



Planning Committee C

Report title:

46 RINGMORE RISE, LONDON, SE23 3DE

Date: 2nd December 2021

Key decision: No.

Class: Part 1

Ward(s) affected: Forest Hill

Contributors: Samuel James

Outline and recommendations

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The report has been brought before committee for a decision due to the submission of four objections from neighbouring properties and a local amenity society.

Recommendation: that the Committee resolve to grant planning permission subject to the attached conditions and informatives

Application details

Application reference number(s): DC/21/119404

Application Date: 20 November 2020

Applicant: Mr Cummings, BE57 Asset Management

Proposal: The demolition of 46 Ringmore Rise SE13 and the construction of a two storey plus basement, plus roof space semi detached building consisting of 2x four bedroom dwellings, together with the provision of cycle and refuse storage, 1 off-street parking space and associated landscaping.

Background Papers: (1) Submission drawings and documents

Designation: Air Quality Management Area

Screening: None

1 SITE AND CONTEXT

Site description and current use

- 1 The application property is a single family dwellinghouse located on the southern side of the road, just east of the right-angle bend that links the top of Ringmore Rise round to Horniman Drive.
- 2 The existing property is a bungalow. The western side of the front elevation protrudes forwards by 1.8m and has hipped roofslopes. The eastern side of the roof is gable ended, and to this side of the bungalow is an existing garage with a flat roof.
- 3 The internal floor level of the bungalow is set below street level by approximately 2 metres, and as a result there is an existing excavated area between the back of the driveway, and the front elevation of the house. There are steps down from the drive to access the front door of the house, as well as a sloping section for vehicular access to the garage.
- 4 The plot continues to fall relatively steeply toward the rear boundary.
- 5 The plot measures 34.5 metres deep, by 13.5 metres wide at the front boundary, increasing to 16m wide at the rear boundary.

Character of area

- 6 The site lies high on the Forest Hill ridge within the Tewkesbury Lodge Estate, in a residential area which comprises dwellings dating mainly from the inter-war period. The vast majority of properties in this part of Ringmore Rise are detached houses. Most are

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two-storey, but there are several bungalows, such as that on the application site. The site is in an elevated location and the surrounding ground level slopes downwards towards the north and west, so that most houses have impressive views north and west toward central London. The topography is such that houses on the east side of Ringmore Rise are elevated by several metres above road level, whereas the properties on the west of the road, such as the application property have their ground levels set a metre or even several metres below the road.

- 7 The far end of Ringmore Rise has a consistent roofscape of hipped roofs however closer to the site there is greater variation in roof form including pitched roofs, hip to gable extensions and other individually designed properties such as No.30 Horniman Drive, located on the corner of Horniman Drive and Ringmore Rise.

Heritage/archaeology

- 8 The property is not within a conservation area nor is it subject to an Article 4 Direction. The property is not nor is it adjacent to a listed building.

Surrounding area

- 9 The area is predominantly residential in nature and has a suburban character.
- 10 Adjoining the rear of the site to the south is the Horniman Primary School, and the Horniman Museum and gardens lies slightly further south.

Transport

- 11 The PTAL rating of the site is 3, and is considered well connected.

2 RELEVANT PLANNING HISTORY

- 12 **DC/14/87162** – 11 June 2014 – Planning permission was refused for the construction of a single-storey front and side infill extension and an additional storey at first floor level, plus new roof, to provide a four-bedroom house at 46 Ringmore Rise, together with the provision of 1 car parking space.

The applicant lodged a successful appeal against the decision and the scheme was allowed on the 30th of April 2015 under appeal decision APP/C5690/D/14/2225090.

- 13 **DC/14/88701** – 31 October 2014 – Planning permission was granted for the demolition of the existing garage and construction of a single-storey extension to the side of 46 Ringmore Rise, together with the excavation of a new lower ground floor to provide additional accommodation, with light wells to the front and projecting glazed roof light to the rear, alterations to the front garden, including new vehicular crossover, driveway and landscaped areas.
- 14 **DC/14/89595** – 12 December 2014 – A certificate of Lawful Development was issued in respect of the demolition of the existing garage and the construction of a single storey extension to the side of 46 Ringmore Rise.

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- 15 **DC/14/90131** – 4th February 2014 – A Certificate of Lawful Development was issued for the construction of two hip to gable roof extensions and a dormer in the rear roof slope at 46 Ringmore Rise SE23, together with obscure glazed windows in the gable end.
- 16 **DC/15/090901** - 28th August 2015 – permission was refused for the construction of two hip to gable roof extensions and a dormer in the rear roof slope at 46 Ringmore Rise SE23, together with obscure glazed windows in the gable end. This was subsequently allowed at appeal (APP/C5690/W/15/3139055)
- 17 **DC/15/91023** – 28 August 2015 - Planning permission was granted for the demolition of the existing green house and garage to the side of 46 Ringmore Rise SE23 and the construction of a single storey side extension incorporating living space.
- 18 **DC/15/92466** – 28 August 2015 - Planning permission was granted for the construction of a single storey extension with crown roof to the rear 46 Ringmore Rise. (lapsed)
- 19 **DC/16/97710** – 23 September 2016 - Planning permission was granted for the construction of a single storey extension to the rear of 46 Ringmore Rise SE23. (not implemented)
- 20 **DC/18/106932** – 2 November 2018 - Planning permission was granted at committee for the demolition of the existing garage and the construction of a single-storey front and side infill extension, an additional storey at first floor level, plus new roof incorporating 8 roof lights, to provide a four-bedroom house at 46 Ringmore Rise SE23, together with the provision of 1 car parking space. (not implemented).
- 21 **DC/19/110358**: Planning permission was granted at committee on 31 October 2019 for The construction of a single storey extension with crown roof to the rear of 46 Ringmore Rise SE23, together with the provision of a bin and refuse store at the front.
- 22 **DC/18/109965**: Planning permission granted on 3 July 2020 for demolition of the existing garage and the construction of a ground and lower ground floor extension to the side, excavation to create a new lower ground floor level, creation of 2 lightwells to the front and a lightwell to the rear with a glazed rooflight above at 46 Ringmore Rise, SE23, together with alterations to the front garden landscaping, closure of existing, and installation of a new vehicular crossover, bicycle store and tree planting. (not implemented).
- 23 **DC/20/117479**: Planning permission was granted on 26th November 2020 for the demolition of 46 Ringmore Rise, SE13, and the construction of a two storey plus basement building, consisting of 1x four bedroom dwelling, with an associated two bedroom annexe, including provision of cycle and refuse storage, 1x off-street parking space including a new vehicular crossover, and associated landscaping. (not implemented).

3 CURRENT PLANNING APPLICATION

3.1 THE PROPOSALS

- 24 The proposal is for demolition of the existing bungalow and the construction of a two storey, plus basement and roofspace building consisting of two x four bedroom

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dwellinghouses; together with associated landscaping, including the provision of an off-street parking space and bin and bicycle storage.

3.2 COMPARISON WITH PREVIOUS SCHEME

- 25 The design and external appearance of the proposed building is very similar to that approved under **DC/20/117479**: which was granted on 26th November 2020 for the demolition of 46 Ringmore Rise, SE13, and the construction of a two storey plus basement building, consisting of 1x four bedroom dwelling, with an associated two bedroom annexe, including provision of cycle and refuse storage, 1x off-street parking space including a new vehicular crossover, and associated landscaping.
- 26 The key material difference is that the proposal is now for two individual self-contained dwellings comprising two distinct planning units.

4 CONSULTATION

4.1 APPLICATION PUBLICITY

- 27 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 14 December 2021.
- 28 4 number responses received, comprising 4 objections.

4.1.1 Comments in objection

Comment	Para where addressed
By virtue of the relative design, size, proportion and position, the proposed development would detrimentally affect the character and streetscape of Ringmore Rise	108
Decrease in size of rear garden	112
would result in an overbearing development and reduce sunlight reaching, and considerably reduce the outlook from neighbours	141
Loss of privacy	148
The proposal for the demolition of an existing dwelling is contrary to Lewisham's Planning policy on the loss of existing habitable dwellings.	49
Two dwellings would result in overdevelopment	61
Groundwater flooding / localised drainage impacts and land stability issues	163

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- 29 A number of other comments were also raised as follows:
- 30 This is the applicant's 20th application - This is not an issue that is material to planning. Applicants are entitled to assessment of any proposal.
- 31 Restrictive covenant in the deeds which only allows one dwelling - This is not an issue that is material to planning. It is a civil issue.

4.2 INTERNAL CONSULTATION

- 32 The following internal consultees were notified on 10 December 2020.
- 33 Highways: Did not comment.

4.3 EXTERNAL CONSULTATION

- 34 The following External Consultees were notified on 10 December 2020:
- 35 Thames Water: No objections, subject to informative notes.

5 POLICY CONTEXT

5.1 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).

5.2 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. 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.

5.3 NATIONAL POLICY & GUIDANCE

- National Planning Policy Framework 2021 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)

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- National Design Guidance 2019 (NDG)

5.4 DEVELOPMENT PLAN

40 The Development Plan comprises:

- London Plan (March 2021) (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)

5.5 SUPPLEMENTARY PLANNING GUIDANCE

41 Lewisham SPG/SPD:

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

42 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- London's Foundations (2012)
- 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)
- Energy Assessment Guidance (October 2018)

6 PLANNING CONSIDERATIONS

43 The main issues are:

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

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6.1 PRINCIPLE OF DEVELOPMENT

General policy

- 44 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.
- 45 The London Plan (LP) sets out a sequential spatial approach to making the best use of land set out in LPP GG2 (Parts A to C) that should be followed.
- 46 The London Plan at Table 4.1 sets a 10 year housing completion target of 16,670 new homes between 2019 and 2029 for Lewisham, and London Plan Policy H1 requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites through their planning decisions.
- 47 The National Planning Policy Framework (NPPF 2021) 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.

Discussion

- 48 The proposal is for the demolition of the existing two bedroom dwelling, and the construction of a new building consisting of two four bedroom dwellings.
- 49 The existing building is of no historical or architectural merit, and it could be demolished through an application for demolition prior approval. Furthermore a planning application for its demolition and the construction of a new building has been approved recently.
- 50 Therefore officers consider the principle of demolition to be acceptable, subject to the re-provision of housing on site.
- 51 As two new family sized dwellings would be provided, the principle of development is acceptable. There would be a net increase of one family sized dwelling which would make a small contribution to Lewisham's housing supply.
- 52 The acceptability of the scheme is subject to a proposed building of an appropriate scale and design, which would have an acceptable impact on the surrounding area, including on the amenities of neighbours and the local highways network. These matters are discussed in the following sections of this report.

6.2 HOUSING

- 53 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.

6.2.1 Contribution to housing supply

Policy

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

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- 55 LPP D2 sets out that the density of development proposals should consider, and be linked to, the provision of future planned levels of infrastructure and be proportionate to the site's connectivity and accessibility by walking, cycling and public transport to jobs and services (including both PTAL and access to local services).
- 56 London Plan Policies H1 and D6 support the most efficient use of land and development at the optimum density. Defining optimum is particular to each site and is the result of the design-led approach. Consideration should be given to: (i) the site context; (ii) its connectivity and accessibility by walking and cycling and existing and planned public transport (including PTAL); and (iii) the capacity of surrounding infrastructure.

Discussion

- 57 The proposal would provide two four bedroom dwellings, and contribute one additional dwelling to the housing market.
- 58 Table 2 below sets out the measures of density criteria required by the supporting text to LPP D3 (para 3.3.22 of the LP) for all sites with new residential units.

Table [2]: Measures of Density

Criteria	Value	Criteria/area
Site Area (ha)	A 0.05	n/a
Units	W 2	40
Habitable rooms	X 12	240
Bedrooms	Y 8	160
Bedspaces	Z 11	220

Summary

- 59 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.
- 60 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.
- 61 It is considered therefore that the proposed increased density on this site is acceptable, and would not result in an over-intensification of the site, subject to assessment of the following matters.

6.2.2 Residential Quality

General Policy

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- 62 NPPF para 130 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 D6), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).
- 63 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

- 64 The ‘Technical housing standards – nationally described space standards’ sets out the minimum floorspace requirements for dwellings.
- 65 DMP 32 ‘Housing design, layout and space standards’ and LPD6 of the London Plan require 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.

Discussion

- 66 The table below sets out proposed dwelling sizes.

Table [3]: Internal space standards – proposed v target

	Unit type (<i>min req. GIA</i>)	Unit size (GIA) (sqm)	Room sizes (m²) (<i>min req.</i>)	Amenity space (m²)
House 1	4b6p, 4 storey (121)	204	Bed 1 (d) – 11.5 (11.5) Bed 2 (s) – 9.4 (7.5) Bed 3 (s) – 13 Bed 4 (d) – 15.7	130
House 2	4b5p, 4 storey (112)	189	Bed 1 (d) – 12 (11.5) Bed 2 (s) – 9.7 (7.5) Bed 3 (s) – 13.2 Bed 4 (s) – 10	100

- 67 The proposed dwellings would both exceed the minimum required floor areas for the number of bedrooms and occupants, and the individual room sizes would also exceed the minimum requirements. In this respect occupants of the proposed dwellings would be provided with a high standard of residential amenity.

Outlook & Privacy

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Policy

- 68 London Plan Policy D1(8) requires development to achieve ‘appropriate outlook, privacy and amenity’. Policy D4 seeks to maximise the provision of dual-aspect dwellings (i.e. with openable windows on different elevations).
- 69 DMP 32(1)(b) expects new developments to provide a ‘satisfactory level’ of privacy, outlook and natural lighting for its future residents.

Discussion

- 70 The new dwellings would have at least dual aspects and good levels of glazing serving all rooms. It is therefore considered appropriate levels of outlook would be provided to all dwellings.
- 71 The proposed dwellings would not be directly overlooked by existing neighbouring properties, and therefore the levels of privacy would be acceptable.
- 72 Overall the levels outlook and privacy provided to future residents would be acceptable, in line with Policy DM32.

Daylight and Sunlight

Policy

- 73 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. LPP Table 3.2 states that site layout, orientation and design of dwellings should provide privacy and adequate daylight for residents.

Discussion

- 74 Due to the good levels of glazing proposed on multiple elevations for each of the proposed dwellings, and the fact the majority of living rooms would have southerly facing aspects, the proposed dwellings would be provided with acceptable levels of natural daylight.
- 75 No BRE study has been submitted in support of the application, but considering the scale of the proposal, and the above, officers are satisfied the proposal would be provided with acceptable levels of daylight and sunlight.

External space standards

Policy

- 76 LPPD6H requires all new one bedroom dwellings to be provided with at least 5m² private external amenity space, and another 1m² for each additional occupant.

Discussion

- 77 Table 3 shows that all dwellings would be provided with well in excess of the minimum required external amenity space. The rear gardens would be large, and suitable for children’s play. This is considered to be acceptable, and the provision of external amenity space would be acceptable and in line with DMP32 and PLPPD6.

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Access

Policy

- 78 DMP32 states that new residential development should be designed to ensure that internal layout and external design features ensure that housing is accessible to all intended users.

Discussion

- 79 The external access to the new houses will be via a step free slightly inclined path from the pavement. It is noted the existing property is accessed via steps from the driveway down to entrance level.
- 80 The proposed house and annexe entrances would be accessed by a main internal lobby at street level, with steps leading down to lower, and up to upper ground levels internally.
- 81 The submitted design and access statement confirms that internally all areas will conform to Part M(1) of the building regulations and the staircase can accommodate for future use, a stair lift with minimal adaption.
- 82 Officers therefore consider the proposal to be suitably accessible. Notwithstanding, accessibility is also assessed at the building control phase for a development of this scale.

Summary of Residential Quality

- 83 The proposed units would be of a high quality standard of accommodation and meet with the quality considerations of the London Plan and local policy and guidance.

6.2.3 Housing conclusion

- 84 The proposal would contribute one additional family dwelling to the Borough's housing targets in a residential location, making efficient use of land and optimising density.

6.3 URBAN DESIGN

General Policy

- 85 The NPPF at para 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 86 Policies D1 and D2 of the London Plan (2021), require development to have regard to the form, function and structure of an area and the scale, mass and orientation of surrounding buildings.
- 87 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.

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88 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.

6.3.1 Appearance and character

Policy

89 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 130).

90 London Plan Policy D3 states that development should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Proposals should be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

91 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.

92 DM Policy 32 expects new residential development to be attractive and neighbourly.

Discussion

93 Firstly it is noted that the height, massing and scale of the proposed building is commensurate with the building that has been granted planning permission under DC/20/117479.

94 One side of the proposed roof would be hipped, and the other would have a gable end, which is consistent with the existing permission.

95 The single side gable roof form, although not symmetrical when viewing the property from the front, would not be a highly visible element when viewed from the street. The property would be set back by 9m from the street, and down from street level, due to the slope of the front garden, and the existing ground levels. Therefore when approaching from the east, due to existing boundary treatments the roof would be hardly visible. Notwithstanding, the gable end is not considered to appear overly bulky, and it would not cause visual harm to the surrounding area. The height of the proposed building is considered to be acceptable, as it respects surrounding development.

96 The proposal includes a lower ground and ground floor rear extension with a flat roof, with a depth of 3.7m from the rear elevation, and a height of 4.1m at the eaves. Although this is relatively high for a rear extension, it is due to the sloping nature of the garden.

97 The rear roof slope would include 2 dormers. These would have an acceptable appearance, and they are in line with the guidance for rear dormers set out in the Alterations and Extensions SPD.

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- 98 The proposal also includes a basement with lightwells to the front, and an excavated lower ground terrace to the rear. The basement excavations would create two lightwells to the front, one either side of the proposed access to the front doors. The lightwells would be terraced. The maximum depth of the lightwell below the existing driveway would be approximately 3.7m, and 3.2m forwards the front elevation.
- 99 The alterations and extension SPD states that front lightwells will usually be acceptable where the following factors can be adequately addressed: impact on character of the property and the street; usable space for refuse and cycle storage; provision of soft landscaping and drainage. It goes on to state that they should not extend more than 1.5m from the original front of the property, or be more than one third of the width of the original property. Basement development must not materially harm local character or add visual clutter.
- 100 In this case, the lightwells would extend more than 3m from the front of the original property; however, there is an existing area of excavation between the front elevation, and the back of the driveway, which extends 1.8m from the front elevation. The visual impact of the new lightwells would therefore not be significant, and it would not be harmful to the appearance of the property or local character. The 9m set back of the property, and existing set down from the street would further reduce the visual impacts.
- 101 Similarly, although the width of the lightwells in total would be greater than one-third the property width, the whole area to the front of the property is already 2m lower than the ground level of the driveway area directly in front of it, and there would be no additional horizontal excavation in front of the property.
- 102 The lightwell windows would match and align with those above at ground floor level, which would minimise their visual impact. Nonetheless, these windows would be approximately 2.5m lower than the retaining wall of the driveway, and it is considered the basement windows would not be highly visible from the street.
- 103 The lightwells would be terraced at varying heights to allow for various planting. The planting scheme will be secured by condition, which will further soften any impact of the proposed lightwells, and ensure appropriate integration with the street scene.
- 104 The proposed site plan indicates space for cycle and refuse storage, as well as one off-street car parking space, and tree planting and soft landscaping, which is in line with the SPD guidance.
- 105 To conclude, the introduction of the basement would not harm the appearance of the property or the surrounding area, as the lightwells to the front would be hardly perceptible from street level, due to the existing ground level changes to the front of the house.
- 106 It is also noted that lightwells of the same scale and appearance were approved under application DC/20/117479.
- 107 The scale of the proposal overall would not exceed that of the new dwelling that was granted planning permission under DC/20/117479, and the design is very similar.
- 108 The scale, massing and appearance of the proposal is therefore considered to be acceptable, and the proposed building would have an acceptable impact on the character of the surrounding area.

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Layout

Policy

- 109 The Alterations and Extensions SPD states that basement development must retain sufficient garden space, and usable front garden space for soft landscaping, refuse and cycle storage, where necessary.
- 110 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.
- 111 DMP32 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

- 112 As a result of the proposed development sufficient rear garden space would be retained. Furthermore, the front garden would still be large enough to accommodate one off-street parking space, as well as refuse and cycle storage for the proposed house.
- 113 The proposed site plan indicates planting of several trees and soft landscaped areas, within and around the terraced lightwells, as well as towards the front of the site.
- 114 As existing the front garden consists of mostly hard landscaping, and the majority of it is at a significantly higher level than the floor level of the house, meaning there is a retaining wall and steep drop of approximately 1.6m, however there is a slope down one side between the road and the existing garage. The proposed front garden would improve the appearance at the front of the property compared to the existing situation.
- 115 The final details of the proposed scheme of landscaping and front boundary treatment will be secured through condition. Subject to suitable details, the proposed scheme of landscaping would be compliant with DMP25 and DMP32.

Detailing and Materials

Policy

- 116 Policy D3 of the London Plan requires development proposals to be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

Discussion

- 117 The walls of the proposed house would be finished in render. The majority of surrounding houses are finished externally in render, and therefore the use of render is considered to be acceptable. The proposed roof tiles, and aluminium framed windows are also appropriate. In order to ensure high quality and durable materials are used, a condition requiring a full schedule and specifications of materials to be submitted for approval is recommended.

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6.3.2 Urban design conclusion

118 In summary, the proposed building is considered to be a high quality, site specific response. 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.

6.4 TRANSPORT IMPACT

General policy

119 NPPF Paragraph 110 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.

120 Para 111 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'.

121 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.

122 The site has a PTAL rating of 2, on a scale of 0 (worst) to 6b (best) accessibility to public transport, meaning it is has average accessibility to public transport.

6.4.1 Local Transport network, Access and car parking

Policy

123 The NPPF requires safe and suitable access for all users. Paragraph 110 states that in assessing application for development it should be ensured that appropriate opportunities to promote suitable transport modes can – or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users. Paragraph 111 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

124 LP Policy T6, CS Policy 14 and DMLP Policy 29 identifies that car limited development is be supported.

Discussion

125 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.

126 There is an existing crossover to access the driveway and garage, and the front forecourt is mostly hardstanding.

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- 127 It is proposed to provide one off-street car parking space, accessed from the existing crossover.
- 128 The provision of one parking space for two dwellings is consistent with Policy T6 of the London Plan, which sets maximum parking standards, depending on the level of accessibility. For a site with a PTAL of 2 the maximum standards are 0.5 spaces per dwelling.
- 129 No parking survey has been submitted, but officers are satisfied the addition of one dwelling, would not result in harmful levels of parking stress in the surrounding area.

During construction

- 130 A Construction Management Plan to set out a programme of works for demolition and construction, and to detail numbers and frequency of deliveries at each stage and the types and size of vehicles carrying out these operations is recommended to be secured by condition.
- 131 During assessment of the previous proposal DC/20/117479, which was for works of a commensurate scale to those now proposed, it was determined by the highways officer that vehicles would not be able to turn into the existing driveway without overrunning the kerb and it is therefore likely that some damage will occur to the footway. The applicant is therefore required to pay for the construction of a temporary heavy-duty crossover and any subsequent repair works. Additional temporary traffic management measures are likely to be required to prevent vehicles from parking opposite the site as a large vehicle would need to use the full width of the carriageway to turn in to the site.
- 132 A condition requiring a Section 278 agreement to be entered into prior to commencement is therefore recommended, which would secure the required highways works, before works commence. This is consistent with the previous permission for a similar development at the site.
- 133 Subject to details submitted in respect of the construction management plan, and Section 278 agreement, officers consider the impact on the local highway network to be acceptable, in line with CSP14

6.4.2 Cycle parking, Servicing and refuse

Policy

- 134 Policy T5 of the Publication London Plan states development proposals should create a healthy environment in which people choose to cycle, and should provide cycle parking in accordance with the minimum standards set out in table 10.2.
- 135 Development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring area. Development should create places that are safe, secure and attractive, minimising the scope for conflicts between pedestrians, cyclists and vehicles.

Discussion

- 136 Bicycle storage would be provided for each dwelling in stores to the front, with 2 spaces for each. This is consistent with Policy T5 of the London Plan. To ensure these are secure and dry, final details are recommended to be secured by condition.

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6.4.3 Transport impact conclusion

137 The proposal would have an acceptable impact on the local transport network, in line with the above mentioned policies.

6.5 LIVING CONDITIONS OF NEIGHBOURS

General Policy

138 NPPF para 130 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 PLPPD3, the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA).

139 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.

6.5.1 Enclosure and Outlook

Policy

140 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

141 The side elevation of the proposed building would be the same distance from the boundary shared with Nos.30, 32 and 34 Horniman Drive as the existing garage – 1m. The rear elevation of No.32, the closest property to the side extension, would be at least 24m away, and these properties are located uphill, so the additional mass of the building would have no significant impact on the outlook of these properties, and it would not cause any enclosing impacts.

142 The rear extension element would be at least 2m from the shared boundary with No.44, and 3m from its side elevation. There is an existing 2-storey extension at No.44, and the proposed house would not extend rearwards of this. Therefore it would have no significantly harmful impacts on the outlook of the rear facing windows at ground floor level.

143 Notwithstanding this assessment, it is also noted that existing permission for proposals of the same scale as the current proposal have been previously assessed as having an acceptable impact on neighbouring outlook and sense of enclosure.

6.5.2 Privacy

Policy

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

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Discussion

- 145 The front and rear facing windows at first floor level would have a similar impacts of overlooking as the existing property, and the impacts would be similar to the majority of normal detached dwellings, there would be not be any proposed windows facing towards neighbouring properties' rear elevations.
- 146 A window would be installed in each side elevation at first floor level, however these would serve bathrooms, and would be obscure glazed, so would not cause issues of overlooking to neighbours.
- 147 It is noted that as originally submitted, the proposal included a roof terrace at first floor level. Officers advised the applicant to remove this element as it would not be acceptable, due to possible overlooking issues for neighbours.
- 148 In light of the above, the impact to neighbouring privacy would be acceptable, in line with the development plan.

6.5.3 Daylight and Sunlight

Policy

- 149 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'.

Discussion

- 150 The main front and rear elevations of the proposed house would align with the existing house on site.
- 151 There would be no impact on daylight and sunlight to Horniman Drive properties, due to the separation distance from their rear elevations and the side boundary with the host property.
- 152 Due to the separation distance of the lower ground and ground floor rear protrusion from the boundary with No.44, together with the southerly orientation of the gardens, there would not be any significant impact on daylight and sunlight to their garden or internally.
- 153 Notwithstanding this assessment, it is also noted that proposals of the same scale as the current proposal have been previously assessed as having an acceptable impact on neighbouring daylight and sunlight.

6.5.4 Noise and disturbance

Policy

- 154 DM policy 32 requires new residential development to be neighbourly, and development in residential areas should not result in harm to existing residents through unsociable noise and disturbance.

Discussion

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155 As this is residential area the proposed residential use is compatible and the levels of domestic noise generated are unlikely to be significantly harmful to neighbouring residents.

6.5.5 Impact on neighbours conclusion

156 The impact on neighbouring residential amenity has been assessed against the relevant policies and guidance, and no significant harm has been identified to neighbouring occupiers' residential amenity.

6.5.6 Flood Risk

Policy

157 The property is in Flood Risk Zone 1, meaning the risk of river flooding is low.

158 The Alterations and Extensions SPD states that basement development must support sustainable drainage and not increase the instances of flooding or exacerbate drainage problems. It goes on to state that Development in flood zones 2 and 3, and in areas of localised flooding, are to be accompanied by a site-specific Flood Risk Assessment, prepared by a suitably qualified professional.

Discussion

159 In this case the proposal is in Flood Risk Zone 1, so a site-specific Flood Risk Assessment is not required.

160 However, as there has previously been some anecdotal comments suggesting there could be some historic ground water flooding risk in the area, the previous application was approved subject to the condition that a below ground survey report be submitted to and approved in writing by the council.

161 These will include the existing ground conditions and how these will affect the foundation, structural and drainage designs (civils). The survey will be expected to look at the ground make up and any presence of below ground water. The survey and detailed design for both structural and civil engineering will be carried out by a specialist engineer who will also be a specialist / hydrologist / geologist.

162 As a result of this survey and detailed design, detailed method statements would be provided and detailed monitoring and proactive contingency plans of what action will be taken should an unexpected underground water source be found / disrupted.

163 The Council's Flood Resilience manager was consulted on the submitted document during assessment of a previous application for basement development on site (DC/18/106932), and raised no objection to the scheme, subject to discharge of a suitably worded, pre-commencement condition requiring the results of the surveys, and any proposed mitigation that is required to minimise the risks to be submitted to and approved by the Council.

164 The proposed front garden has significant areas of soft landscaping, and the hard landscaping paving slabs will be required to be permeable, an improvement on the existing situation. The proposed rear garden is predominantly grass, as existing. The final details of soft and hard landscaping are proposed to be secured by condition.

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165 Subject to submission of suitable details relating to landscaping, and the ground condition survey, the risk of impacts to localised flooding would be suitably mitigated in line with Policy 10: Managing and reducing the risk of flooding of the Core Strategy (2011); and the Alterations and Extensions SPD (2019).

7 LOCAL FINANCE CONSIDERATIONS

166 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).

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

168 The CIL is therefore a material consideration.

169 £22,680 Lewisham CIL and £11,340 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

8 EQUALITIES CONSIDERATIONS

170 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.

171 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.

172 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.

173 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

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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>

174 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

175 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>

176 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.

9 HUMAN RIGHTS IMPLICATIONS

177 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

178 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.

179 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

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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.

180 This application has the legitimate aim of providing a new building with residential use. The rights potentially engaged by this application, including Article 8 and Protocol 1 are not considered to be unlawfully interfered with by this proposal.

10 CONCLUSION

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

182 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:

- Increasing the housing potential of a residential site, including one additional family sized dwelling.
- Comprising an appropriate scaled and high quality building that takes account of the existing context, including neighbouring residential amenity.
- 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.
- The proposal would optimise the potential of the site and the development would provide a high standard of accommodation for future residents of the proposed family sized homes.

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

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

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

11 RECOMMENDATION

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

11.1 CONDITIONS

1. 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.

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Reason: As required by Section 91 of the Town and Country Planning Act 1990.

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

1294/TR/01; Site Location Plan; 1294/EX-03; 1294/EX-10; 1294/EX-11; 1249/PL-05; 1249/PL-13 Received 10 December 2020;

1294-PL-10 Rev.B; 1294-PL-11 Rev.B Received 19 October 2021;

1294-PL-12 Rev.B; 1249-PL-13 Rev.A; 1294-PL-14 Rev.A Received 20 October 2021

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. No development shall commence on site until a scheme to minimise the threat of dust pollution during site clearance and construction works (including any works of demolition of existing buildings) has been submitted to and approved in writing by the local planning authority.

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, including the adjacent school and to comply with Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).

4. 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 T7 Deliveries, servicing and construction of the London Plan (March 2021).

5. No development above ground shall commence on site until a detailed schedule and specification of all external materials and finishes, windows and external doors and roof coverings to be used on the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality

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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. (a) No development above ground level shall commence until details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved, 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).

7. (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 SI 12 Flood risk management in the London Plan (March 2021), 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.

8. (a) No development shall commence on site until :-
 - (i) A full below ground condition survey report, prepared by a suitably qualified engineer, to characterise and risk assess the site, to include the existing hydrological ground conditions and make up, and whether the presence of below ground water has been identified, has been submitted to and approved in writing by the local planning authority.
 - (ii) The report must identify how the existing ground conditions will affect the foundation, structural and drainage designs, and any required mitigation against increased possibility of flooding that may be found.
 - (iii) Development shall not commence until the required mitigation pursuant to part (ii) has been agreed in writing, and the development shall be carried out in accordance with the approved measures.
- (b) If during any works on the site, ground water is encountered which has not previously been identified, the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new groundwater. No further works shall take place on that part of the site or adjacent areas affected, until the

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requirements of paragraph (a) have been complied with in relation to the new ground water.

Reason: To prevent the increased risk of flooding in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage of the London Plan (2016); Objective 6: Flood risk reduction and water management, and Policy 10: Managing and reducing the risk of flooding of the Core Strategy (2011); and the Alterations and Extensions SPD (2019).

9. (a) Prior to the commencement of the development, an agreement pursuant to S278 of the Highways Act 1980 shall be entered into for the following works:
- The construction of a temporary heavy duty crossover and any subsequent repair works to reinstate the crossover, once works have been completed.
 - Any additional temporary traffic management measures, as and if required by Lewisham Highway technicians, to prevent vehicles from parking opposite the site (because a large vehicle may be required to use the full width of the carriageway to turn in to the site).
- (b) The heavy duty crossover, and any required additional traffic management measures works, shall be implemented prior to commencement of the development.
- (c) Repair works, including reinstatement of a standard crossover shall be completed prior to occupation of the residential development hereby approved.

Reason: To ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

10. (a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) 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).

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

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- (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).

12. No extensions or alterations to the building(s) 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).

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

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

14. The whole of the car parking accommodation shown on drawing nos. 1249/PL-10 Rev.B hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter.

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 Policy T6.1 Car parking and Table 10.3 of the London Plan (March 2021)

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

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

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Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 170 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

11.2 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 discussions took place which resulted in further information being submitted.
- b) 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>
- c) 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.
- d) 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.
- e) You are advised that this permission must not be construed as overriding any legal rights which the existing tenant of the property may have.
- F) Thames Water advise the following:

“A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via [https://urldefense.com/v3/__http://www.thameswater.co.uk__;!!CVb4j_0G!BLlrFQ63DobZ04fELFexF1lc9pc-29P-xF1UqVsM1GvYdWHZMVjAQsIjbU3Ula-yNPWRmw\\$](https://urldefense.com/v3/__http://www.thameswater.co.uk__;!!CVb4j_0G!BLlrFQ63DobZ04fELFexF1lc9pc-29P-xF1UqVsM1GvYdWHZMVjAQsIjbU3Ula-yNPWRmw$) .

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Please refer to the Wholesale; Business customers; Groundwater discharges section.

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 our website.

[https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services__;!!CVb4j_0G!BLlrFQ63DobZ04fELFexF1lc9pc-29P-xF1UqVsM1GvYdWHZMVjAQsIjbU3Ula8HZ4hGGA\\$](https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services__;!!CVb4j_0G!BLlrFQ63DobZ04fELFexF1lc9pc-29P-xF1UqVsM1GvYdWHZMVjAQsIjbU3Ula8HZ4hGGA$)

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via [https://urldefense.com/v3/__http://www.thameswater.co.uk__;!!CVb4j_0G!BLlrFQ63DobZ04fELFexF1lc9pc-29P-xF1UqVsM1GvYdWHZMVjAQsIjbU3Ula-yNPWRmw\\$](https://urldefense.com/v3/__http://www.thameswater.co.uk__;!!CVb4j_0G!BLlrFQ63DobZ04fELFexF1lc9pc-29P-xF1UqVsM1GvYdWHZMVjAQsIjbU3Ula-yNPWRmw$) . Please refer to the Wholesale; Business customers; Groundwater discharges section.

The proposed development is located within 15 metres of Thames Waters underground assets and 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.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes__;!!CVb4j_0G!BLlrFQ63DobZ04fELFexF1lc9pc-29P-xF1UqVsM1GvYdWHZMVjAQsIjbU3Ula9tAvGmGQ\\$](https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes__;!!CVb4j_0G!BLlrFQ63DobZ04fELFexF1lc9pc-29P-xF1UqVsM1GvYdWHZMVjAQsIjbU3Ula9tAvGmGQ$) . 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) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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

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.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-

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pipes__;!CVb4j_0G!BLlrFQ63DobZ04fELFexF1lc9pc-29P-xF1UqVsM1GvYdWHZMVjAQSijbU3Ula9tAvGmGQ\$. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

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.

12 BACKGROUND PAPERS

187 (1) Submission drawings and documents

13 REPORT AUTHOR AND CONTACT

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