9 Cycling states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3 and the guidance set out in the London Cycle Design Standards (or subsequent revisions).

#### *Discussion*

- 105 The proposed development would provide 2x cycle spaces for each of the proposed new dwellings. The cycle stores for the proposed front dwellinghouse would be located in the front garden, while the cycle stores for the proposed rear dwellinghouse would be located in the proposed courtyard (at lower groundfloor/basement level). Initially, the LBL Transport Team objected to the proposed cycle store at lower groundfloor/ basement level as it would require transporting the bikes upstairs. In response to this objection the design was revised to provide a "bike chanel/ramp". With the inclusion of this feature the proposed development is considered to provide adequate secure, integrated, convenient

and accessible cycle parking facilities. Additionally, the cycle parking benefits from a green roof which is welcomed by the council.

*Summary*

106 The cycle parking arrangements are therefore considered to be acceptable, and in line with CSP 14.

#### **7.4.4 Refuse**

*Policy*

107 Lewisham generally requires 250l of total waste capacity per dwelling.

*Discussion*

108 The refuse storage for the proposed front dwellinghouse would be located in the front garden adjacent to the proposed bins stores. While the bin stores for the proposed rear dwellinghouse would be integrated into the boundary treatment along Marler Road, and therefore be directly accessed from the street level. Although set back 0.4m from the public footpath. The proposed cycle stores appear to be adequate capacity.

*Summary*

109 Therefore, the proposed refuse storage arrangement is considered acceptable.

#### **7.4.5 Transport impact conclusion**

110 The proposal would have an acceptable impact on transport in terms of car parking, encouraging sustainable modes of movement and accommodating the sites servicing needs.

### **7.5 LIVING CONDITIONS OF NEIGHBOURS**

*General Policy*

111 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 (LP7.6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA; Residential Standards SPD 2012, LBL).

112 DMP32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.

113 The main impacts on amenity arise from: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas; and (iv) noise and disturbance.

114 The surrounding area is predominantly residential, characterised by terraced and semi-detached dwellinghouses.

*Discussion*

115 The impacts of the proposed development upon the existing dwellinghouse have been discussed within the standard of accommodation section. The neighbouring properties most likely to be impacted by the proposed development are 47 Carholme Road, 48

Carholme Road, 51 Carholme Road, and 52 Carholme Road. The following sections will assess the impact of the proposed development on each of these properties in regards to: Enclosure and outlook, privacy, daylight and sunlight, noise and disturbance.

#### **7.5.1 47 Carholme Road**

##### *Outlook*

116 47 Carholme Road is located on the opposite side of Marler Road from the site of the proposed development. The proposed development would be located a minimum of approx. 12m from the garage of No. 47 Carholme Road. The main part of No. 47 would be located approx. 17m from the proposed new dwellings. Therefore, the proposed development is not considered to pose harm to this neighbouring property by way of overbearing form.

##### *Privacy*

117 While Officers acknowledge that there are a number of windows in this side elevation which would directly face the windows of the proposed development. Officers consider the distance of approx. 17m across a street adequate to protect the privacy of the occupants of No. 47. Additionally, these windows are already visible from the public realm. Therefore, Officers consider that the proposed development would not pose unreasonable harm to the privacy of No. 47 Carholme Road.

##### *Daylight and sunlight*

118 Given the separation between these properties the proposed development is not considered to pose unreasonable harm to the daylight and sunlight received by No. 47 Carholme Road.

##### *Noise and disturbance*

119 Given the residential nature of the surrounding uses, the proposed additional dwellings are not considered to create unreasonable additional noise.

#### **7.5.2 48 Carholme Road**

##### *Outlook, daylight and sunlight, and privacy*

120 This property is located on the opposite side of the intersection of Carholme and Marler Roads from the site of the proposed development. There is a minimum distance of approx. 30m between this dwellinghouse and the proposed new dwellings. Therefore, the proposal is not considered to pose harm to the residential amenity of No. 48 Carholme Road by way of reduced outlook, daylight and sunlight, or privacy.

##### *Noise and disturbance*

121 Given the residential nature of the surrounding uses, the proposed additional dwellings are not considered to create unreasonable additional noise.

#### **7.5.3 51 Carholme Road**

##### *Outlook, daylight and sunlight, and privacy*

122 The proposed development would be largely separated from No. 51 Carholme Road by the existing two storey outrigger at 49 Carholme Road. The proposed rear dwelling would extend approximately 1m beyond the rear elevation of the outrigger at 51 Carholme Road, additionally this would be 5.89m away from the boundary shared with

No. 51 Carholme Road. Therefore, the proposed development is not considered to pose unreasonable harm to the residential amenity of No. 51 Carholme Road by way of reduced outlook, daylight and sunlight, or privacy.

*Noise and disturbance*

- 123 Given the residential nature of the surrounding uses, the proposed additional dwellings are not considered to create unreasonable additional noise

#### **7.5.4 52 Carholme Road**

*Outlook, daylight and sunlight, and privacy*

- 124 This property is located on the opposite side of of Carholme Road from the site of the proposed development. There is a minimum distance of approx. 25m between this dwellinghouse and the proposed new dwellings. Therefore, the proposal is not considered to pose harm to the residential amenity of No. 52 Carholme Road by way of reduced outlook, daylight and sunlight, or privacy.

*Noise and disturbance*

- 125 Given the residential nature of the surrounding uses, the proposed additional dwellings are not considered to create unreasonable additional noise.

#### **7.5.5 Land to the rear of 60 Blythe Vale Road**

*Outlook, daylight and sunlight, and privacy*

- 126 DC/19/111568 granted planning permission for a two storey one bedroom dwellinghouse across the rear boundary of 49 Carholme Road. Given the new proposed dwellinghouses will be set a minimum of 10.8m from the boundary shared with this site the main impact will be from the relocation of the garage to adjacent to the street frontage on Marler Road. The garage would have a flat roof with a height of 2.48m. Given the angle between the garage and boundary, the garage is adjacent to the boundary at the street frontage but is increasingly set away from the boundary further away from the street frontage.

- 127 The nearest windows in the proposed rear dwellinghouse would be set approx. 10 metres from the boundary shared with the land to the rear of 60 Blythe Vale Road, these windows would be at ground floor level and would be separated from the neighbouring property by the proposed garage.

- 128 Additionally, there are a number of established trees along this boundary on the neighbouring property. Therefore, the proposal is not considered to pose harm to the residential amenity of the Land to the rear of 60 Blythe Vale Road by way of reduced outlook, daylight and sunlight, or privacy.

*Noise and disturbance*

- 129 Given the residential nature of the surrounding uses, the proposed additional dwellings are not considered to create unreasonable additional noise.

#### **7.5.6 Impact on neighbours conclusion**

- 130 The proposed development is not considered to pose unreasonable harm to the residential amenity of neighbouring properties. Therefore, the proposal complies with DM Policy 32 Housing Design, layout, and space standards and DM Policy 33 (A)

Development on infill sites of the Development Management Local Plan (2014), Core Strategy Policy 15 High Quality Design for Lewisham of the Core Strategy (2011), and Policy 7.6 Architecture of the London Plan (2016) (as amended).

## **7.6 NATURAL ENVIRONMENT**

131 Core Strategy Policy 12 states that in recognising the strategic importance of the natural environment and to help mitigate against climate change the Council will:

- conserve nature
- green the public realm
- provide opportunities for sport, recreation, leisure and well-being.

132 This will be achieved by points including protecting the character, historic interest and amenity of, and within, open spaces, as well as the effects of development outside their boundaries.

133 Core Strategy Policy 15 states that any adverse impact on neighbouring amenity, conservation areas and designated and non designated heritage assets, biodiversity or open space as a result of small scale development will need to be addressed.

134 Chapter 15 of the NPPF sets out how the framework for conserving and enhancing the natural environment.

### **7.6.1 Trees**

#### *Policy*

135 London Plan Policy 7.21 states that existing trees of value should be retained and any loss as the result of development should be replaced. This is echoed within draft London Plan Policy G7.

136 DM Policy 25 'landscaping and trees' seeks to ensure that applicants consider landscaping and trees as an integral part of the application and development process.

#### *Discussion*

137 Approximately 5 trees would be lost by this proposed development, none of these trees are protected. The proposed landscaping plan for the scheme suggests that the proposal would retain the pseudo-acacia tree to the rear of the site and would provide one new specimen tree in the front garden of the proposed front dwellinghouse. In reality given the basement level courtyard would be excavated less than 0.5m from the trunk of this tree, Officers do not consider that this tree would survive.

#### *Summary*

138 The proposed landscaping scheme would provide new planting throughout the amenity areas for all three of the relevant dwellings. If members are minded to grant permission a condition will be added requiring the applicant to re-provide on site an equal number and quality of trees lost by the development following the 'right tree, right place' principle. Subject to this condition the impact of the proposal on the existing natural environment is considered to be acceptable.

## **8 LOCAL FINANCE CONSIDERATIONS**

139 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).

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

141 The CIL is therefore a material consideration.

142 £17,722.64 Lewisham CIL and £11,107.60 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

## **9 EQUALITIES CONSIDERATIONS**

143 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.

144 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.

145 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.

146 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/services-public-functions-and-associations-statutory-code-practice>

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

- 147 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
- 148 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>
- 149 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

- 150 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
- 151 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.
- 152 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.

153 This application has the legitimate aim of providing a two new residential dwellings. The rights potentially engaged by this application are not considered to be unlawfully interfered with by this proposal.

## 11 CONCLUSION

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

155 The proposed dwellinghouse would be a high quality infill addition to the street, whilst adding two dwellings to the housing stock. The amended design and layout would provide a high standard of residential accommodation and it would have no significant harmful impacts on neighbouring residential amenity. Further, the transport impacts are considered to be acceptable.

156 Given the acceptability of the proposed use and policy compliance, the proposal is considered to be in accordance with the development plan as a whole.

157 In light of the above, the application is recommended for approval.

## 12 RECOMMENDATION

158 That the Committee resolve to **GRANT** planning permission subject to 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 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) **PLAN NUMBERS**

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

20-P002; 20-P010; 20-P111; 20-P012; 20-P113; 20-P120; 20-P121 - Received 26/11/2019

20-P110 A; 20-P111 A; 20-P112 A; 20-P113 A; 20-P120 A; 20-P121 A; 20-P122 A; 20-P130; 20-P131 A - Received 25/02/2020

**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) **LIVING ROOF**

(a) Full details of the indicative biodiversity living roofs shown on plan 20-P111 A, which shall allow for a substrate depth of not less than 150 mm shall be submitted to and approved in writing by the local planning authority within 2 months of commencement of above ground works.

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

(c) No occupation of the development shall commence until evidence that the the roof has been installed in accordance with 3(a) has been submitted and approved by the LPA.

**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 (2015) , 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).

#### 4) **LANDSCAPING**

(a) No construction of the above ground works can commence until a scheme of landscaping detailing the planting of 5 trees of equal value under BS5837:2012 as those lost by the proposed development, details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits; and details of the climbing plants indicated on the elevation plans, and details of the management and maintenance of the landscaping for a period of 5 years has been submitted and approved by the LPA.

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

**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).

#### 5) **WORKS TO EXISTING HOUSE**

No occupation of the proposed new dwellings shall commence until the alterations to the existing dwellinghouse shown on drawings: 20-P110 Rev A, 20-P111 Rev A, 20-P122 Rev A, 20-P131 have been completed in full.

**Reason:** In order to ensure an acceptable standard of residential amenity is maintained for the existing dwellinghouse at 49 Carholme Road. To comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and with DM Policy 32 Housing Design, layout, and space standards and DM Policy 33 (A) Development on infill sites of the Development Management Local Plan (2014)

#### 6) **CYCLE PARKING**

No occupation of the proposed dwellings shall commence until all cycle parking spaces have been provided and made available for use. The cycle parking spaces must be maintained in perpetuity 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).

7) **REFUSE STORAGE**

No occupation of the proposed dwellings shall commence until all refuse stores have been provided and made available for use. The refuse stores must be maintained in perpetuity thereafter.

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

8) **MATERIALS**

No development above ground shall commence on site until a detailed specification and samples of all external materials and finishes to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

9) **REMOVAL OF PERMITTED DEVELOPMENT RIGHTS**

No extensions or alterations to the building(s) hereby approved, whether or not permitted under Classes A, D, and E of Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

**Reason:** In order to preserve the high quality design, and in light of the small gardens of the proposed dwellings, and in the interest of neighbouring and so that the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DMPs 30, 31, 32 and 36 of the Development Management Local Plan (November 2014)

## 12.2 INFORMATIVES

- 1) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive 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.
  
- 2) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**'

to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myserVICES/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>

- 3) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- 4) You are advised to contact the Council's Drainage Design team on 020 8314 2036 prior to the commencement of work.
- 5) The assessment of the light spill and lux level at the window of the nearest residential premises shall follow the guidance provided in The Institution of Lighting Engineers, Guidance Notes for the Reduction of Obtrusive Light.
- 6) The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.