

Committee	PLANNING COMMITTEE A	
Report Title	Hesper House, Wells Park Road, SE26 6RQ	
Ward	Forest Hill	
Contributors	Samuel James	
Class	PART 1	4 th November 2020

<u>Reg. Nos.</u>	(A) DC/19/113716
<u>Application dated</u>	02/09/2019
<u>Applicant</u>	Craftworks Architects on behalf of The Edition Group Ltd.
<u>Proposal</u>	Demolition of existing buildings on site and the construction of a 5-storey building (plus basement for parking) consisting of 7x three bedroom and 3 x two bedroom self-contained dwellings at the site known as Hesper House, Wells Park Road, SE26, incorporating 10 off-street parking spaces, together with associated landscaping and refuse and cycle parking facilities.
<u>Background Papers</u>	(1) Case File LE/73/I/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	PTAL 2 Sydenham Ridge Area of Special Character Existing use: C3 single family dwellinghouse
<u>Screening</u>	N/A

1 SUMMARY

- 1 This report sets out the officer's recommendation to approve the above proposal. The case is brought before members because permission is recommended to be approved and there are twenty four (24) individual planning objections which have been received from local residents, local resident associations and the Sydenham Society.

2 SITE AND CONTEXT

Site description and current use

- 2 The site is located on the northern side of Wells Park Road and is currently occupied by a 2-storey house, built c1920s, which is located towards the west of the site, and is in use as a single family dwellinghouse. The remainder of the site forms the private garden of the dwelling.

- 3 The site has a varied topography, and slopes up steeply from street level towards the rear boundary, as well as from east to west (following the topography of Wells Park Road). The existing house sits well above street level.

Character of area

- 4 The immediately surrounding area is predominantly residential in character. To the immediate north and west of the site is Droitwich Close, which is comprised of 3-storey blocks of flats and accessed from Sydenham Hill, with a residential estate to the north of that. Sydenham Hill Wood is approximately 300m to the North and West, with Dulwich Golf Course and Park to the North and West of that.
- 5 Directly adjoining to the east is a 5-storey block of flats (Greyfriars), which is accessed from Wells Park Road. Further to the east are the larger 6-storey residential blocks of the Sydenham Hill Estate.
- 6 To the south are the residential properties on Longton Avenue, which are predominantly larger detached dwellings; Sydenham Wells Park is to the Eastern side of Longton Avenue. To the West of Longton Avenue is Hillcrest Wood, which has a public footpath leading down to Upper Sydenham, and towards Crystal Palace Park.

Heritage/archaeology

- 7 The site is not located within a conservation area, nor is it in the vicinity of any listed buildings.
- 8 The site is not within a known area of archaeological interest.

Surrounding area

- 9 Kirkdale, a large local shopping parade, is approximately 700m to the east of the site. Sydenham Wells Park, a large public park, is located opposite the site. The site falls within a designated 'Area of Special Character' known as 'Sydenham Ridge'.

Local environment

- 10 The site is in flood zone risk area 1 meaning the risk of river flooding is low.

Transport

- 11 The site has a PTAL rating of 2 on a scale of 1-6, where 1 indicates poor access to public transport, and therefore accessibility to public transport is below average for London areas.
- 12 Wells Park Road is a public highway with a speed limit of 20mph, and speed humps.
- 13 The existing property benefits from a vehicular crossover to the highway.

3 RELEVANT PLANNING HISTORY

14 The applicants sought pre application advice for a similar proposal in February 2019, which has led to the submission of this proposal.

15 A Tree Preservation Order was made on 08/11/2019 and confirmed unmodified on 06/05/2020.

16 There is no further relevant history for the site.

4 CURRENT PLANNING APPLICATION

4.1 THE PROPOSALS

17 The proposal is for the demolition of the existing two storey house, and the construction of a five storey building containing 10 residential units, with private and communal amenity space, consisting of:

- 4 x three bedroom, five person dwellings;
- 3 x three bedroom, four person dwellings;
- 3 x two bedroom, four person dwellings.

18 The proposal includes a basement parking space for ten cars.

19 The proposal also includes landscaping works around the proposed building, and provision of bicycle and refuse storage.

5 CONSULTATION

5.1 PRE-APPLICATION ENGAGEMENT

20 No evidence of pre application consultations with neighbouring residents has been submitted.

5.2 APPLICATION PUBLICITY

21 Site notices were displayed on 4th October 2019 and a press notice was published on 2nd October 2019.

22 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 27th September 2019.

23 29 number responses received, comprising 23 objections, 6 support.

5.2.1 Table [1] Comments in objection

Comment	Para where addressed
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Loss of existing family home should not be supported without evidenced justification.	59
No affordable housing would be provided.	85
Proposal is financially unviable by the applicants own submitted calculations	85
Proposed design incongruous, fails to respect character of surrounding area, and would harm streetscene and appearance of surrounding area.	144
Bulk and form is out of keeping with other developments on this road. It is nothing like the existing building, and would swamp existing 2 or 3 storey houses in the vicinity.	157
Height and massing of development will be over-dominating	157
Scale of proposal is excessive, and represents overdevelopment of the plot.	157
standard of residential accommodation would be compromised by the dense and overbearing scale and layout of the building resulting in a sense of enclosure, overshadowing and poor outlook to some units and the communal garden area	125
The proposed five storey building is considered to be overly dominant by means of its width and siting, resulting in an unneighbourly and overbearing form of development that would cause harm to the residential amenities of the residents of Longton Ave, Droitwich Close and other neighbouring streets	211
Overshadowing and loss of light to neighbouring properties	226
Overlooking from large windows and balcony amenity spaces will result in loss of privacy to neighbours	217
Increased noise and light pollution disturbance	239
Narrow road, and proposed access is on a bend, and concealed. Existing safety issues will be exacerbated.	179
Car access impractical due to gradient of road	177
Proposal would result in increased parking stress in surrounding area	183
Clarity sought over refuse arrangements	187
Construction traffic and disturbance issues	184

Development would disturb ecosystem of area, which is well loved by residents	294
Light from large windows will disturb bat population	296
Proposal would be detriment to animal life and wellbeing, and nearby woodlands.	296
Object to loss of existing trees on site, and retained trees roots on neighbouring land will be affected. Mature trees should not be removed.	311
Trees currently provide screening and privacy to the site	313
20m from the Hillcrest Woodland, which is a Grade 1 Site of Important Nature Conservation (SINC) Sydenham Hill Woods, also a SINC, is situated at the top of Wells Park Road, 100m away	295
Loss of woodland character of site	313
Ecology Appraisal notes trees suitable for roosting bats, hedgerows for nesting birds, and hedgehogs.	292

5.2.2 Comments in support

Comment
Proposal provides much needed family housing, and different types of units
Design is refreshing, and landscaping will improve the quality of the site. Front garden would be a positive contribution to the street.
High quality materials are proposed such as bricks and timber windows
Apartments are well proportioned and provide excellent amenity space
The street does not have one distinct housing style, so do not see merit of retaining existing house, and development will provide a new feel to the street.
Looks as though a lot of consideration has been taken in the design, landscaping, sustainability, overlook and impact.
Loss of one family sized dwelling for 10 new apartments addresses housing needs of London.
Car parking and bicycle storage have been taken into consideration.
This scheme manages to carefully balance the brick vernacular of much of the housing in the locality, whilst also bringing an air of modernity to Wells Park Rd.

5.3 Local Meeting

24 As more than ten valid planning objections were received, objectors, ward councillors and the developer were invited to attend 'Local Meeting'.

- 25 Due to the Covid-19 pandemic, this meeting had to be held in a virtual format, via Zoom. The meeting was chaired by councillor Leo Gibbons, and followed a webinar format.
- 26 The developer was invited to give a short presentation on the scheme, followed by pre submitted questions which had been emailed to officers prior to the meeting, and then follow up questions submitted via text on the Zoom web application.
- 27 The developer was given the chance to answer many of the questions which were submitted, and planning officers answered some policy related queries.
- 28 The meeting was attended by thirteen local residents, Councillor Leo Gibbons (Chair), the developer's planning agents, and planning officers Samuel James and James Hughes. A summary of the Local Meeting is attached as **Appendix B**.

29 *Discussion*

- 30 The key concerns raised by objectors mirrored those received in writing. The key planning concerns were impacts of overlooking onto Longton Avenue gardens, impacts to Greyfriars, existing safety issues on Wells Park Road, the size and scale of the proposed building and its impact on the appearance of the surrounding area, the detailed design of the proposed building, impact on local ecology and loss of trees on site.

5.4 INTERNAL CONSULTATION

- 31 The following internal consultees were notified on 27th October 2019.
- 32 [enter name of Internal Consultee and brief summary of their response. Do not provide their detail comments here. If needed, summarise comments in your own words in the relevant part of Section 8, below]
- 33 Highways: raised no objections subject to conditions and submission of further information. See from para 175 for further details.
- 34 Sustainable energy and construction: raised no objections, subject to submission of further information.
- 35 Sustainable Drainage Officer: Raised objections as a full SUDS assessment had not been submitted. Issued to be addressed by the imposition of a planning condition.
- 36 Ecological Regeneration Manager: Initial objections as further surveys required. No objection following additional survey work completion. Comments discussed from paragraph 300.
- 37 Tree Officer: Objections to proposed tree loss. Comments discussed from paragraph 316.

5.5 EXTERNAL CONSULTATION

- 38 The following External Consultees were notified on 27th October 2019:
- 39 Metropolitan Police, raised no objection, subject to conditions.

40 Thames water raised no objections, subject to a condition requiring the submission of a Piling Method Statement, due to the proximity to a strategic sewer. This is added as a condition of development.

6 POLICY CONTEXT

6.1 LEGISLATION

41 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

42 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.

43 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.

44 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

45 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

46 Lewisham SPG/SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)
- Planning Obligations Supplementary Planning Document (February 2015)

- Planning for Equality and Diversity in London (October 2007)
- London's Foundations (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)

6.6 OTHER MATERIAL DOCUMENTS

- Draft London Plan: The Mayor of London published a draft London Plan on 29 November 2017. 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 (SoS) the Intend to Publish London Plan on 9th December 2019. The SoS issued a letter on 13 March 2020 directing modifications to the Local Plan, and the Mayor of London responded on 24 April 2020 indicating he will work with the SoS to achieve the necessary outcomes. Notwithstanding these requested modifications, this document now has some weight as a material consideration when determining planning applications.

7 PLANNING CONSIDERATIONS

48 The main issues are:

- Principle of Development
- Housing
- Urban Design
- Impact on Adjoining Properties
- Transport
- Sustainable Development
- Natural Environment
- Planning Obligations

7.1 PRINCIPLE OF DEVELOPMENT

General policy

- 49 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.
- 50 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

- 51 The National Planning Policy Framework (NPPF 2019) speaks of the need for delivering a wide choice of high quality homes, which meet identified local needs (in accordance with the evidence base), widen opportunities for home ownership, and create sustainable, inclusive and mixed communities.
- 52 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.
- 53 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.
- 54 The current London Plan outlines through Policies 3.3, 3.5 and 3.8 that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sized 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.
- 55 Lewisham Core Strategy Spatial Policy 1 'Lewisham Spatial Strategy' which links to Core Strategy Objective 2 'Housing Provision and Distribution' supports the delivery of new housing to meet local need. The Core Strategy recognises the Borough's need for housing and outlines the objectives to achieve 18,165 new dwellings between 2009/2010 and 2025.
- 56 Lewisham Core Strategy Policy 1 states that development should result in no net loss of housing. Policy DM2 states that planning permission for the loss of housing by demolition will only be acceptable in a limited set of circumstances, including where the proposed development would result in housing gain.
- 57 The proposal would include the demolition of the existing dwelling-house and the provision of ten new dwellinghouses. This would result in an increase of 9 homes to the housing stock, 7 of which would be family housing with three bedrooms.
- 58 The existing house is not considered to be of any architectural or historic merit, and therefore its demolition is acceptable considering ten new homes would be provided by the proposal, and there would be no net loss of housing, in line with Policies CS1 and DM2.

7.1.1 Principle of development conclusions

59 The site will make a valuable contribution towards meeting housing needs as identified in LPP 3.3 and 3.4 to increase housing supply and optimise housing potential. The proposal will make more efficient use of the land and officers therefore support the principle of development. This is subject to a residential scheme of an appropriate design, siting, height, and scale, whilst ensuring that neighbouring amenity is maintained, and a good standard of accommodation is provided.

7.2 HOUSING

60 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

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

62 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.

63 The NPPF encourages the efficient use of land subject to several criteria set out in para 122. Para 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.

64 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.

65 The emerging DLP supports 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.

66 The current London Plan sets an annual target of 1,385 new homes until 2025.

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

68 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.

69 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.

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

Discussion

71 The proposal is for ten new dwellings, and the site measures approximately 0.07 hectares in a residential area.

72 The surrounding area exhibits some urban characteristics, comprising of up to six story high, post-war residential blocks with large footprints to the east, as well as three storey, terraced housing to the north. However Longton Avenue, to the south, appears more suburban, as it consists of semi-detached and detached housing of generally two stories in height. However there are examples of three storey flatted development. It is therefore considered that the site exhibits a mixture of urban and suburban characteristics, and

does not clearly fall into either setting as defined (as defined by the SRQ density matrix, Table 3.2, Policy 3.4 LP 2016).

- 73 Table 2 below sets out the measures of density criteria required by emerging DLPP D6 for all sites with new residential units.

Table [2]: Measures of Density

Criteria	Value	Value/area
Site Area (ha)	A 0.07	N/A
Units	W 10	W/A: 143 U/Ha
Habitable rooms	X 37	X/A: 529 Hr/Ha
Bedrooms	Y 27	Y/A: 386 Br/Ha
Bedspaces	Z 44	Z/A: 629 Bs/Ha

- 74 Table 3 below sets out the additional measures of density criteria required by emerging DLPP D6 for all major proposals.

Table [3]: Additional Major criteria

Criteria	Value
Floor Area Ratio (GEA of all floors/site area)	1121m ² / 0.07 = 16000
Site Coverage Ratio (GEA of ground floors/site area)	210 / 0.07 = 3000
Maximum height (m above ground level)*	16.8m
Maximum height (m AOD)*	113.88m

*Extra rows to be added for each building

Summary

- 75 The proposed density is within the upper limit of the recommended value for a proposal in an urban setting, when using the current London Plan Density Matrix (Policy 3.4). The maximum for a site with a PTAL of 2-3 in an urban setting, with 3.7 habitable rooms per unit, is 145 Units per Hectare.
- 76 The draft London Plan (intend to publish) no longer includes the density matrix, and states that appropriate density should be achieved through a design led approach.
- 77 Policy D6 of the Draft London Plan states for London to accommodate the growth identified in this Plan in an inclusive and responsible way every new development needs to make the most efficient use of land. This will mean developing at densities above those of the surrounding area on most sites. The design of the development must optimise density.
- 78 Whether the scale of development is appropriate for the site and surrounding area, the impact on neighbouring occupiers, and accessibility are all relevant factors when determining optimum density, and these are considered in following sections of this report. It is considered that in principle, the proposed density is acceptable, and subject to assessment of these matters, the proposed development would optimise the site.

7.2.2 Affordable housing

Percentage of affordable housing

Policy

- 79 The NPPF expects LPAs to specify the type of affordable housing required (para 62).
- 80 LPP 3.10 defines affordable housing. LPP 3.12 states the maximum reasonable amount of affordable housing should be sought, having regard to several criteria in the policy.
- 81 CSP1 and DMP7 reflect the above, with an expectation of 50% affordable housing, subject to viability.
- 82 The emerging draft London Plan intends to set the threshold approach as policy. DLPP H5 sets a strategic target of 50% for affordable homes. Draft policy H6 seeks to increase the threshold for the Fast Track Route to 50% for public sector land and designated and non-designated industrial and employment land as set out in draft policy E7.

Discussion

- 83 The proposal is unable to viably delivery affordable housing, and this is supported by a Financial Viability Assessment, which has been interrogated by an independent consultant on behalf of the Planning Service.
- 84 The Planning Service instructed GL Hearn to undertake a review of the applicant's FVA. Following review and appraisal, and adjusted modelling in relation to build costs, finance rate, professional fees, sales period and CIL, GL Hearn concluded in December 2019 that the proposed scheme presented a deficit of £416,000 against the calculated residual land value of the site, which indicates that the proposed scheme cannot viably deliver affordable housing. GL Hearn's assessment is **Appendix A**.
- 85 In light of the above, the proposal is policy compliant with regards to the proposed provision of affordable housing.

Review mechanisms

Policy

- 86 The London Plan Affordable Housing and Viability SPG (AHV) sets out when affordable housing review mechanisms should be secured. Viability tested schemes will be subject to the ESVR and a 'Late Stage Viability Review' (LSVR); this is triggered at the point at which 75% of units are sold or let. Longer term phased schemes may also require a mid-term review.

Discussion

- 87 The proposed development proposes 100% market housing. This position is supported with an Economic Viability Report (EVR), undertaken by JLL.
- 88 The Council commissioned GL Hearn to undertake a development appraisal review of the scheme, which has challenged a number of assumptions (including Benchmark Land Value, Planning obligations, marketing and professional fees, construction costs, and assumptions). GL Hearn undertook their own modelling based on their own inputs and assumptions.
- 89 As per the above, GL Hearn has reviewed the applicant's viability submission and concurs that the scheme cannot viably deliver affordable housing on site.

- 90 However, in order to take into account economic market fluctuations and changes throughout the period of development the proposal will be subject to an early and late stage review of the financial viability of the scheme.
- 91 The early stage review means that if the ground floor slab has not been completed within 2 years of the permission being granted a review of the viability of the scheme will be triggered. The 17.5% threshold, beyond which a contribution to affordable housing would be required would be applied to the reappraisal. This appraisal will be based on of the GLA Affordable Housing and Viability Supplementary Planning Guidance.
- 92 The late stage review means that once 75% of the proposed dwellings have been sold, but prior to the sale of the whole of the development the viability of the scheme will be reappraised. As with the early stage review the 17.5% threshold, beyond which a contribution to affordable housing would be required would be applied to the reappraisal. This appraisal will be based on the GLA Affordable Housing and Viability Supplementary Planning Guidance.
- 93 This reappraisal will be based on the sale values and costs incurred throughout the development, therefore addressing the economic uncertainty over the lifetime of the development.
- 94 While the scheme cannot viably deliver affordable housing, if the early or late stage review finds that the scheme can provide a contribution to affordable housing while remaining financially viable the outcome would likely be a financial contribution towards off-site affordable housing provision. Officers would assess this as part of the early and late stage reviews.
- 95 The early and late stage reviews will be the subject of a S106 agreement.

96 ***Summary of Affordable Housing***

- 97 Taking account of guidance in the Mayor of London's Affordable Housing and Viability SPG, officers recommend that s106 obligations require the proposed level of affordable housing is subject to early and late stage viability reviews. The precise terms of the reviews will be negotiated with the Applicant. However, these should secure early and Late Stage Viability Reviews as per the Affordable Housing and Viability SPG.

Dwelling Size Mix

Policy

- 98 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.
- 99 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.
- 100 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.
- 101 CSP 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments.
- 102 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

- 103 The proposed mix of unit sizes is considered to be acceptable, in accordance with local policy and would deliver a suitable range of unit sizes to meet the local market demand. The provision of family sized units within the scheme is considered to be a positive aspect, which will meet the identified need for family housing in Lewisham.

Table [4]: Dwelling Size Mix*

	1 Bed	2 Bed	3 Bed	4 Bed +	Total
No.	0	3 (1)	7	0	10
%	0	30	70	0	100

*Wheelchair accessible units shown in ()

7.2.3 Residential Quality

General Policy

- 104 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).
- 105 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

- 106 LPP 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. These standards are reflected in the local policy.
- 107 DMP 32 ‘Housing design, layout and space standards’ and LPP 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. 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”.

Discussion

- 108 The table below sets out proposed dwelling sizes.

Table [5]: Internal space standards – proposed v target

Unit No.	Unit type (<i>min req GIA</i>)	Unit size (GIA) (sqm)	Room sizes (metres squared)	Floor to ceiling heights (metres)	Amenity space (m. squared)	Compliance
1 (gf)	2b4 (70)	79	Bed 1 (double) – 15.8 Bed 2 (double) – 12.5	2.45	54 (7)	Yes
2 (gf)	3b5p (90)	95	Bed 1 (double) – 14.3 Bed 2 (double) – 13 Bed 3 (single) – 10.8	2.45	64 (8)	Yes
3 (1 st)	3b4p (74)	81	Bed 1 (double) – 13.8 Bed 2 (single) – 12 Bed 3 (single) – 8.3	2.45	12 (7)	Yes
4 (1 st)	3b5p (90)	96	Bed 1 (double) – 17.5 Bed 2 (double) – 13.1 Bed 3 (single) – 11.2	2.45	12 (8)	Yes
5 (2 nd)	3b4p (74)	79	Bed 1 (double) – 13.4 Bed 2 (single) – 13 Bed 3 (single) – 8.3	2.45	12 (7)	Yes
6 (2 nd)	3b5p (90)	92	Bed 1 (double) – 17.5 Bed 2 (double) – 13.1 Bed 3 (single) – 11.2	2.45	12 (8)	Yes
7 (3 rd)	3b4p (74)	79	Bed 1 (double) – 13.4 Bed 2 (single) – 13 Bed 3 (single) – 8.3	2.45	10 (7)	Yes
8 (3 rd)	3b5p (90)	92	Bed 1 (double) – 17.5 Bed 2 (double) – 13.1 Bed 3 (single) – 11.2	2.45	10 (8)	Yes
9 (4 th)	2b4p (70)	73	Bed 1 (double) – 13.5 Bed 2 (double) – 12.6	2.45	11 (7)	Yes
10 (4 th)	2b4p (70)	74	Bed 1 (double) – 13.5 Bed 2 (double) – 12.6	2.45	11 (7)	Yes

109 The proposed units would all exceed the minimum requirements in terms of overall floor areas, and in terms of the sized of individual bedrooms. It is therefore considered that future occupiers would be provided with a high standard of residential amenity, in line with policy DM32.

Outlook & Privacy

Policy

110 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).

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

Discussion

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

113 None of the proposed flats would be directly overlooked by existing neighbouring properties, and therefore the levels of privacy would be acceptable.

114 Overall the levels outlook and privacy provided to future residents would be acceptable, in line with Policy DM32.

Daylight and Sunlight

Policy

115 LPP 3.5 seeks high quality internal and external design of housing development. 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

116 The proposed flats would all be provided with good levels of glazing, and they would all have windows on the north and south, and either the east or west elevations. Due to the levels of glazing proposed, residents would be provided with acceptable levels of natural daylight and sunlight. It is noted that living areas are located facing south, to provide optimum levels of lighting to the most needed areas.

Accessibility and inclusivity

Policy

117 LPP 3.8 and DLPP D5 require 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings', i.e. designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% to M4(2) 'accessible and adaptable dwellings'.

118 CSP 1 requires major schemes to provide 10% of all units and each tenure type to be constructed as accessible. DMP 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. Whilst this is not a major scheme, an assessment of the level of accessibility proposed follows.

Discussion

119 The two bedroom ground floor unit has been designed as a M4(3) wheelchair accessible dwelling, and all dwellings are designed as M4(2) wheelchair adaptable.

120 One of the basement car parking spaces would be an accessible space, and a lift provides access to every level of the building from the car park.

121 As one of the ten units would be provided as a wheelchair accessible dwelling, and all other dwellings would be wheelchair adaptable it is considered a policy compliant level

of accessible housing would be provided, in line with the above policies. This would be secured through condition.

External space standards

Policy

- 122 Standard 4.10.1 of the Mayor's Housing SPG states that 'a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant'.

Discussion

- 123 Each unit would be provided with a private amenity space in the form of a balcony, or for the ground floor units a rear garden. Table 5 above shows that all units would be provided with larger than the minimum required private amenity space. The balconies would be on the south elevation to maximise natural daylight and sunlight.
- 124 To the rear and side of the private gardens at the rear would be additional communal wooded landscape area for the benefit of all residents.

Summary of Residential Quality

- 125 In summary, the quality of the proposed residential dwellings would be high. Each dwelling would exceed the relevant internal and external space standards, would be provided with good levels of internal natural daylight and sunlight, and appropriate levels of outlook and privacy, in line with the previously mentioned policies.

7.2.4 Housing conclusion

- 126 The proposal would deliver ten new dwellings, including seven family sized units, which would all be provided with a high standard of residential amenity. It would contribute to the Borough's housing targets in a predominantly residential and 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 URBAN DESIGN

General Policy

- 127 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.
- 128 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.
- 129 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.
- 130 DMP 25 requires the submission of a landscape scheme, including 5 years of management and maintenance of high quality hard and soft landscapes and trees.
- 131 DMP 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 132 The proposal site is within the Sydenham Ridge Area of Special Character. The Sydenham Ridge forms the south-western boundary of the borough and is visible from within the borough. It forms a wooded skyline feature that the Council would wish to preserve.
- 133 CS18 Tall buildings states: Sydenham Ridge Area of Special Character, which comprises a topographical feature where tall or bulky buildings would affect the skyline and have an adverse effect on the landscape and local residential amenity. The proposed building is not by definition a tall building and therefore CS18 is not relevant.

7.4.1 Appearance and character

Policy

- 134 In terms of architectural style, the NPPF encourages 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.
- 135 DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 136 DM Policy 32 expects new residential development to be attractive and neighbourly

Discussion

- 137 The character and appearance of buildings in the surrounding area are varied in style. To the immediate north and west of the site is Droitwich Close, which is comprised of 3-storey blocks of flats with a residential estate to the north of that.

- 138 Directly adjoining to the east is a 5-storey block of flats (Greyfriars), which is accessed from Wells Park Road. Further to the east are the larger 6-storey residential blocks of the Sydenham Hill Estate.
- 139 To the south are the smaller residential properties on Longton Avenue, which are predominantly larger semi and detached dwellings; Sydenham Wells Park, a public amenity space is to the Eastern side of Longton Avenue.
- 140 When travelling along Wells Park Road, glimpses of the large 5 and 6 storey flatted developments can be seen through the front boundary vegetation, and access openings.
- 141 The proposed building would have a stepped form, and flat roof, with a series of protruding bays containing the balconies, and would be more visible than the existing larger flatted developments along the street.
- 142 Due to this, the proposed building would be read alone, however it would appear as a high quality addition to the streetscene. It is considered the proposed building would have a positive impact on the appearance of the surrounding area, and would add to local character and distinctiveness, to which there is no clear prevailing style.
- 143 In terms of the impact to the Sydenham Ridge area of special character, this is considered to be minimal. The proposal is not a tall building, and it would therefore not be visible as part of the wider skyline when viewed from within the borough.
- 144 It is therefore considered that the design of the proposed building would respect the height, massing and scale of surrounding buildings, and would be a high quality addition to the street, which would have a positive impact on the character and appearance of the area.

Layout and landscaping

Policy

- 145 DMP 25 requires the submission of a landscape scheme, including 5 years of management and maintenance of high quality hard and soft landscapes and trees.
- 146 Policy DM32 requires the siting and layout of new residential development to respond positively to the site specific constraints and opportunities as well as to the existing context of the surrounding area. They must also meet the functional needs of future residents.

Discussion

- 147 The building would have a north-south orientation, with the front elevation running parallel to the road. It would be well set back from the boundaries to allow for sufficient space between the adjoining properties.
- 148 The proposed dwellings would be accessed from the front of the building at ground floor level from a single central stair core, with two flats on each level. The basement level parking area would also include an access via lift into the building.
- 149 The submitted landscaping scheme is indicative at this stage, and does not contain specific species or planting numbers, however it indicates significant planting of hedgerows, shrubbery, vegetation and trees within the site curtilage, and there is minimal hardstanding proposed. Biodiverse living roofs are also proposed to the roof.
- 150 The northern corner of the site is proposed to be a communal wooded area, and bicycle and bin stores are proposed to have green roof systems. The area to the front of the

site, above the basement parking area, would be soft landscaped. No trees or shrubs are proposed to this area, however this is because the soil depth is too shallow, as it would be above the retaining roof for the basement parking area.

- 151 Overall the proposed layout makes good use of the site, and the proposed landscape scheme would be a high quality addition, subject to assessment of the final scheme of landscaping, which would be secured as a pre-commencement condition in consultation with the council's arboricultural officer, to ensure officers can assess the details prior to commencement of development.

Form and Scale

Policy

- 152 DMP 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape.
- 153 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.

Discussion

- 154 There are varying forms and scales of buildings in the immediately surrounding area, including three-storey flatted development to the north fronting Sydenham Hill, semi-detached and detached dwellings to the south on Longton Avenue, and the five and six storey flatted developments to the east.
- 155 Hesper House is a two-storey dwellinghouse, which sits above street level, due to the existing gradient of the site.
- 156 The proposed building would be significantly larger and taller than existing at five stories. The area underneath the front garden of the existing house would also be excavated, and developed as the basement car parking area, so from street level there would be six stories of development, however the main building would be set back significantly from the street, where the parking entrance way would be flush with the pavement, and replace the existing retaining wall.
- 157 Although the building is significantly larger than existing, the scale and massing to Wells Park Road is acceptable, as it would respect the massing of buildings in close proximity, particularly those to the east. The proposed building would relate more with the surrounding estates than the suburban houses located in the south on Longton Avenue and therefore, scale and form are considered appropriate for this location.

To ensure the proposed height of the building would not appear overbearing when viewed from the street, it would gradually step back, with the fifth floor front elevation set back by 1.4m from the floor below, and 3.2m in total from the ground floor.

Detailing and Materials

Policy

- 158 DMLP Policy 30 requires developers to demonstrate the quality and durability of building materials and their sensitive use in relation to the context of the development. Materials used should be high quality and either match or complement existing development, and the reasons for the choice of materials should be clearly justified in relation to the existing built context.

159 LP Policy 7.6 seeks the highest quality materials and design appropriate to its context.

Discussion

160 The proposed elevation treatment and materials would appear modern and well considered. There would be a good level of detailing, and this would have a positive impact in terms of contributing to the local distinctiveness, as there is currently no established character along the street.

161 The proposed brickwork appears to be high quality. The proposed windows would be timber framed, and the balconies would be fitted with bronze coloured metal privacy screens. These are high quality materials, which would age well. The fifth storey would be finished with cast stone cladding or similar material.

162 The proposed material palette is considered to be modern and high quality would have a positive impact on the appearance of the surrounding area. Final details of materials are to be secured by condition.

7.4.2 Urban design conclusion

163 In summary, the proposed building is considered to be a high quality, site specific response that would create interest at this currently under optimised site. It is of an appropriate height and scale, and would use high quality materials. The design of the proposal is therefore acceptable, and in line with the aforementioned policies.

7.5 TRANSPORT IMPACT

General policy

- 164 NPPF Paragraph 108 states that planning decisions should ensure safe and suitable access to the site for all users, and that any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 165 Para 109 of the NPPF states 'Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or on the residual cumulative impacts on the road network would be severe'.
- 166 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.
- 167 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.
- 168 Policy 7.2 of the London Plan requires all new development in London to achieve the highest standards of accessible and inclusive design and to support the principles of inclusive design.
- 169 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.
- 170 The site has a PTAL rating of 2, on a scale of 0 (worst) to 6b (best) accessibility to public transport, meaning it is relatively poorly accessible.

7.5.1 Access

Policy

- 171 The London Plan policies comply with the NPPF aims in relation to sustainability. It aims to increase sustainable modes of transport through promoting cycling and walking within new development. Maximum parking standards and minimum cycle parking standards are included within Table 6.2 and Table 6.3 of the Parking addendum to Chapter 6 respectively.
- 172 London Plan Policy 6.10 relates to promoting walking and states development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space by referring to Transport for London's Pedestrian Design Guidance.

Discussion

- 173 Pedestrian accessibility to the site is considered to be good, as Wells Park Road is paved on both sides of the street. The pedestrian access would be in the south western corner of the site. The additional dwellings would have no significant impact on the

existing pedestrian infrastructure, and therefore no contributions are sought in this respect.

- 174 Wells Park Road is an adopted highway with a 20MPH speed limit. The existing house benefits from a vehicular access point, and so does the adjacent Greyfriars.
- 175 Objections have been raised relating to existing safety issues on Wells Park Road.
- 176 The proposed vehicular access would be in the centre of the site, in a relatively similar position to the existing access, and would be the entrance to the basement parking area. The closure of the existing access will be secured by legal agreement. Therefore the principle of vehicle access to the site is acceptable, however it is acknowledged that 10 parking spaces will generate a higher number of vehicle movements.
- 177 Section drawings have been submitted which show how the access point would be constructed, and site lines from the access have been provided, which demonstrate the visibility of vehicles exiting the space would be acceptable. Notwithstanding the acceptable levels of visibility, for added safety, initial details of a light and sound signal warning system have been submitted, which would warn oncoming pedestrians of vehicles accessing and egressing the parking area.
- 178 Final details of the parking and access management plan would be secured by condition, including details of management of the entrance to ensure there would be no vehicle queuing on the highway.
- 179 It is considered the proposed vehicular access would have acceptable impacts on highway safety, subject to submission of the final parking and access management plan.
- 180 Highways officers consider the access to be acceptable.

7.5.2 Local Transport Network

Policy

- 181 The NPPF states that significant impacts on the transport network (in terms of capacity and congestion) should be mitigated to an acceptable degree.

Discussion

- 182 Due to the scale of development, the proposal would not have a significant impact on the local transport network in terms of capacity of the road network, or public transport.
- 183 The site is not in a controlled parking zone. The proposed provision of on-site car parking would be one space per dwelling, which is sufficient to ensure there would be no harmful impacts to surrounding streets in terms of parking capacity. 1 space per dwelling is considered a high provision of parking spaces, particularly given that 48% of households in the borough do not own a vehicle (Census 2011).
- 184 A preliminary construction management plan has been submitted, and a full Construction Management will be secured by condition, to ensure the impacts of construction vehicles on the local highway network would be acceptable.

7.5.3 Servicing and refuse

Policy

- 185 DM Policy 32 requires new developments to have appropriate regard for servicing of residential units, including refuse.

Discussion

- 186 The proposal includes provision for the storage of refuse.
- 187 The storage and collection area is less than 10m from the pavement, which is an acceptable drag distance for the Lewisham Refuse collection team and it is considered that the refuse storage arrangements would be acceptable.
- 188 In terms of residential deliveries, 10 units could result in commensurate deliveries, and therefore details of a residential delivery and servicing plan will be secured by condition. It is however noted that Wells Park Road is not in a controlled parking zone, and delivery drivers could lawfully temporarily stop outside the property.

7.5.4 Transport modes

Walking and cycling

Policy

- 189 DLPP T5 cycling states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.
- 190 Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.
- 191 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised.

Discussion

- 192 Two bicycle stores would be provided within the proposed development, each with a capacity of 12 bicycles. In total therefore 22 dry and secure cycle parking spaces would be provided, including 2 for visitors, which is in line with current London Plan Table 6.3, and DLPP table 10.2. The cycle parking spaces would be secured by condition.
- 193 The site is accessible by walking, and the access through the site would be fully DDA compliant. This will be secured by planning condition.

Car Parking

Policy

- 194 Current adopted London Plan Policy 6.13 seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use.
- 195 Table 6.2 Car Parking Standards of the London Plan states that all residential developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit.

Discussion

- 196 The proposal includes a high level of parking provision; however, this is justifiable considering the low PTAL of the site, and the proposed unit mix, which contains 7, three bedroom, and 3, two bedroom units.

- 197 Each of the proposed parking spaces would be provided with an electric vehicle charging point, and these would be secured by condition.
- 198 Highways officers have requested a parking management condition be added to any permission, which should outline management of the entrance, as well as ownership and enforcement of the use of spaces.
- 199 Highways officers have requested a review mechanism on the use of the parking spaces, whereby they could be converted to additional cycle parking, or resident storage should the parking spaces become redundant in the future.
- 200 This will be negotiated as part of the Section 106 legal agreement.

7.5.5 Transport impact conclusion

- 7.6** The proposed residential development would have an acceptable impact on the surrounding transport network. The pedestrian and vehicular accesses would result in no material safety implications, and the development would have no significant impact on the wider transport network, in line with the relevant local and national policies.

LIVING CONDITIONS OF NEIGHBOURS

General Policy

- 201 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).
- 202 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.
- 203 The surrounding area is residential in nature.

7.6.1 Enclosure and Outlook

Policy

- 204 Policy DM32 expects new residential development to result in no harmful increased sense of enclosure and no significant loss of outlook to neighbouring dwellings.

Discussion

- 205 Greyfriars (adjoining to the east): There are two windows at each floor level which face the proposed development site. These windows would be a minimum of 11m, and a maximum of 15m from the proposed building, accounting for the off-set orientations.
- 206 A 45 degree test taken from these windows suggests that whilst the direct outlook would be affected at the distances outlined above, there would still be rearwards outlook past the building. It is also noted that there are existing large trees on the boundary, which would currently restrict the outlook of these windows.
- 207 The impact on outlook is therefore considered to be acceptable, as it would not result in a significantly harmful increased sense of enclosure to occupants of Greyfriars.
- 208 Bath Court (adjoining to north-west) has rear facing windows and inset balconies which face south, and would not directly face the proposed building. The separation distance between the proposed building and the south-eastern corner of the closest property on Bath would be 18m. In light of this, the proposal would have no significant impact on the outlook, or sense of enclosure experienced by residents of Bath court properties.
- 209 The Hill House adjoins to the north east, and is considerably uphill to the host property. Furthermore, the separation distance between the buildings would be at least 29m, and therefore there would be no significant impact on outlook or sense of enclosure experienced by residents of this property.
- 210 The garden of the closest property on Longton Avenue is approximately 21m south of the proposed building, and therefore it would have no significant impact on levels of enclosure felt by this property. No Longton Avenue properties would have their outlook affected.
- 211 In light of the above, the impact of the proposal on neighbouring outlook and sense of enclosure would be acceptable, and in line with the relevant aforementioned policies.

7.6.2 Privacy

Policy

- 212 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.
- 213 DMPP 32 states that adequate privacy is an essential element in ensuring a high level of residential amenity. Unless it can be demonstrated that privacy can be maintained through design, there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development.

Discussion

- 214 All proposed side elevation windows would be obscure glazed and therefore there would be no direct overlooking to Greyfriars or Bath Court properties or amenity areas. This is noted on the plans and would be secured by condition.
- 215 The minimum distance between the proposed rear facing windows, and the rear boundary of Hill House to the north would be 13.5m, and at least 31m window to window distance. This is a sufficient distance to ensure no harmful overlooking to Hill House.
- 216 The distance between the balcony amenity areas to the front of the proposed building, and the garden of 125 Longton Avenue would be at least 21m. The distance to the closest windows in the rear elevation of No.125 would be at least 31m, and this would be at an oblique angle. The fifth floor balcony would be set back by an additional 1.5m.
- 217 The distance of 21m to the nearest residential amenity area, and 31m to the nearest window is considered sufficient to ensure there would be no unreasonable loss of privacy to Longton Avenue properties.
- 218 In light of the above, the impact to neighbouring privacy would be acceptable, in line with Policy DM32, and the London Housing SPD (2017).

7.6.3 Daylight and Sunlight

Policy

- 219 DMP32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 220 The Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight' 2011, sets out standardised criteria for the assessment of planning applications including the 25 degree, and 45 degree rules.
- 221 The methods for calculating impact on daylight and sunlight within the report are as follows: (i) Vertical Sky Component (VSC); (ii) Annual Probable Sunlight Hours (APSH); and (iii) No Sky Line (NSL).
- 222 The VSC is the amount of skylight received at the centre of a window from an overcast sky. VSC assessments are influenced by the size of obstruction, and 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.

- 223 The APSH relates to sunlight to windows. BRE guidance states that a window facing within 90 degrees due south (windows with other orientations do not need assessment) receives adequate sunlight if it receives 25% of APSH including at least 5% of annual probable hours during the winter months. If the reduction in APSH is greater than 4% and is less than 0.8 times its former value then the impact is likely to be noticeable for the occupants.
- 224 The report also assesses the impact of overshadowing to neighbouring properties.
- 225 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.' (GLA, 2017, Housing SPG, para 1.3.45).

Discussion

- 226 The application has been submitted with a Daylight and Sunlight Assessment (dated August 2019) prepared by Rapleys. This assessment has identified the following residential properties as relevant for Daylight and Sunlight Assessment:
- 227 13-18 Bath Court: The proposed development satisfies the BRE criteria in respect of all relevant factors for these properties, and there would therefore be no harmful impact on levels of daylight and sunlight at this property.
- 228 1-6 Leamington Court: The proposed development satisfies the BRE criteria in respect of all relevant factors for these properties, and there would therefore be no harmful impact on levels of daylight and sunlight at this property.
- 229 The Hill House: The proposed development satisfies the BRE criteria in respect of all relevant factors for this properties, and there would therefore be no harmful impact on levels of daylight and sunlight at this property.
- 230 16 Greyfriars: six windows, on the western elevation, at ground, first and second floor level of this property would fall below the BRE guidelines for the Vertical Sky Component (VSC) test, and for the Daylight Distribution (NSL) test.
- 231 However these windows are currently obstructed by the existing projecting wing on the property itself. The BRE guidance states that where a window has a projecting wing on one or both sides of it, a larger relative reduction in VCS may be unavoidable, as the building itself contributes to the poor daylighting. An alternative VSC test was undertaken with the wings removed, and this suggested that the existing building does result in the majority of the poor daylight factor of these affected windows, and the first and second floor windows would surpass the BRE criteria with regard to VSC. The ground floor windows would continue to fall short of the BRE criteria, but only marginally.
- 232 The impact on daylight distribution (NSL) to the six most affected windows would not become compliant with BRE guidance as a result of the alternative test (with projecting wing removed), and these would be affected by minor or moderate adverse loss.
- 233 APSH results showed that satisfactory level of sunlight amenity will be experienced by all living rooms, and the proposal would pass the BRE criterial in this respect for these properties. The results of the overshadowing test showed that sunlight availability to this garden after the development will be no less than 0.82 times the former value and therefore passes the BRE overshadowing to gardens and open spaces test.
- 234 125 Longton Avenue: The proposed development satisfies the BRE criteria in respect of all relevant factors for this properties, and there would therefore be no harmful impact on levels of daylight and sunlight at this property.

235 159 Wells Park Road: The proposed development satisfies the BRE criteria in respect of all relevant factors for this properties, and there would therefore be no harmful impact on levels of daylight and sunlight at this property.

Summary

236 The submission has been accompanied by a comprehensive Daylight and Sunlight assessment in relation to the Proposed Development. The technical analysis has been undertaken in accordance with the BRE Guidelines.

237 The impact of the proposed building would be within the BRE guidance for all windows of all tested properties, except for six windows in the western side elevation of Greyfriars. It is acknowledged however that these most impacted windows already suffer from restricted light due to the existing overhanging wing of the building, as well as existing trees on the boundary. It is considered therefore that the harm to Greyfriars dwellings would be acceptable, and overall the impact on neighbouring daylight and sunlight would be acceptable, when balanced against the material planning benefits identified elsewhere in the report, and the proposal is in line with the above mentioned policies.

7.6.4 Noise and disturbance

Policy

238 DM policy 32 requires new residential development to be neighbourly.

Discussion

239 10 residential dwellings is likely to generate a higher level of comings and goings and general residential activity than the existing single family dwellinghouse, and the additional noise and disturbance that would come with this. However, as this is a residential proposal, in a residential area the proposed use is compatible and the levels of domestic noise generated are unlikely to be significantly harmful to neighbouring residents.

7.6.5 Impact on neighbours conclusion

240 The impact on neighbouring residential amenity has been assessed against the relevant policies and guidance, and although some harm, in terms of loss of daylight just outside the BRE recommendations to six windows has been identified, this harm would be acceptable, when balanced against the material planning merits of the proposal. It is therefore not considered the proposal would give rise to unreasonable impact on neighbours that would warrant refusal of the planning application, particularly when considering the planning merits of the scheme that are outlined elsewhere in this report.

SUSTAINABLE DEVELOPMENT

General Policy

- 241 NPPF para 148 sets an expectation that planning will support transition to a low carbon future.
- 242 This is reflected in relevant policies of the London Plan and the Local Plan.
- 243 CS Objective 5 sets out Lewisham's approach to climate change and adapting to its effects. CSP 7, CSP 8 and DMP 22 support this.

7.6.6 Energy and carbon emissions reduction

Policy

- 244 CSP8 seeks to minimise the carbon dioxide (CO₂) emissions of all new development and encourages sustainable design and construction to meet the highest feasible environmental standards.
- 245 DMP22 require all developments to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy.

Discussion

- 246 The proposal has been submitted with a Sustainability and Energy Statement (Syntegra dated September 2019). The Council's Energy consultant raised no objection to the proposed scheme, however they requested further information. This is discussed below.

Be Lean

- 247 No objections are raised to the best practice u-values targeted for the fabric of the development.
- 248 More information was requested on the proposed lighting specification, and the applicant has confirmed that LED lighting will be used throughout the development.
- 249 In terms of mechanical services, the applicant has confirmed that under floor heating, and mechanical background ventilation would be employed. More information is required on the proposed heating controls. Smart controls are recommended.
- 250 The final details of the building fabric, lighting and mechanical services will be secured by condition, to ensure compliance with the relevant policies, and the objectives of the Sustainability Statement are met.

Be Clean

- 251 The proposal is designed to meet the requirements of the building regulations part L1A policy for 35% carbon reduction on site. It is accepted that the proposed scheme is too small for a traditional communal heat system and is not in the vicinity of a district network. However sustainability officers have requested further information on how the heating system could be retrofitted to a low carbon source in the future. Further details of this would be secured by condition.

Be Green

252 The proposal includes provision of 52 Photovoltaic panels with 400mm spacing between rows of panels at 30 degrees facing south with adequate room for maintenance. This is acceptable in principle, and the final details of the PV panels will be secured by condition.

Carbon Offset

253 A contribution towards Carbon Offset Fund of £15,901 has been calculated, which will be made for residual carbon emissions to meet Zero Carbon Homes. This will be secured through a relevant legal agreement.

7.6.7 Overheating

Policy

254 LP5.9 states that proposals should reduce potential overheating beyond Part L 2013 of the Building Regulations reduce and reduce reliance on air conditioning systems and demonstrate this in accordance with the Mayor's cooling hierarchy. Draft LPP S114 echoes this.

255 DMP 22 reflects regional policy.

Discussion

256 Proposed passive measures include 1500mm deep balconies on the south facing façade to reduce solar gain and deep reveal glazing on the north facing. All glazing would be exceed the minimum requirements of part L of the building regulations.

257 Further to this the proposal would exceed standard levels of insulation and utilise the deep brickworks structure for thermal mass.

258 The measures specified to minimise overheating risk will be secured by condition.

7.6.8 Urban Greening

Policy

259 LPP 5.10 requires development to contribute to urban greening, including tree planting, green roofs and walls and soft landscaping, recognising the benefits it can bring to mitigating the effects of climate change.

260 LPP 5.11 encourages major development to include planting and especially green roofs and walls where feasible, to deliver as many of the policy's seven objectives as possible.

261 DLPP G5 expects major development to incorporate measures such as high-quality landscaping (including trees), green roofs and green walls.

262 CSP 7 expects urban greening and living roofs as part of tackling and adapting to climate change. DMP 24 requires all new development to take full account of biodiversity and sets standards for living roofs.

Discussion

263 The proposal includes several measures to contribute to urban greening, including green roofs, new and improved landscaping and significant planting of a number of species of plants, shrubs, hedges and trees on site.

- 264 The proposal would retain the minimal amount of hardstanding required on site, with soft landscaping and planting proposed over the majority of the site not covered by the building.
- 265 The final details of the proposed living roof system, and soft landscaping scheme will be secured by condition, and subject to final details of this, the proposal is considered to comply with the above policies relating to urban greening.

7.6.9 Flood Risk

Policy

- 266 NPPF para 155 expects inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Para 163 states development should only be allowed in areas at risk of flooding where mitigation measure can be included.
- 267 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.
- 268 LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including flooding.
- 269 DLPP SI12 expects development proposals to ensure that flood risk is minimised and mitigated.
- 270 CSP 10 requires developments to result in a positive reduction in flooding to the Borough.
- 271 Further guidance is given in the NPPG and the GLA Sustainable Design and Construction SPG.

Discussion

- 272 The proposal is located in Flood Risk Zone 1, and therefore the risk of flooding is minimal. No flood risk assessment was therefore required to be submitted.

7.6.10 Sustainable Urban Drainage

Policy

- 273 The NPPF at para 165 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 274 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.
- 275 DLPP SI13 expects development to achieve greenfield run-off rates in accordance with the sustainable drainage hierarchy.

276 CSP 10 requires applicants demonstrate that the most sustainable urban drainage system that is reasonably practical is incorporated to reduce flood risk, improve water quality and achieve amenity and habitat benefits.

Discussion

277 The sustainability report states that the proposal will be developed to incorporate attenuation of surface water. The applicant indicates that they will use a tank on site to store rainwater when required. The final details of the proposed sustainable urban drainage system will be secured by condition, which is acceptable for a development of this scale.

7.6.11 Sustainable Infrastructure conclusion

278 The proposal has been designed to reduce carbon emissions through an enhanced fabric and the use of PV panels, and it has been demonstrated that the reduction is policy compliant. A condition is proposed to secure these benefits and the relevant carbon offset payment. Through its enhanced soft landscape scheme and use of green roof the proposal would contribute to urban greening in accordance with LP policies and furthermore it would not result in harmful additional surface water run off, subject to the suggested conditions.

7.7 NATURAL ENVIRONMENT

General Policy

- 279 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 280 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 281 NPPF para 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.
- 282 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.

7.7.1 Ecology and biodiversity

Policy

- 283 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.
- 284 NPPF para 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. NPPF para 175 sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 285 LPP 7.19 seeks wherever possible to ensure that development makes a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 286 CSP 12 seeks to preserve or enhance local biodiversity.
- 287 DMP 24 require all new development to take full account of biodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity.

Discussion

- 288 The application was submitted with a preliminary ecological appraisal (Syntegra dated September 2019).
- 289 The report concluded that habitats on the site are considered to be of low to moderate ecological value and the presence of protected species is of low to moderate potential. The site has areas of mature trees, hedgerows, Improved grassland, and garden typical habitats.
- 290 The mature trees on site were subject to a ground level roost assessment and the report notes three trees (T4, T8, T14) on the northern boundary and western boundary with moderate potential, and two trees (T3, T6) on the northern and eastern boundaries with low potential. The boundary habitats including areas of dead wood provide potential traversing, foraging and/or sheltering grounds for local invertebrates (including Saproxylic), reptiles, bats, birds and hedgehogs. The dwelling's roof and soffit boards

noted potential crevice roosting opportunities and was deemed as moderate potential for roosting bats.

- 291 As the site has potential for nesting birds, all vegetation works must be carried outside of the nest bird season (generally March to August inclusive), unless a nesting bird survey is carried out by a suitability qualified ecologist.
- 292 Five trees noted potential features suitable for hosting roosting bats. Three of these had 'Moderate Potential' and two 'low potential'. It was recommended in the report that further echolocation surveys are carried out to determine likely absence or confirmed presence during the active bat survey season (May to September inclusive, with at least one survey during May to August inclusive).
- 293 The dwelling was deemed as moderate potential for roosting bats; further echolocation surveys were recommended to determine likely absence or confirmed presence of roosting bats.
- 294 The ecology report concluded that the impacts from the proposed development upon specific protected species is able to be mitigated through an ecologically lead design process, and a sensitive landscape design providing enhancements to the habitats on and adjacent to the site. The report recommends the following enhancements:
- Bird boxes on suitable trees
 - "Vincent Pro" and "2F" bat boxes on suitable trees, facing south at a 3-5m height
 - Log piles placed on site
 - Wildlife-friendly planting scheme
 - Maintain and enhance western and northern boundaries
 - Lighting plan that is direct and of low light spill, with dark corridors in place and away from bat boxes
- 295 It is also noted that the site is in relatively close proximity to a number of designated sites of nature conservation importance. The ecological assessment identified 11 statutory and non-statutory sites of nature conservation importance within 1km of the site, and concluded that none of these would be indirectly impacted by development of this scale, provided the recommended precautionary measures outlined in the report are followed.
- 296 Considering the conclusions of the ecology report, it is considered that the impact on ecology and biodiversity on the site would be acceptable, provided the mitigation measures and further survey recommendations outlined in the report are followed.
- 297 Further Echolocation surveys were carried out in October 2020. The findings of these were submitted in a Dusk Activity Survey Report (Syntegra, October 2020). The report concluded that it is unlikely that the building is used for bat roosting, however the site is used by bats for foraging and traversing. In line with the relevant guidelines, a further dawn re-entry survey is required during May to August.
- 298 The Council's ecology officer has reviewed the submitted Ecological Appraisal and subsequent Dawn Activity Survey report, and have confirmed they have no objections to the findings and agree with the recommendations made. They reiterated that a further dawn survey, will be required to be carried out, and its results submitted to the Council as a condition of development, prior to commencement of any works. They have also stated that all demolition and tree works will need to be carried out under supervision of

a suitably qualified ecologist. They have reiterated that the recommended ecological enhancements will need to be secured by condition.

299 Full details of the proposed ecological enhancements, including the external lighting scheme with dark corridors and final details of the proposed planting and landscape maintenance scheme will be secured by condition. Subject to the details of these, the impact of the proposal on Ecology and Biodiversity would be acceptable, and in line with the relevant policies mentioned above.

7.7.2 Green spaces and trees

Policy

300 S.197 of the Town and Country Planning Act gives LPAs specific duties in respect of trees.

301 NPPF para 170 expects development to contribute to and enhance the natural and local environment.

302 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. DLPP G7 expects development proposals to ensure that, wherever possible, existing trees of value are retained. Where it is necessary to remove trees, adequate replacement is expected based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or other appropriate valuation system.

303 CSP 12 seeks to protect trees and prevent the loss of trees of amenity value, with replacements where loss does occur. DMP 25 sets out the required information to support development affecting trees

Discussion

304 The proposal has been submitted with an arboriculture impact assessment (Indigo dated September 2019).

305 The submitted arboricultural impact assessment summarises the condition of the trees on site, and outlines that all trees on site are proposed to be removed in order to make way for the proposed development.

Tree	Observations (from Arboricultural Statement)	Bat roost potential	Proposed Works
T1 (off site)	Yew, Category B, 14m height	No	None
T2	Apple tree, category C, 4m height	No	removed
T3	Ash, category U, 11m height	Low	remove
T4	Sycamore, category U, 14m height	Moderate	remove
T5 (off site)	Wild Cherry, category B, 16m height	No	None
T6	European Lime, Category C, 16m height	Low	removed
T7	Holly, Category C, 11m height	No	remove
T8	European Lime, Category U, 16m height	Moderate	Remove
T9	European Lime, Category C, 17m height	No	Removed

T10	Sycamore, category C, 17m height	No	Removed ^d
T11 (off site)	Sycamore, category B, 18m height	No	None
T12	Holly, Category C, 6m height	No	Remove
T13	Yew, Category C, 4m height	No	Removed ^d
T14	False Acacia, Category U, 7m height	Moderate	Remove
G1	Group, Category C, 6m height	No	Remove
G2	Group, Category C, 5m height	No	Remove

- 306 T2, T6, T7, T9, T10, T12, T13, G1, G2, G3, G4 and G5 are proposed to be removed to facilitate the scheme.
- 307 Trees T3, T4, T8 and T14 are proposed to be removed due to arboricultural reasons, as these are 'U' class trees.
- 308 T1, T5 and T11 are off-site trees and are proposed to be retained. No works are proposed to these trees.
- 309 The site is the subject of a group TPO, which was made in November 2019, in response to tree works on site which were carried out by the applicant, and reported by neighbours. This TPO was confirmed unmodified on 06 May 2020. Planning permission is therefore required for the removal of, or works to any tree on site.
- 310 It has been confirmed by the applicant that T2, T6, T9, T10 and T13 were removed in November, prior to the TPO being made on site, and no breach of planning occurred. It is also noted that none of these trees were identified to have potential for roosting bats. The applicant has submitted correspondence which confirms a bird nesting and bat roosting assessment was carried out by the workmen prior to the tree removals. Notwithstanding, as these removals took place in November, outside of the bird nesting season, the risk of impact to nesting birds was very low.
- 311 The arboricultural statement confirms that all trees to be removed are of a category C or U, meaning their expected life span is no more than 20-40 years, and they are of no more than low quality and amenity value. The removal of these trees is required to facilitate the development on site, and considering the significant planning merits of the proposal which are discussed elsewhere in this report, and the quality of the trees as described in the arboricultural statement, their loss is considered to be acceptable.
- 312 The arboriculture report recommends further investigations prior to commencing work to ensure the root protection areas of the off-site trees (T1, T5 and T11) are not detrimentally impacted by the proposed development. In light of this it is considered appropriate to add a condition requiring submission of a tree protection plan prior to commencement of development.
- 313 The preliminary landscaping proposal includes the planting of significant numbers of new trees on site, including sycamore, ash, apple and wild cherry. The exact locations and numbers of these have not been finalised, so a condition requiring final details to be submitted for approval, prior to commencement of above ground works would be added to the permission if granted.
- 314 The council's arboricultural officer has objected to the proposed tree loss, and has stated that due to the footprint of the proposed building, it is not possible for any proposed soft landscaping scheme to address the loss of visual amenity that would result from the loss of trees.
- 315 It is acknowledged that the replacement planting and soft landscaping will not be able to achieve the same level of mature tree and vegetation coverage within the site as exists now. Nonetheless, it is considered a high quality soft landscaping scheme will be

achieved, subject to the final details, which will be secured by condition and reviewed by the council's arboriculture officer.

- 316 Furthermore, none of the trees to be removed have been identified as good quality within the arboricultural report, and therefore their wider amenity value is limited. Their removal is required to facilitate the proposed development.
- 317 Considering the wider benefits of the proposal, namely its contribution to the Borough's housing targets in a predominantly residential and sustainable urban location, whilst making the most efficient use of land and optimising density, the loss of trees with limited amenity value on site is considered acceptable on a balance, subject to discharge of the relevant conditions.

7.7.3 Natural Environment conclusion

- 318 The impact on ecology and biodiversity on the site would not be significantly harmful, subject to the final details of the proposed on-site ecological enhancements.
- 319 On a balance, whilst the proposed loss of lower quality trees on site is regrettable, this is mitigated by replanting and considering the wider benefits of the proposal, namely its contribution to the Borough's housing targets in a predominantly residential and sustainable urban location, whilst making the most efficient use of land and optimising density, their loss is acceptable, subject to final details of the proposed soft landscaping.

7.8 PUBLIC HEALTH, WELL-BEING AND SAFETY

General Policy

- 320 The NPPF and NPPG promote healthy communities. Decisions should take into account and support the health and well-being of all sections of the community. The NPPG recognises the built and natural environments are major determinants of health and wellbeing. Further links to planning and health are found throughout the whole of the NPPF. Key areas include the core planning principles (para 15) and the policies on transport (chapter 9), high quality homes (chapter 5), good design (chapter 12), climate change (chapter 14) and the natural environment (chapter 15).
- 321 The NPPG sets out a range of issues that could in respect of health and healthcare infrastructure, include how development proposals can support strong, vibrant and healthy communities. Development, where appropriate, should encourage active healthy lifestyles that are made easy through the pattern of development, good urban design, good access to local services and facilities; green open space and safe places for active play and food growing, and is accessible by walking and cycling and public transport. The creation of healthy living environments for people of all ages can support social interaction.
- 322 LPP 3.2 seeks to ensure development is designed, constructed and managed in ways that improve health and promote healthy lifestyles to help reduce inequalities.
- 323 LPP 7.1 requires development to contribute to health, well-being and public safety

7.8.1 Public health and well-being

Discussion

- 324 The proposed development is considered to deliver a high quality of design, which is inclusive, promotes health and wellbeing as well as community cohesion.
- 325 The development presents good access to local services and facilities; green open space and safe places for active play, and is accessible by walking and cycling and public transport.
- 326 Given the above, the proposed scheme is considered acceptable with regard to public health and wellbeing.

7.8.2 Public safety

Policy

- 327 Para 127 Good design states decision 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 and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 328 Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder
- 329 LPP 7.3 seeks to ensure that developments are designed to reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including crime and terrorism and fire.

330 DLLP D10 states measures to design out crime should be integral to the proposals, taking into account the principles of the Secured by Design scheme. Development should maintain a safe and secure environment and reduce the fear of crime.

331 CSP 15 requires development to minimise crime and the fear of crime.

Discussion

332 The Metropolitan Polices' designing out crime team have confirmed that they held a meeting with the design team. They stated that the design of the development has considered opportunity for natural surveillance, incorporates excellent lines of site and the development should 'activate' this area. These are all excellent crime prevention measures. The ground floor footprint has also been designed in such a way that there are no alcoves or secluded areas that are often crime and ASB generators. This, again, is extremely positive in relation to crime prevention.

333 The officer has confirmed they do not object to the development, however seek a planning condition for the development to incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Requested measures include provision of a second access door between the lift and the stair core, and a resident access control system incorporated, together with additional security in the basement, amongst other measures.

334 As such a condition requiring submission of a final secured by design strategy, incorporating the required measures prior to residential occupation would be added if permission is granted.

8 LOCAL FINANCE CONSIDERATIONS

335 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).

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

337 The CIL is therefore a material consideration.

338 920 x 70 Lewisham CIL (£70 psm) and 920 x 35 MCIL (£35 psm) 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

339 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.

340 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.

341 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.

342 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>

343 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

344 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>

345

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

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

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

347 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.

348 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.

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

11 LEGAL AGREEMENT

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

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

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

Housing

352 Affordable Housing Early and Late stage Review Mechanisms.

Transport and public realm

353 An obligation to enter into a s278 Highways agreement to address:

- Closure of existing crossover, and creation of new crossover, and installation of tactile paving.
- Waiting restrictions on Wells Park Road to manage loading adjacent to the site.
- Road signs / markings on the approach to the site access to reinforce the 20mph speed limit.

354 Car Parking review mechanism

Carbon Offset Payment

355 Financial contribution of £15,901 payable upon commencement of development.

Monitoring and Costs

356 Meeting the Council's reasonable costs in preparing and monitoring the legal obligations.

357 The monitoring costs in this instance would be payable on or prior to completion of the s106 agreement as per the Planning Obligations SPD.

358

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

12 CONCLUSION

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

360 The proposed residential development would achieve a number of the urban design and spatial planning objectives set out in the Core Strategy, including the following planning merits to which significant weight is attached:

- Optimising the housing potential of an underused residential site;
- Providing a range of type and sizes of new homes, including family housing;
- Comprising an appropriate scaled and high quality building that takes account of the existing context

361 The scale of the proposed development is acceptable, and the building has been designed to respond to the context and constraints including adjacent residential development.

362 The proposal would maximise the potential of the site and the development would provide a high standard of accommodation for future residents.

363 The proposal would reduce the levels of natural lighting reaching 6 windows within the neighbouring residential block known as Greyfriars, over and above the levels in the relevant BRE guidance. However, the harm to the affected dwellings would not be sufficient to warrant refusal of the scheme, because, when balanced against the substantial material planning benefits that have been identified, the level of harm is clearly outweighed.

364 Furthermore, the trees that are to be removed have all been identified as poor quality, being category C or U, and their removal is required to facilitate the construction of the development. Subject to the final soft landscaping details, the harm caused by the loss of the existing trees would be substantially outweighed by the planning benefits of the proposal.

365 Given the acceptability of the proposed use and policy compliance, taking a balance of the planning merits of the scheme against the level of harm that has been identified, the proposal is considered to be in accordance with the development plan as a whole.

366 The revised NPPF is underpinned by a presumption in favour of sustainable development. Officers consider that with the recommended mitigation, planning conditions and obligations in place, the scheme is consistent with national policy

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

368 RECOMMENDATION

369 That the Committee resolve to **GRANT** planning permission subject to:

370 The prior completion of a Legal Agreement pursuant to Section 106 of the 1990 Act (and other appropriate powers) to secure the following PLANNING OBLIGATIONS, authorise the Director of Law to complete a legal agreement to cover among other things the following matters: -

371 **Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement**

- 372 **Notice of commencement 28 days prior to a material operation**
- 373 **Affordable Housing Early and Late stage Review Mechanisms**
- 374 **An obligation to enter into a s278 agreement addressing**
- **Closure of existing access and construction of new access, including tactile paving**
 - **Waiting restrictions on Wells Park Road to manage loading adjacent to the site**
 - **Road signs / markings on the approach to the site access to reinforce the 20mph speed limit**
- 375 **Car Parking Review Mechanism**
- 376 **Carbon Offset Payment**
- 377 **Monitoring and Costs**
- 378 **Meeting the Council's reasonable costs in preparing and monitoring the legal obligations.**
- 379 **That the Head of Planning is delegated authority to negotiate the Legal Agreement.**

13 RECOMMENDATION

380 That the Committee resolve to **GRANT** planning permission subject to a S106 Legal Agreement and to the following conditions and informatives:

13.1 CONDITIONS

1. 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. Develop in Accordance with Approved Plans

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

118-X001 Rev.02; 118-X080 Rev.01; 118-X100 Rev.01; 118-X101 Rev.01; 118-X102 Rev.01; 118-X200 Rev.02; 118-X201 Rev.00; 118-X202 Rev.00; 118-X203 Rev.00; 118-X210 Rev.02; 118-X300 Rev.01; 118-P001 Rev.02; 118-P070 Rev.02; 118-P080 Rev.03; 118-P099 Rev.04; 118-P100 Rev.02; 118-P101 Rev.02; 118-P102 Rev.02; 118-P103 Rev.02; 118-P104 Rev.02; 118-P105 Rev.03; 118-P200 Rev.02; 118-P201 Rev.03; 118-P202 Rev.02; 118-P203 Rev.03; 118-P210 Rev.02; 118-P300 Rev.02; 118-P301 Rev.01; 118-P302 Rev.02; 118-P400 Rev.01; 118-P401 Rev.01; 118-P402 Rev.01; 118-P403 Rev.01; 118-P404 Rev.01; 118-P500 Rev.01; 118-P501 Rev.02; 118-P502 Rev.01; 118-P503 Rev.01; 118-P504 Rev.01; 118-P505 Rev.00; 118-P507 Rev.00; 118-P508 Rev.00; 118-P509 Rev.00; 118-P510 Rev.00; 118-P511 Rev.00; 118-P512 Rev.00; 118-P900 Rev.00 Received 22 September 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. Construction Management Plan

No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).

- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements.

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

4. **Piling**

- (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, in consultation with Thames Water.
- (b) Details of any such operations must be submitted to and approved in writing by the local planning authority prior to commencement of development on site and shall be accompanied by details of the relevant penetrative methods.
- (c) Any such work shall be carried out only in accordance with the details approved under part (b).

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. And because the proposed works will be in close proximity (within 15m) to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

5. **Architectural details**

- (a) Notwithstanding the details hereby approved, no development above ground level shall commence until detailed plans at a scale of 1:20 showing windows, doors, balconies, entrances, and important joints have been submitted to and approved in writing by the local planning authority
- (b) The development shall be carried out in accordance with the approved details.

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

6. **Surface Water Management**

- (a) No development above ground level shall commence on site until a scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.
- (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 (March 2016) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011)..

7. **Refuse Storage**

- (a) Full details for the on-site storage, disposal and collection of refuse and recycling facilities shall be submitted to and approved in writing by the local planning authority prior the completion of above ground works of development hereby approved.
- (b) The approved details shall be carried out in full prior to occupation of the development and retained 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. **Cycle Parking**

- (a) Prior to first occupation, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.
- (b) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

9. **Hard Landscaping**

- (a) Prior to 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) shall 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 (2015), 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.

10. **Tree Protection Plan**

No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council. The TPP should follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion

zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

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

11. **“Dawn re-entry” Bat Survey (May to August inclusive)**

Prior to demolition, the results of a further “dawn re-entry survey” taken during the active bat season (May to August inclusive), shall be submitted to the Local Planning Authority and approved in writing, in consultation with the Council Ecology Officer.

Reason: 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).

12. **Soft Landscaping**

- (a) The full scheme of soft landscaping (including details of any trees or hedges to be retained and proposed planting numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to commencement of development.
- (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).

13. **Boundary Treatments**

- (a) Full 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).

14. **Ecological Enhancements**

Full details of the ecological enhancements to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained for the lifetime of the development. The ecological enhancements shall include as a minimum:

- Bird boxes on suitable trees
- “Vincent Pro” and “2F” bat boxes on suitable trees, facing south at a 3-5m height
- Log piles placed on site
- Wildlife-friendly planting scheme
- Maintenance and enhancement of western and northern boundaries
- Lighting plan that is direct and of low light spill, with dark corridors in place (and angled away from proposed bat boxes)

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

15. **Electric Vehicle Charging Points**

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

Reason: To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (July 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

16. **Living Roofs**

- (a) Full details of the proposed living roof system, including substrate depth, and a scheme of maintenance shall be submitted to and approved in writing prior to the commencement of above ground works.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

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).

17. **External Lighting**

- (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority. This shall include provision of dark corridors as recommended by the submitted Preliminary Ecological Appraisal (Syntegra dated September 2019).
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 24 Biodiversity and Living Roofs and DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

18. **Delivery and Servicing**

- (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).

19. **Construction of Vehicular Access**

The development hereby approved shall not be occupied until the existing vehicular access has been removed, and the proposed vehicular access as shown on plans [118 P403 Rev.01; 118 P404 Rev.01; 118 P511 Rev.00; 118 P512 Rev.00] has been constructed in full accordance with the said plans.

Reason: In order to ensure that satisfactory means of access is provided and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

20. **Energy Efficiency**

Prior to completion of the building shell, full details of the proposed strategy to minimise carbon dioxide emissions and maximise energy efficiency of the

development shall be submitted to the local planning authority and approved in writing. This shall include:

- Details of the proposed mechanical background ventilation and under floor heating strategy, including smart heating control system;
- Details on how the heating system could be retrofitted to a low carbon source in the future;
- Detailed drawings of any venting locations on the elevations;
- Details of the proposed LED internal lighting specification.

Reason: To maximise the energy efficiency of the scheme, and ensure the development would comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy in the London Plan (2016) and Lewisham Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

21. **Implementation of landscaping**

All planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 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 Policy 12 Open space and environmental assets, and 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).

22. **Wheelchair homes**

The 1no. M4(3) wheelchair accessible dwelling, and 9no. M4(2) wheelchair adaptable dwellings hereby approved shall be constructed in full accordance with the SELHP Wheelchair Homes Design Guidelines (November 2012) as shown on the floorplans hereby approved prior to their first occupation.

For the avoidance of doubt a parking space should be provided for each wheelchair unit and where a communal access is to be the principle access for wheelchair users or relates to communal access to amenity space or facilities intended for the enjoyment of residents of the development the specification for the said communal access shall not be less than the specification for access for wheelchair units under the SELHP Wheelchair Homes Design Guidelines.

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).

23. **Obscure Glazing**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the obscure glazed windows to be installed in the eastern and western elevations of the building,

as indicated on plan nos. 118 P201 Rev.03 and 18 P203 Rev.03 hereby approved shall be fitted as obscure glazed and fixed shut and retained in perpetuity.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

24. **Amenity Space**

The whole of the amenity space (including roof terraces and balconies) hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

Reason: In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards of the Development Management Local Plan (November 2014).

25. **Provision of parking spaces**

The whole of the car parking accommodation shown on drawing no. 118-P099 Rev.04, hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter, unless approved otherwise in writing by the local planning authority.

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

26. **PV Panels**

The development shall not be occupied, until evidence that the proposed photovoltaic array, as shown on Plan No.118-P105 Rev.03, has been installed and approved in writing by the Local Planning Authority. The photovoltaic array shall be retained for the lifetime of the development in accordance with the approved details.

Reason: To promote sustainable forms of energy and to minimise carbon emissions in accordance with Policies 5.1 and 5.7 of the London Plan and Core Strategy Policy 8.

27. **Secured by design**

- (a) Prior to the commencement of above ground works, details of the measures to be incorporated into the development demonstrating how the principles and practices of 'Secured by Design' have been incorporated into the design of the development, and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers. Measures to include, but not be limited to: Provision of a second access door between the lift and the stair core, a resident access control system incorporated, and additional security in the basement.

- (b) Once approved, the development shall be carried out in accordance with the agreed details under part (a), and retained for the lifetime of the development.

Reason: In order to ensure that the development is safe, secure and appropriately accessible in accordance with London Plan Policy 7.3, and the principles of 'Secured by Design'.

28. **Parking access and safety management plan**

The development shall not be occupied until a parking access and safety management plan has been submitted to the Council and approved in writing. The plan shall include as a minimum:

- Further details of how the off-street spaces within the development will be allocated and managed.
- Further details of how access to the car park will be controlled and managed, including sensors and warning signals.
- The Plan should confirm the off-street parking spaces will be leased to residents of the development only and not sold off.
- Include a monitoring and review mechanism to determine whether a reduced demand for parking could be accommodated in the future.

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

29. **Demolition and tree removals overseen by ecologist**

All demolition and tree removal works must be carried out under the supervision of a suitably qualified ecologist with a bat licence.

Reason: To ensure no harm is caused to protected species, and 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).

13.2 INFORMATIVES

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. During the course of the application positive discussions took place which resulted in further information being submitted.
- B. **Asbestos**

It is the responsibility of the owner to establish whether asbestos is present within their premises and they have a 'duty of care' to manage such asbestos. The applicant is advised to refer to the Health and Safety website for relevant information and advice.

C. CIL

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>

D. Construction Impacts

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.

Environmental Health officers would also draw your attention to the following pages when preparing the required Construction Management Plan:

<http://www.lewisham.gov.uk/myservices/environment/pollution-information-for-developers-and/businesses/documents/goodpracticeguide.pdf>

<http://nrmm.london>

E. Drainage Design

You are advised to contact the Council's Drainage Design team on 020 8314 2036 prior to the commencement of work.

F. Dust Control

In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.

G. Street Numbering and Naming

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.

H. Section 106 Agreement

You are advised that the approved development is subject to a Section 106 agreement. Please ensure that the obligations under the Section 106 agreement are addressed in accordance with the details and timeframes set out in the agreement. If you have any questions regarding the agreement or how to make a

payment or submission required under the agreement, please contact the S106/CIL team on CIL@lewisham.gov.uk.

I. Thames Water

Thames water has requested the applicant take careful note of the following informatives:

- Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures: https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=OMjwGp47Ad5otWI0__lpOg&r=A6bK4sK7myXptjA_uaaZPj7OE6BO0ng5QMu-6ha_RdQ&m=OnajCe_05E7n49TOayNr9aRhw8n68fmtEhOj5yaRL24&s=kkaum_FF_MG6x486JcWZ2UxLbzjw9T7U8MT-V70jl-Y&e= .
- 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 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 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via https://urldefense.proofpoint.com/v2/url?u=http-3A__www.thameswater.co.uk&d=DwIFaQ&c=OMjwGp47Ad5otWI0__lpOg&r=A6bK4sK7myXptjA_uaaZPj7OE6BO0ng5QMu-6ha_RdQ&m=OnajCe_05E7n49TOayNr9aRhw8n68fmtEhOj5yaRL24&s=QvizQLNNIRm8Qb5BO4azurFT4OYsw0yEK34ZsLu9IE&e= . Please refer to the Wholesale; Business customers; Groundwater discharges section.
- Thames Water advise that Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to the Thames Water website.
- The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=OMjwGp47Ad5otWI0__lpOg&r=A6bK4sK7myXptjA_uaaZPj7OE6BO0ng5QMu-6ha_RdQ&m=OnajCe_05E7n49TOayNr9aRhw8n68fmtEhOj5yaRL24&s=kkaum_FF_MG6x486JcWZ2UxLbzjw9T7U8MT-V70jl-Y&e= .
- 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.

- https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=OMjwGp47Ad5otWI0__lpOg&r=A6bK4sK7myXptjA_uaaZPj7OE6BO0ng5QM_u-6ha_RdQ&m=OnajCe_05E7n49TOayNr9aRhw8n68fmtEhOj5yaRL24&s=kkaum_FF_MG6x486JcWZ2UxLbzjw9T7U8MT-V70jl-Y&e=
- 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.

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm)

J. **Piling**

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Accordingly, it should be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a piling risk assessment must be submitted, written in accordance with the Environment Agency's guidance 'Piling and penetrative ground improvement methods on land affected by contamination: guidance on pollution prevention' (National Groundwater & Contaminated Land Centre report NC/99/73).

Appendix A: Independent Viability Review

Appendix B: Local Meeting Minutes