

Committee	PLANNING COMMITTEE A	
Report Title	10 THORPEWOOD AVENUE, LONDON, SE26 4BX	
Ward	Forest Hill	
Contributors	Zahra Rad	
Class	PART 1	11 March 2021

<u>Reg. Nos.</u>	DC/20/118501
<u>Application dated</u>	23 September 2020
<u>Applicant</u>	Touska Architects
<u>Proposal</u>	The demolition of existing double garage and construction of a two storey two bedroom house to the side and rear of No 10 Thorpewood Avenue SE26 at lower ground and ground floor levels and adjustment to the existing dormer.
<u>Background Papers</u>	(1) Core Strategy (June 2011) (2) Case File LE/443/10/TP (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	PTAL 2 Existing Use C3
<u>Screening</u>	N/A

## 1 SUMMARY

- 1 This report sets out officer's recommendation for the above proposal. The case has been brought before Members for a decision as the recommendation is to be approved and there are two valid planning objections from individuals plus the Sydenham Society who have objected to the proposed development. In accordance with the extended delegated authority arrangements, this application has been reviewed by a chair person of one of the Council's planning committees who has confirmed they require the application to be decided by Members at Planning Committee.
- 2 Due to the Covid-19 pandemic officers have been unable to undertake a site visit to the property and as such, an assessment has been made using Google Maps and photos provided by the applicant.

## 2 SITE AND CONTEXT

### *Site description and current use*

- 3 The application site is related to the double garage to the side of No 10 which is located on the Eastern side of Thorpewood Avenue. The garage is between No 10 and No 14, currently owned and used as a double garage by No 10. The application site (vacant plot No 12) shares a boundary with No 14 to the North which is a new modern design two storey dwellinghouse.

4 The site is 177.45m<sup>2</sup> in area.



**Figure 1 Site Location Plan**

### ***Character of area***

- 5 No 10 Thorpewood Avenue hosts a two storey semi-detached property, sharing a party wall with No 8 Thorpewood Avenue to the south. An attached single storey garage extends from the northern side elevation of the property, to the boundary with No 14 Thorpewood Avenue, sharing a party wall with the property at that address. The site has a large back garden, measuring approximately 28m long and 14m wide, and steps down from the house to the rear boundary. To the East, the rear of the back garden is bordered by four single garages on the southern boundary. One of these garages is owned by the applicant, and provides access to an access lane that opens on to Hassocks Close.
- 6 The street has a slight gradient, falling from the south to the north, which means the property at No10 is higher than the property at No14. All these properties front north-west on to Thorpewood Avenue and are setback approximately 5.5 – 6.0m away from the footpath on the side of the street. The sites themselves also fall substantially from the road boundary, to the rear boundaries that adjoin Baxter Fields to the east. Approximately half-way down the existing garden is a retaining wall, which essentially splits the garden into upper and lower sections.
- 7 The lower section of the garden have step access to Hassocks Close via the existing garage on the southern boundary.

### ***Heritage/Archaeology***

- 8 The property is not located within a conservation area, nor is it close to a listed building or non-designated heritage asset.

### ***Surrounding area***

- 9 The area is predominantly residential in nature and comprises of mostly detached and semi-detached properties.
- 10 The eastern side of this part of the street is characterised by a range of dwelling design styles and ages, including detached and semi-detached properties. Of particular note is

the adjacent property at No 14 which is a two-storey dwelling house of a 1960's modern design. The western side of the street is on a higher land gradient and is characterised by a more regular pattern of semi-detached properties, although there is still significant variation present.



Figure 2 Application Site and the adjacent neighbours from the rear

#### ***Local environment***

- 11 Baxter Field is the nearest park which is located to the east side of the application site and is a designated Public Open Space. The application site is not located in a flood zone risk area, however, is located within 15m of Thames Waters underground water assets.

#### ***Transport***

- 12 The property is located in a PTAL 2 area (bordering PTAL 3). The property at No10 has off-street parking spaces for four vehicles; two enclosed garages on Thorpewood Avenue and one in the garage at the back of the lower garden which has access from Hassocks Close, also, a driveway to the front which can accommodate one vehicle.

### **3 RELEVANT PLANNING HISTORY**

- 13 **DC/20/115283** - The demolition of existing double garage and construction of a part lower ground/part one/part two storey two bedroom house to the side and rear of 10 Thorpewood Avenue SE26. Refused 06//04/2020 for the following reasons:

- The principle of the development would constitute the development of a private rear garden for a separate dwelling and is not supported. The development is

therefore contrary to Paragraph 127 and 130 of the National Planning Policy Framework (2019); Policy 7.4 'Local Character' and Policy D6 'Housing quality and standards' of the London Plan (2021); Spatial Policy 5 'Areas of Stability and Managed Change' and Policy 15 'High Quality Design for Lewisham' of the adopted Core Strategy (2011); DM Policy 33 'Development on Infill Sites, Backland Sites, Back Gardens and Amenity Areas' of the adopted Development Management Local Plan (November 2014).

- The proposed dwellinghouse due to its scale, form, appearance, and location and siting would result in an incongruent form of development that would fail to respect the prevailing character of the immediate streetscape. The development is therefore contrary to Paragraph 127 and 130 of the National Planning Policy Framework (2019); Policy 7.4 'Local Character' and Policy 7.6 'Architecture' of the London Plan (2016 Policy D6 'Housing quality and standards' of the London Plan (2021); Spatial Policy 5 'Areas of Stability and Managed Change' and Policy 15 'High Quality Design for Lewisham' of the adopted Core Strategy (2011); DM Policy 30 'Urban Design and Local Character' and DM Policy 33 'Development on Infill Sites, Backland Sites, Back Gardens and Amenity Areas' of the adopted Development Management Local Plan (November 2014).

## 4 CURRENT PLANNING APPLICATION

### 4.1 THE PROPOSALS

14 This application relates to the demolition of the existing garage between Nos 10 and 14, and the small extension at the back of the garage, plus the projected barrel vault part of the existing dormer from the side elevation would be cut back and reduced in size and subsequent construction of a new two storey single family dwellinghouse. The property would have two bedrooms to accommodate 4 person. It is noted that, according to the submitted plans the proposed scheme would be sharing open amenity space (back garden) with No 10 Thorpewood Avenue.

15 To the front the proposed scheme would appear to be single storey with a flat roof with two different levels. The taller part towards No 14 would have a height of 3.3m which is just 0.1m higher than the existing garage. The smaller part adjacent to No 10 would be 2.9m which would be 0.3m lower than the existing garage. To the front elevation an entrance door and side window, a small metal canopy would be introduced.



Figure 3 Proposed Front Elevation



- 16 Behind the front elevation a two storey building would be constructed in two sections. One part which is adjacent to No 14 and would repeat exactly the pattern of existing buildings at ground floor of No 14 including the courtyard, and the other part which would begin from the shared boundary with No14 and would extend towards the extension at the back of No 10 at the ground floor. This elevation to the rear would comprise of full height windows and doors with a small balcony facing the back garden.



Figure 4 Proposed 3D from rear

- 17 At the ground floor, would be one bedrooms a kitchen/dining, a bathroom, a courtyard and a balcony looking into the garden. The lower floor accessed via a spiral staircase would be level with the back garden and would comprise of a bedroom and en-suite, a living room facing the back garden and a set of doors providing access to the back garden. The rear elevation of the proposed development would align with the rear elevation of No 14.
- 18 The only alteration to the back garden at lower level would be introducing new lighting and insertion of cycle storage.

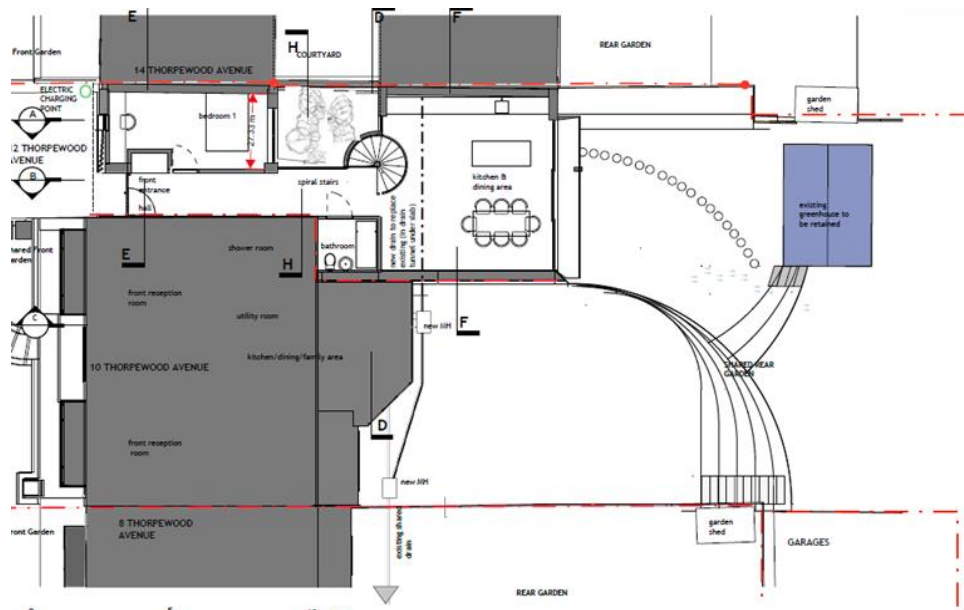


Figure 5 Proposed Ground Floor Plan

19 The proposed materials are

- External Walls To The Front: Brickwork Timber Screens Metal Coping;
- External Walls To The Side: Brickwork Metal Coping
- External Walls To The Rear: Brickwork Metal Coping
- Front Window: Mosaic Tesserae - In Lower Square of Window Frame
- Front Door: Metal-Faced Front Door With Leafshaped Cut-Outs
- Windows And Doors: PPC Aluminium
- Boundary: Timber Fences
- Vehicle Access: Block-Paviours
- Garage Doors: Brickwork, Metal Coping and Timber Screens
- Flat Roof: Glass, High-Performance Felt and Photovoltaic-Roofing Membrane
- Canopies: Metal Outer Surface with Timber Soffit or Inner Surface

## 4.2 COMPARISON WITH PREVIOUS SCHEME

20 The design concept and proposal within this application is entirely different from the refused proposal, DC/20/115283 dated on 06//04/2020 which proposed to use the land of the back garden as backland contrary to the DM policies.

21 The concept of replacing of the existing garage and construction of a two storey two bedroom dwellinghouse with amenity space has been retained within the current application.

22 Various aspects of the design concept in both applications are summarised as below:

**Table 1: comparison designs DC/20/115283 vs the current one**

<b>Previous application DC/20/115283</b>	<b>Current application DC/20/118501</b>
<b>Introducing a large new footprint to the application site</b>	Reducing 65% of the proposed footprint within the previous application, including reduce the submerged footprint.
<b>Having a two storey to the side</b>	Reducing height to the front elevation by introducing a submerged storey from the street level
<b>A full width single storey at the rear of the back garden</b>	This item is removed

23 In addition, several details such as balcony, green roof and other elements have been amended in line with the advice provided at a Pre-Application meeting.

## 5 CONSULTATION

### 5.1 PRE-APPLICATION ENGAGEMENT

- 24 PRE/20/117296 - Demolition and construction of a new family home. No written response.
- 25 The principle of residential development was supported, subject to high quality design. The new proposal within the Pre-Application reduced the mass and the bulk of the proposed dwelling in the refused application by removing the full width rear single storey and reduced the depth of the two storey element to the side.
- 26 Justification of new design solution resolving issues raised with previous planning application in response to design-related planning policies and DM33, backland, back-garden & infill developments.

### 5.2 APPLICATION PUBLICITY

- 27 A press notice was published on 29/09/2020.
- 28 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 29/09/2020.
- 29 Seven responses were received, comprising the Sydenham Society, 2 objections, 3 support and one letter of comments.

#### 5.2.1 Comments in objection

<b>Objection / concern raised</b>	<b>Para where addressed</b>
<i>Housing</i>	
Over development	61 and 82
<i>Urban Design</i>	
Too bulky, removing the current gap.	82
Incongruous design, neither front façade nor rear façade carries any relation to the buildings around	66 and 67
Removing the current gap appearance and would harm the streetscene	67 and 84
The intention of having access to the garages at the rear of the property is not clear.	96 and 100
<i>Living conditions of neighbours</i>	
Privacy issue due to the difference level on No 14	114
disturbance/disruption/depreciation caused by the construction of a 2 storey house	127
Day light/sun light impact on No 14	122
Considerations for ground level change	129
<i>Highway and Transport</i>	

Objections to the use of the Close as construction site access.	122
Using Close would increase traffic and noise.	122
The traffic would also endanger the very old and youngest residents in Hassocks Close.	122, 142
<i>Natural environment</i>	
Changes to the wildlife of the garages at the rear by adding lighting.	142
<i>Other matters</i>	
Special measures such as underpinning, to prevent any movement of the external wall of No14.	35,129
Maintenance of the drainage and remaining the access of the existing manhole.	129
Increased traffic and noise would decrease the value of my house.	129
Complicated party wall arrangements with No 10	129
No plans showing the view of the proposed house from no. 14.	129
Single exit from the upper floors could also affect fire regulations.	129
No datum line shown in any of the application documents.	-

### 5.2.2 Comments in support

<i>Principle</i>
Principle of the new dwelling is supported.
Increasing housing supply, as a target of London Boroughs.
<i>Urban Design</i>
Support the design and believe it would pleasantly add to the aesthetics of this part of the street.
Support front facade will form an attractive addition and positive neighbourhood contribution
The modern dwelling massing responds well to adjacent scale/built forms and aligns with the contemporary nature of No 14 and nearby approved houses.

## 5.3 INTERNAL CONSULTATION

- 30 The following internal consultees were notified.
- 31 Highways officer: provided no objection subject to conditions and informatives
- 32 Environmental Protection: provided no comments



33 Ecology Officers: provided no objection subject to conditions

## **5.4 EXTERNAL CONSULTATION**

34 The following External Consultees were notified:

35 Thames Water: raised no objections to the principle of the scheme, however, recommended several informatives.

## **6 POLICY CONTEXT**

### **6.1 LEGISLATION**

36 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**

37 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.

38 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.

39 The weight given to a relevant material consideration is a matter of planning judgement, except where the weight that should be given to specific planning considerations is directed, for instance by the NPPF. 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 aforementioned directions and 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**

The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP). The London Plan (March 2016) will be replaced by the new London Plan on 2 March 2021. This report does not rely on any policies from the current London Plan that would differ materially from the new London Plan.
- 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

Lewisham SPG/SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)

London Plan SPG/SPD:

- The control of dust and emissions during construction and demolition (July 2014)
- Housing (March 2016)

## 6.6 OTHER MATERIAL DOCUMENTS

- Publication London Plan (December 2020): On 29th January 2021, the Secretary of State wrote to the Mayor of London confirming all necessary directed modifications to the Intent to Publish London Plan (December 2020) had been conformed with, and confirmed the new London Plan could now be published. The Publication London Plan (PLP) is now a material consideration.
- The PLP will replace the current London Plan on 2 March 2021. This report sets out which PLP policies are relevant to this application and attributes those full weight.

## 7 PLANNING CONSIDERATIONS

40 The main issues are:

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

### 7.1 PRINCIPLE OF DEVELOPMENT

*General policy*

41 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.

42 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.

43 The Publication London Plan (PLP) sets out a sequential spatial approach to making the best use of land set out in PLPP GG2 (Parts A to C) that should be followed.

*Policy*

44 The Publication London Plan at PLPP H1 and table 4.1 identifies a total ten year housing target for net housing completions (2019/20 – 2028/29) of 16,670 for Lewisham, equating to an annual target of 1,667. To help achieve this target, a strategic priority of the PLP is to increase the rate of housing delivery from small sites. PLPP H2 and table 4.2 sets a ten year minimum target of 3,790 homes on small sites for Lewisham. H2 states Boroughs should pro-actively support well-designed new homes on small sites (below 0.25ha). In doing so, Boroughs should recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

45 Lewisham Core Strategy Spatial Policy 1 ‘Lewisham Spatial Strategy’ that links to Core Strategy Objective 2 ‘Housing Provision and Distribution’ supports the delivery of new housing to meet local need. Housing is therefore a priority use for the borough

46 DM Policy 33 States that if a site is considered suitable for development, planning permission will not be granted unless the proposed development is of the highest design quality and relates successfully and is sensitive to the existing design quality of the streetscape. This includes the spaces between buildings which may be as important as the character of the buildings themselves, and the size and proportions of adjacent buildings. Development on these sites must meet the policy requirements of DM Policy 30 (Urban design and local character), DM Policy 32 (Housing design, layout and space standards) and DM Policy 25 (Landscaping and trees).

47 DM Policy 33 sets out that infill sites are defined as sites within street frontages such as former builder’s yards, small workshops and garages, gaps in terraces and gardens to the side of houses. Infill sites may present urban design problems in harmonising the development with the existing built form. As an area of land with a street frontage, this site represents an infill site with residential development potential in theory, but the principle of development is assessed fully against DM33 as outlined above, the acceptability of the proposed development is dependent upon its ability to meet the policy tests.

### **7.1.1 Principle of development; Conclusions**

48 The site will make a contribution towards meeting housing needs in a sustainable urban location, it is considered suitable for development in principle but whether or not the proposal is acceptable will depend upon it meeting the other tests for infill development set out in DM33 and the other policies stated above.

## **7.2 HOUSING**

49 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; (iii) the standard of accommodation.

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

*Policy*

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

- 51 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.
- 52 The NPPF encourage the efficient use of land subject to several criteria set out in paragraph 122. Paragraph 123 applies where there is an existing or anticipated shortage of land for meeting, identified housing needs and strongly encourage the optimal use of the potential of each site.
- 53 PLPP H1 and H2 seek to increase the housing supply and to optimise housing output.

#### *Discussion*

- 54 The proposed density is considered to be optimal for this site, as it is connected to the main roads, and public transport whilst being in a sustainable urban location therefore, this site meets the criteria to deliver housing on a small site and H2 applies and results in net additional housing provision. The proposed dwelling would contribute to the borough's housing supply and significant weight is given to this in assessment of the proposal.
- 55 Paragraph 2.0.3 PLPP stressed that where the suburban pattern of development has significant potential for appropriate intensification over time particularly for additional housing.

## **7.2.2 Residential Quality**

### *General Policy*

- 56 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 Publication London Plan (PLPP D6, the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).
- 57 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity.

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

#### *Policy*

- 58 PLPP D6 seeks to achieve housing development with the highest quality internally and externally in relation to their context. Minimum space standards are set out in PLPP D6.
- 59 DM Policy 32 'Housing design, layout and space standards' and PLPP D6 'Housing quality and standards requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision. In particular DM Policy 32 states that it will assess whether new housing development including conversions provide an appropriate level of residential quality and amenity in terms of size, a good outlook, with acceptable shape and layout of room, with main habitable rooms receiving direct sunlight and daylight, adequate privacy and storage facilities to ensure the long term sustainability and usability of the homes. Informed by the NPPF, the Mayors Housing SPG provides guidance on how to implement the housing policies in the London Plan

*Discussion*

60 The table below sets out proposed dwelling sizes.

**Table 5: Internal space standards – proposed v target**

Type	Criteria	Size	Required	Compliance
Two storey, two bedroom dwelling	Dwelling Size (2B4P)	103m <sup>2</sup>	90m <sup>2</sup>	Pass
	Bedroom 1	15.15m <sup>2</sup> and 2.7m wide	7.5 m2 and at least 2.15m wide	Pass
	Bedroom 2	15.42 m <sup>2</sup> and 2.7m wide	7.5m2 and is at least 2.15m wide	Pass
	Floor to ceiling height	Min. height at the first floor 2.5m And 2.7m at the ground floor	2.3m for at least 75%	Pass
	Built in storage	3.6m <sup>2</sup>	3.5m <sup>2</sup>	Pass
	Private amenity space	108m <sup>2</sup> private courtyard plus the back garden	12m <sup>2</sup>	Pass

61 The new dwelling would be a two storey 4p 2b with an area of 103m<sup>2</sup> and would provide a greater area than the minimum required Gross Internal Area of 90m<sup>2</sup>. In this respect, the standard of amenity would be acceptable. The rooms are all of a good layout, and the individual bedrooms meet the standards. The minimum floor to ceiling height would be 2.7m at the lower ground floor and 2.5m at the ground floor, which meets the London Plan requirements.

***External space standards***

*Policy*

62 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’. PLPP emphasises this minimum dimensions and states that the private open space must achieve a minimum depth and width of 1.5m.

*Discussion*

63 The area of the private rear garden for the new property is approximately 69 m<sup>2</sup> and the additional shared area of 50 % of the lower garden works out at approximately 103m<sup>2</sup>. Altogether the total amenity space would work out at around 177.45m<sup>2</sup> including the courtyard which is more than the minimum standard indicated above.

***Outlook & Privacy***

*Policy*

64 PLPP D6 seeks high quality internal and external design of housing development and require developments to achieve ‘appropriate outlook, privacy and amenity’. Section D6 of the PLPP, seeks to maximise the provision of dual-aspect dwellings (i.e. with openable windows on opposite elevations).

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

*Discussion*

66 The proposed scheme would demolish the existing double garage, and would construct an extension on the ground and lower ground floor levels. On the Northern flank it would align at the back with the rear elevation of No 14. The maximum height of the proposed front elevation would be slightly more than the existing garages (0.1m) and the projected part of the existing dormer would be removed, which would improve the sense of openness to the front and the streetscene.

67 In terms of privacy, the two storey would have windows and doors to the rear elevation and a balcony at the first floor which would face onto the back garden. This element of the scheme would be away from the shared boundary with No 14 by 1.4m and considering the existing windows to the rear of the main building, the gap between the building and the shared boundary and also the greenery the overlooking impact to the back garden of No 14 is acceptable.

68 The proposed dwelling would be dual aspect, and would provide good levels of daylight and sunlight and views from habitable spaces. The courtyard arrangement would mirror the existing courtyard at No 14, and would be considered acceptable.

69 The northern flank, which is the shared boundary of the proposed development with No 14 would follow the same pattern as No 14, and would create a courtyard/light well in the middle of this side elevation mirroring the existing courtyard at No 14. The architectural design of the proposed development is such as to ensure no harmful levels of overlooking would occur into the neighbouring property and vice versa.

***Daylight and Sunlight***

*Policy*

70 PLPP D1(6) requires development to achieve 'appropriate outlook, privacy and amenity'. DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of natural lighting for its future residents. The London Housing SPD and the Lewisham Alterations and Extensions SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living spaces.

*Discussion*

71 Given the provided plans and sunlight/daylight assessment by the applicant, all habitable rooms would be provided with windows, and officers consider the levels of daylight and sunlight to be acceptable, in line with Policy DM32.

***Summary of Residential Quality***

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

**7.2.3 Housing conclusion**

73 The proposal would deliver a single-family two storey, two bedroom dwelling, with an acceptable standard of residential amenity. It would contribute to the Borough's housing targets in a predominantly residential and sustainable location.



## 7.3 URBAN DESIGN

### *General Policy*

- 74 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.
- 75 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. Policy D4 and D6 of the PLPP emphasis that 'The scrutiny of a proposed development's design should cover its layout, scale, height, density, land uses, materials, architectural treatment, detailing and landscaping'.
- 76 CSP 12 seeks to protect the character, historic interest and amenity of, and within, open spaces, as well as the effects of development outside their boundaries. 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, is sensitive to the local context, and responds to local character.
- 77 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.

### *Discussion*

- 78 The existing garage, the small extension at its back, and the projected part of the existing dormer extension would be demolished, to allow for the proposed scheme to gain width beyond the rear elevation of the existing garage extending it by 16m towards the back garden of No 10 to be aligned with the rear elevation of No 14.

### 7.3.1 Appearance and character

#### *Policy*

- 79 In addition to the policies set out above, DM Policy 32 on sub para 2.256 explains that Infill and backland development needs sensitive design in order to not detract from the character of the street scene, the architectural integrity and scale of adjacent buildings or from residential

#### *Discussion*

- 80 Concerns have been raised by the Sydenham Society that the scheme would unacceptably close the existing gap between Nos 10 and 14. Officers consider the scheme is suitably scaled for this location, having regard to the relationship of the site with: the frontage buildings on this side of Thorpewood Avenue; and the adjoining modern design property at No 14. Importantly, the maximum height to the front would be 3.3m (0.1m taller than the existing garage) and lowest part would be 2.9m which would be 0.3m lower than the existing height. Cutting back the projecting part of the dormer would improve the sense of openness. This design approach is considered suitable for this location. It is noted that there are various modern designs on this side of the road such as Nos 14 and 18.
- 81 The massing of the proposed new building with flat roof at two levels, would be lower than the adjacent main buildings at Nos 10 and 14 and would visibly create a distinct visual separation and contrast between old and new, without an adverse impact on the character of the area.

82 To the rear, the two storey elements would be only partially visible from Hassocks Close and the garages. However, the proposed development to the rear would align with the rear elevation of No 14 and the site is considered to be at a sufficient distance from the Close, with moderate width (6.7m), so as not to appear overbearing or intrusive. Given the length of the back garden and presence of greenery, the building is considered to be modest in scale and of high quality design and that it would not have adverse impact on the streetscene.

83 Overall, the height, scale and massing are considered to be appropriate for the site and surrounding area.

### **7.3.2 Detailing and Materials**

#### *Discussion*

84 The pre-app advice related to this application had recommended a detailed schedule of materials which has been provided by the applicant for this application. The material to the front elevation would be a combination of bricks, timber and metal coping. The vertical timber cladding would be similar to No 14. To the rear elevation the walls would be, bricks with PPC aluminium framed windows and doors. The proposed materials would be different from the existing, but, it is considered acceptable as is high quality materials appropriate for the modern design.

85 Therefore, given the importance of the materials to the acceptability of the project, in order to ensure the high quality of design, it is recommended that a condition is added to secure materials and details.

### **7.3.3 Urban design conclusion**

86 In summary, the proposed building is a high quality proposal. It is of an appropriate height and scale, and would use suitable materials; it is considered that the proposed scheme would uphold the character of the area and the streetscene. The design of the proposal is therefore acceptable, and in line with the aforementioned policies.

## **7.4 TRANSPORT IMPACT**

#### *General policy*

87 PLPP T1 sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and development, as, more stress is on rebalancing the transport system towards walking, cycling and public transport (10.1.4), that encourage shifts to more sustainable modes and appropriate demand management; and promoting walking by ensuring an improved urban realm.

88 PLPP T6 Residential parking sets out in Table 10.3.1 that new residential development should not exceed the maximum parking standard 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.

89 CSP 14 'Sustainable movement and transport' promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans.

## **7.4.1 Servicing and refuse**

### *Policy*

- 90 DM Policy 29 requires new development to have no negative impact upon the safety and suitability of access and servicing. Standard 22 and 23 of the London Plan Housing SPG provides guidance on refuse for new residential development and references the British Standard BS5906:2005.

### *Discussion*

- 91 An area is shown on the plan for the storage of refuse and recycling within the front forecourt, which would be ample space for one refuse and one recycling bin per property.
- 92 A condition is proposed to ensure the provision of this storage area prior to occupation of the development.

## **7.4.2 Car Parking**

### *Policy*

- 93 PLPP T6 states that car-free developments should be the starting point for all development proposals in places that are well-connected to public transport.

### *Discussion*

- 94 The existing driveway would be retained to accommodate one vehicle parking to the front. As the proposal site is within PTAL2, the maximum allowance for off-street parking of up to 0.5 spaces per dwelling under the PLP applies, and Officers consider the approach to be acceptable. An electric charging point for vehicles would also to be introduced.
- 95 Objectors have raised concerns about increasing the traffic as a result of the proposed development. The existing driveway and the crossover would be part of the front garden of the new dwelling, and one vehicle could be parked on the front driveway. It is noted that there is a mature tree to the front of the proposal site. Officers had concerns regarding the impact of any widening or changes to allow more than one vehicle parking to the front which would have impact on the tree, it was confirmed by the applicant that no alteration and changes would be undertaken at the front garden.
- 96 Officers had concerns regarding the impact of the loss of the existing driveway space on occupiers at No10, and increase stress towards on-street parking. However, as No 10 has access to the rear garage at Hassocks Close, this impact is not expected to bring any addition stress to the street parking.

- 97 Summary

- 98 Officers are satisfied the proposal would not result in unacceptable overspill parking in the local area and consider no other mitigation measures are required.

## **7.4.3 Cycle Parking**

### *Policy*

- 99 Cycle storage space should be provided in accordance with PLPP T5, table 10.2 and London Cycle Design Standards. This is similar to LPP 6.9 stating that developments

should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3; the main difference being table 10.2 increases the cycle parking standards above table 6.3.

*Discussion*

- 100 A large cycle storage is proposed in the lower level of the back garden adjacent to the existing garages at the Hassocks Close with access through the garage. There is ample space in the rear garden, rear garage or front forecourt to accommodate bicycle storage. The PLPP requires a minimum of two covered secure spaces per 2 bedroom dwellings. The proposal would comply with PLPP T5 and Highways officers considered this acceptable.

*Summary*

- 101 Officers consider the arrangements for cycle parking to be acceptable in principle. Should Members be minded to grant planning permission, a condition is recommended to secure further details of the structures and their construction prior to the occupation of the dwelling hereby proposed.

#### **7.4.4 Servicing and refuse storage**

*Policy*

- 102 PLPP D6(E) states housing should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables and food waste as well as residual waste.
- 103 SPD guidance (2019) states that 'the Council specifies the type and number of receptacles to be used and where they should be placed in order to ensure compatibility with Council collection methods and to facilitate collections.'

*Discussion*

- 104 The submitted site plan indicates existing bin storage to the southwest of the application site. Objectors have raised concerns about the adequacy of this arrangement. Officers consider this area for bin storage is sufficient to accommodate the increased capacity for refuse and recycling; nevertheless, further information is required and would be secured by the condition to detail and secure the existing and proposed capacity for both refuse and recycling along with the appearance of any enclosure.

*Summary*

- 105 Officers are satisfied the proposal would adequately provide for refuse and recycling, subject to further details to be secured by condition.
- 106 DM Policy 29 requires new developments to have no negative impact upon the safety and suitability of access and servicing.

#### **7.4.5 Transport Conclusion**

- 107 The proposal would have an acceptable impact on transport in terms of car parking arrangements, encouraging sustainable modes of movement and accommodating the sites servicing needs, subject to conditions.

## **7.5 LIVING CONDITIONS OF NEIGHBOURS**

### *General Policy*

- 108 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 PLPP D3, D6 and D14 and DM Policy 31 and 32.
- 109 DMP32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 110 The main impacts on amenity arise from: (i) overbearing sense of 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.

### **7.5.1 Enclosure and Outlook**

#### *Policy*

- 111 Overbearing impact arising from the scale and position of blocks is subject to local context. Outlook is quoted as a distance between habitable rooms and boundaries.

#### *Discussion*

- 112 Officers considered the impact of the proposed development on the adjoined neighbours at Nos 10 and 14.
- 113 The new dwelling would project for 5.2m from the rear elevation of the main building at No 10 with a height of 5.8m. Concerns were regarding the impact of the new building on the windows to the rear at the main building. Considering the size of the back garden, the width of the property and also the direction of the sun, the impact of the new dwelling on the amenity of the occupiers of No 10 is considered as acceptable.
- 114 On the shared boundary with No 14, the proposed development would have the same height and would follow the same design, with a courtyard. To the rear, the back elevation of the proposed development would be flush with the rear elevation of No 14. Therefore considering the existing windows to the rear of the main building at No 10, the gap between the building and the shared boundary and also the greenery the impact in the sense of creating any overlooking to the back garden of No 14 would not be adverse and is acceptable.

#### *Summary*

- 115 The proposal would meet the objective in terms of enclosure and outlook. This is a planning merit to which great weight is given as it would not result in material harm to the living conditions of neighbours in terms of being overbearing, sense of enclosure and loss of outlook.

### **7.5.2 Privacy**

- 116 Privacy standards refer to the distances between directly facing existing and new habitable spaces with windows and from shared boundaries where overlooking of amenity space might arise.

#### *Discussion*

117 Objections have been raised concerned with loss of privacy. The elevations facing the courtyard at No 14 have windows and doors looking into the courtyard. Officers note that, due to the existing high party wall, the windows at the lower floor would not create any overlooking. Windows at the ground floor could create some overlooking, but due to the distance and the existing party wall, it is considered that it would not have unacceptable impact on the privacy of occupants of No 14.

118 The proposed development is not expected to have any adverse impact on the amenities of the neighbours at the bottom of the back garden living at the properties in Hassock Close due to the existing greenery and the distance between the buildings.

*Summary*

119 It is acknowledged that the proposed extension would have some impacts upon the residential amenity, however these are not considered sufficient to warrant a refusal. Therefore, Officers consider the proposed extensions are acceptable in regards to the impacts upon neighbouring residential amenity.

### **7.5.3 Daylight and Sunlight**

*General policy*

120 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards however this is not formal planning guidance and should be applied flexibly according to context.

121 PLPP D6(D) states the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context.

*Discussion*

122 The rear elevation of the properties No 14 and No 10 are West facing, therefore, considering the width of the properties and large back gardens, it is not considered that the proposed development have any adverse impact on sunlight/daylight of the adjacent properties.

*Summary*

123 Given the above points, the new dwelling would not result in an unacceptable impact in terms of overshadowing, or loss of daylight and sunlight of its neighbours or neighbouring amenity and no mitigation measures are required.

### **7.5.4 Noise and disturbance**

*Policy*

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

*Discussion*

125 The site is currently used as a double garage for No 10, a residential use. Therefore any noise and disturbance arising from the new dwelling would all be of a domestic nature, and in a residential setting such as this it would not result in unacceptable harm.

*Summary*



126 Should Members be minded to grant planning permission, a condition is recommended to secure a Construction Management Plan to minimise disturbance during construction.

### **7.5.5 Construction impacts**

127 Concerns have been raised about the impact of the construction method on No 14 and objections were received raising the issues of adverse impact of the possibility of using the garage area at the back for construction purposes. Therefore a construction management plan would be submitted, which details how levels of disruption will be minimised. This would be subject to a condition to ensure it is adhered to during all construction works.

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

128 Officers consider that the proposed development would not adversely impact the living conditions or amenities of the neighbours and the proposed scheme is considered to be acceptable.

129 It is noted that several objections have been raised such as party wall issues, maintenance of the drainage, and impact on the value of the property, which are not considered as planning concerns, as they are related to building control and Thames Water regarding which, informatives will be added accordingly.

## **7.6 NATURAL ENVIRONMENT**

### *General Policy*

130 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.

131 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.

132 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.

133 PLPP G6 and G7 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.

### **7.6.1 Green spaces and trees**

#### *Policy*

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

135 PLPP under sub-paragraph C of Policy G7 Trees and woodlands stress is on protecting trees and where the removal of tree/s are necessary following a granted permission, an adequate replacement would need to be undertaken. .

136 Paragraph 170 of the NPPF (2019) requires that decisions should contribute to and enhance the natural and local environment. DM Policy 25 seeks to ensure that

applicants consider landscaping and trees as an integral part of the application and development process.

*Discussion*

137 The application site has large back garden with soft landscaping. Within the current application the only alteration to the landscaping is to introduce a curved design steps at the back of the main building.

138 It is noted that the rear garden benefits from different trees and greenery. The applicant confirms that the only tree which could be affected by the development would be a little cherry tree/shrub which is currently at the site near the rear. To ensure that in the case of the removal of any trees including this cherry tree, an informative would be added in order to secure replacing of any trees which would be removed during the construction period.

139 As discussed above in Transport section, it is confirmed by the applicant that no changes would be made to the front garden including the mature tree between the boarder of No 12 and No 14. Should Members be minded to grant planning permission, a condition is recommended to secure no alterations would be made to the front

## **7.6.2 Wildlife and Biodiversity**

*Policy*

140 PLPP G6 (under sub-paragraph D states that 'Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain'.

*Discussion*

141 The proposal would introduce new arrangement for the lighting at the rear garages, which is the only alteration to the lower back garden. Objections were received regarding the issue of lighting to the rear stating that the proposed lighting would change the current natural wild life environment at the back. It is also noted that, while the garages may be underused at present and this may have led to accommodating wildlife, the garage can be used more frequently without planning permission and therefore their impact would be outside of this planning proposals. Ecology Officers raised no objection to new lighting to the rear, however, in order to minimise the potential impact of the proposal on the natural wild life a condition would be added in regards to details of lighting were the Council minded to grant permission.

*Conclusion*

142 Officers consider that the proposed development would not adversely impact the green spaces, trees, and natural diversity and the proposed scheme is considered to be acceptable.

## **8 LOCAL FINANCE CONSIDERATIONS**

143 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).

- 144 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 145 The CIL is therefore a material consideration.
- 146 £12,000 Lewisham CIL 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

- 147 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. In summary, the Council must, in the exercise of its functions, have due regards 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.
- 148 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.
- 149 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>
- 150 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
- 151 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>

152 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

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

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

154 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.

155 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.

156 This application has the legitimate aim of providing a new building with residential uses. The rights potentially engaged by this application, including respect for private and family life, home and correspondence and the freedom to enjoy one's home are not considered to be unlawfully interfered with by this proposal.

## 11 CONCLUSION

157 This application has been considered in the light of policies set out in the development plan and relevant policies of the Publication London Plan.

158 The proposed scheme presents planning merit: provision of homes in a sustainable urban location with access to public transport, local services and amenities. Substantial weight is given to these merits, and for these reasons, it is recommended that the development is approved.

## 12 RECOMMENDATION

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

## 12.1 CONDITIONS

1) FULL PLANNING PERMISSION TIME LIMIT

The development to which this permission relates must be begun not later than the expiration of three 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:

DESIGN AND ACCESS STATEMENT, Further Detail of Proposal Received 11 Feb 2021

12TA View 1 Proposed Rear Garden; Sketch from Rear Garden Of Proposed; 12TA E01C; 12TA E02C; 12TA E03C; 12TA E04A; 12TA P01C; 12TA P03C; 12TA P04 C; 12TA P07A; 12TA S01C; 12TA S02C; 12TA S03C; 12TA S04; 12TA S05; 12TA S06; 12TA T01; 12TA T02; 12TA T03; 3255401 Rev 0; Site Location Plan (received 23 Sep 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 LOGISTICS MANAGEMENT PLAN

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

- (a) Rationalise travel and traffic routes to and from the site.
- (b) 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 vehicle activity.
- (c) Measures to deal with safe pedestrian movement.

The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

**Reason:** In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy T3 Transport capacity, connectivity and safeguarding, Policy T7 'Deliveries, Servicing and Construction' and Policy SI 1 'Improving Air Quality' of the Publication London Plan (2021).

4) EXTERNAL MATERIALS

No development **above ground** shall commence on site until a detailed schedule and specification and samples of all external materials and finishes, windows and external doors, roof coverings, other site specific features to be used on the building have been submitted to and following a site visit, approved in writing by

the local planning authority. The development shall be carried out in accordance with the approved details.

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

5) LIVING ROOF

- (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. 1001 - Rev C; 1003 - Rev C; 1004 - Rev C; 1010 - Rev C; 1013 - Rev C; 1014 - Rev C; 1020 - Rev C; 1021 - Rev C; 1022 - Rev C; 1023 - Rev C; 1024 - Rev C; 1025 - Rev C (received 01 May 2020) and 0004 Indicative\_Section\_D4 (received 08 Jan 2020) hereby approved and maintained thereafter.
- (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 G1 Green infrastructure, G5 Urban greening, Policy SI 12 Flood risk management, Policy SI 13 Sustainable drainage and Policy G6 Biodiversity and access to nature in the Publication London Plan, 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).

6) CYCLE PARKING PROVISION

- (a) Prior to first occupation, full details of the cycle parking facilities and bin storage shall be submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces and bin storage 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 bin storage and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

7) REMOVAL OF PD RIGHTS (EXTENSIONS)

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



**Reason:** In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

#### FURTHER DETAILS AND PROVISION OF REFUSE STORAGE

(a) No development (above ground level / beyond the superstructure) shall commence until details of proposals for the storage of refuse and recycling facilities have been submitted to and approved in writing by the local planning authority.

(b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

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

#### FURTHER DETAILS OF LIGHTING

(a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.

(b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and 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 Policy G6 Biodiversity and access to nature in the Publication London Plan, DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

## 12.2 INFORMATIVES

- 1) Positive and Proactive Statement: The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. As the proposal was in accordance with these discussions and was in accordance with the Development Plan, no contact was made with the applicant prior to determination.

- 2) You are advised that due to the proximity of the proposed new dwelling and shared boundary wall with the existing buildings particularly at No14 Thorpewood Avenue, Party Wall Agreements will be required between adjoining neighbours to address development close to shared boundaries. This is a civil matter between landowners and not something the Council can advise on.
- 3) The proposed lighting to the rear should be sensitive to the current wild life in order to preserve and enhance natural environment at the back.
- 4) You are advised that you should be in contact with Thames Water in the early stage  
[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.thameswater.co.uk&d=DwIFaQ&c=OMjwGp47Ad5otWI0\\_\\_lpOg&r=A6bK4sK7myXptjA\\_uaaZPj7OE6BO0ng5QMu-6ha\\_RdQ&m=lhAO3zquogMXIlf1d4OXJdXCAElpeSuHC7jzwWZkkgU&s=YCtMBLHQe0tMX7jjCMJibt9Gzm93VUX4VHcYT2DixuY&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.thameswater.co.uk&d=DwIFaQ&c=OMjwGp47Ad5otWI0__lpOg&r=A6bK4sK7myXptjA_uaaZPj7OE6BO0ng5QMu-6ha_RdQ&m=lhAO3zquogMXIlf1d4OXJdXCAElpeSuHC7jzwWZkkgU&s=YCtMBLHQe0tMX7jjCMJibt9Gzm93VUX4VHcYT2DixuY&e=)
- 5) 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.
- 6) You are advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place
- 7) 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>