



Planning Committee C

Report title:

113-117 Kirkdale, SE26 4QJ

Date: 02 December 2021

Key decision: No.

See "[Legal Requirements](#)" in the [guidance](#) for more information.

Class: Part 1

See "[Legal Requirements](#)" in the [guidance](#) for more information.

Ward(s) affected: Forest Hill

Contributors: Georgia McBirney

Outline and recommendations

This report sets out the officer recommendation of approval for this planning application.

The case has been brought before members for a decision as an objection has been received from the Sydenham Society.

Application details

Application reference number(s): DC/21/122750

Application Date: 20 July 2021

Applicant: Eurohaus Germany Ltd (on behalf of Culverley Developments Ltd)

Proposal: Construction of an additional storey to the roof level to provide 3 one bedroom self - contained flats at 113 -117 Kirkdale SE26, together with internal and external alterations to the ground floor to provide 3 new retail units and 1 two bedroom self-contained flat at the rear, installation of replacement windows, formation of glazed balconies to the ground and 3rd floors, new steps and fencing and the provision of bin storage.

Background Papers: Submission drawings
Submission technical reports
Internal consultee responses
Statutory consultee responses

Designation: PTAL 4 and Local Open Space Deficiency

Screening: N/A

1 SITE AND CONTEXT

Site description and current use

- 1 The application site hosts a three storey mid-terrace building facing west onto Kirkdale, as shown on Figure 1 below.
- 2 The ground floor is currently vacant but was formerly in a commercial use. Google Streetview shows that the ground floor units have boarded-up since at least 2008.
- 3 There is residential accommodation on the upper levels, comprising of 6x 2-bedroom flats.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>



Figure 1 Site Location Plan

Character and surrounding area

- 4 The application property forms part of a local parade which is characterised by commercial uses at ground floor level with residential accommodation at above.
- 5 The two directly adjoining buildings are two storey in height. There are three and four storey buildings opposite the application site and to the south and west.
- 6 The Willow Way Estate is situated to the rear of the site which is a Local Employment Location.

Heritage/archaeology

- 7 The application site is not within a conservation area nor does it adjoin a conservation area. The Jews Walk Conservation Area is situated to the south of the application site and Sydenham Park Conservation Area is situated to the east of the application site. The Halifax Street Conservation area lies to the north east of the site.
- 8 The application building is not a listed building.

Local environment

- 9 The site is in flood risk zone 1 meaning there is minimal risk of river flooding; there are no other known sources of flooding.

Transport

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 10 The application site has a PTAL rating of 4 on a scale of 0 to 6b, which indicates the site has good accessibility to public transport.
- 11 There is a bus stop in close proximity to application site which is served by four bus routes (Nos. 122, 176, 197 and 356).
- 12 Sydenham Station is the closest station to the application site, it is 0.5 miles from the application site and an approximate 10 minute walk from the application site . Forest Hill Station is situated 0.6 miles from the application site and an approximate 13 minute walk from the application site .

2 RELEVANT PLANNING HISTORY

- 13 **PRE/21/120909:** Pre-application advise on an additional storey to provide additional residential accommodation
- 14 It was advised that the principle of one additional storey could be supported under planning permission subject to a high quality design; standard of accommodation; the ground floor being bought back into commercial use so that it is an active part of the parade; and improvements to the existing elevations as the building currently detracts from the character and appearance of Kirkdale.
- 15 **DC/13/085927:** The construction of a mansard roof extension at 113-117 Kirkdale SE26, providing 1, one bedroom and 1, two bedroom self-contained residential flats and external amenity space. **Refused 07/02/2014**
- 16 **DC/13/084029:** The construction of a mansard roof extension and raised side wall at 113-117 Kirkdale SE26, to provide one 2 bedroom and two 1 bedroom self-contained flats. **Refused 19/11/2013**
- 17 **DC/13/082699:** The change of use, alteration and conversion of part of the ground floor to the rear of 113-117 Kirkdale SE26, to provide 2 one bedroom self contained flats incorporating balconies, together with alterations to the front and rear elevations and the provision of 3 parking spaces to the rear with access onto Willow Way. **Refused 23/07/2013**
- 18 **DC/12/081513:** Alterations to the existing shop front to form separate entrances to three smaller retail units with storage to the rear in connection with the sub-division of the ground floor premises at 113-117 Kirkdale SE26, together with alterations to rear elevation. **Granted 28/01/2013**

3 CURRENT PLANNING APPLICATION

3.1 THE PROPOSALS

- 19 The application is for the construction of an additional storey at 113-117 Kirkdale, SE26, to provide 3x 1-bedroom self-contained flats.
- 20 Internal and external alterations are also proposed to the existing building, and it is proposed for 3 commercial units and 1x two-bedroom self-contained flat to be provided at ground floor level.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 21 Replacement windows are also proposed along with glazed balconies and the provision of bin storage.
- 22 Figure 2 shows the existing and proposed front elevations and Figure 3 shows the existing and proposed rear elevations.



Figure 2 Existing and proposed front elevations

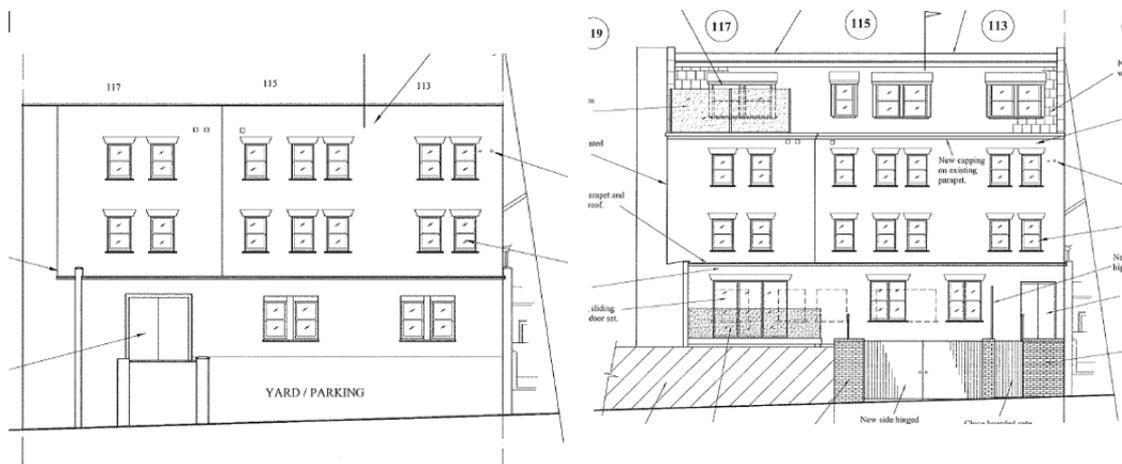


Figure 3 Existing and proposed rear elevations

4 CONSULTATION

4.1 PRE-APPLICATION ENGAGEMENT

- 23 No consultation was undertaken by the applicant prior to the application being submitted. Officer's note that due to the scale of the proposal there is no policy requirement for the applicant to consult with neighbours prior to submitting an application.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

4.2 APPLICATION PUBLICITY

- 24 A site notice was displayed by the applicant on the 28th August 2021.
- 25 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 29th July.
- 26 1 objection was received from the Sydenham Society and 1 objection was received from a local resident.

4.2.1 Comments in objection

Comment	Para where addressed
The entrances to the shops are not DDA compliant.	Para 122
The flats are single aspect.	Para 82 and 83
The flat at the rear on the ground floor will open onto an un-adopted Road, with no lighting	Revised plans were submitting with the flat being accessed via Kirkdale.
Concerns about the servicing of the building	Section 6.4.3
The building will be overbearing and unneighbourly	Sections 6.3.1 and 6.5.1
The shops have never been occupied since the development was built so the use of vacant is misleading.	Section 6.1.1
The entrances should be illuminated as street lighting is poor and due to the location of the site by a zebra crossing	Para 134
Impact of construction on the highways network	A Construction Management Plan condition is proposed.

- 27 Other considerations which are not materials planning considerations were raised in the objection and these are set out below:
- 28 The building previously collapsed when building works were undertaken by the owner.
- 29 Inconsistences between the submitted Design and Access Statement and submitted drawings. It is noted that the recommendation is based on the submitted drawings and that if approved the Design and Access Statement is not approved within the condition.

4.3 INTERNAL CONSULTATION

- 30 The following internal consultees were notified on 29th July 2021.
- 31 Highways: No comments received.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

5 POLICY CONTEXT

5.1 LEGISLATION

32 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

33 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.

34 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.

35 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)
- National Design Guidance 2019 (NDG)

5.4 DEVELOPMENT PLAN

36 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

37 Lewisham SPG/SPD:

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

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- Shopfront Design Guide Supplementary Planning Document (March 2006)
- Small Site SPD (October 2021)

38 London Plan SPG/SPD:

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

6 PLANNING CONSIDERATIONS

39 The main issues are:

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

6.1 PRINCIPLE OF DEVELOPMENT

General policy

40 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.

41 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.

42 The Small Sites Supplementary Planning Documents (October 2021) has recently been adopted. Its purpose is to provide advice and guidance for preparing or reviewing planning applications for residential development on a small site in Lewisham. It defines small sites as any that fall below 0.25 hectares in size. As the proposal is for both residential and commercial uses, only the relevant sections of this document will be assessed.

6.1.1 Commercial Use

43 Policy E9 of the London Plan (2021) sets out that a successful, competitive and diverse retail sector, which promotes sustainable access to goods and services should be supported. Core Strategy Policy 6 seeks to protect local shopping facilities from change of use or redevelopment where there is an economic need for such services. DM Policy 16 sets out that the council will require the retention of A1 shops located in local

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

shopping parades in order to preserve or enhance the local character and support the provision of essential daily goods and services.

- 44 Whilst the commercial use of the site has been vacant for a period of time, the last use of the site was retail (former Use Class A1). As existing, the commercial unit has an area of approximately 304sqm (scaled from submitted plans). It is proposed for part of the existing commercial floor space at the rear of the ground floor to become residential and for the ground floor to be subdivided into three smaller retail units. Unit 1 would have a floor space of 53m², Unit 2 would have a floor space of 50m² and Unit 3 would have a floor space of 47m².
- 45 Whilst approved under a previous policy context and never implemented, DC/12/081513 was approved for the subdivision of the retail unit into three smaller units.
- 46 Considering the length of time that the unit has been vacant and as commercial units would be retained albeit with a reduced floor space (see paragraph 46), the subdivision of a single larger unit into smaller separate units is supported in principle subject to an application of Policy DM2 below.
- 47 The introduction of residential floor space at the rear of the ground floor would result in a loss of approximately 154m² of commercial floor space. Part 2 of DM Policy 16 states that the change of use to residential at ground floor level will only be permitted: (a) at the end of the row of a retail parade, but not in corner shops, in order to preserve the continuity of the retail frontages; and (b) where the design and materials of the residential frontage is of the highest quality and relate well to the proportion, scale and detailing of the entire host building, adjoining buildings and make a positive contribution to the streetscape. The supporting text of DM Policy 16 states in paragraph 2.115, that where changes to residential occur in the middle of parades, the result is a fragmented shopping strip. In respect of the current proposal, the frontage the unit would remain in commercial use as the residential accommodation would be situated to the rear, and as such there would not be fragmentation in the active frontage of the parade. On this basis the sub-division is acceptable.
- 48 It is noted that the introduction of residential accommodation at the rear of the ground floor and the subdivision into three retail units would result in an amended delivery and servicing for the site, this will be assessed in section 6.9 of this report.
- 49 The application refers to the proposed units as being in Use Class A1; it is highlighted that Use Class A1 along with A2/3, B1, D1 (a-b) and indoor sport from D2 (e) were revoked and replaced by Use Class E on the 1st September 2020. The former A1 use is commensurate with current Use Class E (a) which is for the display or retail sale of goods, other than hot food. It would be secured by condition that the Use Class of the units could not change without planning permission.
- 50 The submitted floor plans are annotated to state that the fit out of the commercial units would be the responsibility of the tenant, officers raise concern in respect of this as the additional storey is only acceptable if the commercial uses are reinstated, as such details of the fit out of the commercial units would be secured by condition.

6.1.2 Residential Use

- 51 The 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

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

opportunities for home ownership, and create sustainable, inclusive and mixed communities.

- 52 Chapter 11 of the NPPF (2021) outlines that planning decisions should make effective use of land by promoting and supporting underutilised land and buildings, particularly where they would contribute to housing needs and where site could be used more effectively.
- 53 The London Plan (2021) at Table 4.1 sets a 10 year housing completion target of 16,670 new homes between 2019 and 2029 for Lewisham and Policy H1 requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites through their planning decisions.
- 54 Policy H2 of the London Plan requires boroughs to pro-actively support well-designed new homes on small sites to help achieve the housing targets set out on Table 4.2. Lewisham has a ten year target to deliver 3,790 new homes on small sites. Policy H2 sets out that boroughs will need to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.
- 55 Section 30 – Infill Development Vertical Intensification of the Small Sites SPD (2021), sets out that additional floors to existing buildings can provide new homes in sustainable locations.
- 56 Given the existing residential accommodation at the site, the principle of providing additional accommodation could be supported subject to design, standard of accommodation, impact on adjoining properties, and highways and transport impacts.

6.1.3 Principle of development conclusions

- 57 The subdivision of the commercial floor space and the reactivation of the ground floor frontage is acceptable in principle. The increase in residential units at the site is supported and the principle of an additional storey (subject to an assessment on design) is acceptable.

6.2 HOUSING

- 58 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

- 59 National and regional policy promotes the most efficient use of land.
- 60 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.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 61 The NPPF encourages the efficient use of land subject to several criteria set out in para 124. Para 125 applies where there is an existing or anticipated shortage of land for meeting identified housing needs and strongly encourages the optimal use of the potential of each site.
- 62 The Plan sets a 10 year housing completion target of 16,670 new homes between 2019 and 2029.
- 63 National and regional policy avoids specifying prescriptive dwelling size and mixes for market and intermediate homes.
- 64 NPPF para 62 expects planning polices to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.
- 65 The application site is within a local parade and is surrounded by a variety of styles of built development. The application site is characterised as Urban.

Discussion

- 66 The proposal is for 3x 1-bedroom dwellings and 1x 2-bedroom dwelling, and the site measures approximately 0.04 hectares.
- 67 Table 1 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 [1]: Measures of Density

Criteria	Value	Criteria/area
Site Area (ha)	A 0.04	n/a
Units	W 10	W/A 250 U/Ha
Habitable rooms	X 27	X/A 675 Hr/Ha
Bedrooms	Y 17	Y/A 425 Br/Ha
Bedspaces	Z 27	Z/A 675 Bs/Ha

Summary

- 68 Policy D6 of the London Plan States for London to accommodate the growth identified in the 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 surrounding areas on most sites.
- 69 Whether the scale of development is appropriate for the site and surrounding area, the impact of neighbouring occupiers, and accessibility are all relevant factors when determining optimum density, and these are considered in the following sections of this report.
- 70 Subject to the matters set out in the preceding sections of this report, the proposed density would not result in an over intensification of the site and would provide four additional dwellings. The proposed development would increase housing supply in line with the London Plan (2021) and the Small Site SPD (2021).

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

6.2.2 Affordable housing

Percentage of affordable housing

Policy

- 71 Core Strategy Policy 1 states that contributions to affordable housing will be sought on sites capable of providing 10 or more dwellings. PPG guidance makes clear that planning obligations for affordable housing should only be sought for residential developments that are major developments (i.e. development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more).
- 72 As such the application falls below the threshold for seeking affordable housing provision as only 4 units are proposed.

6.2.3 Residential Quality

General Policy

- 73 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).
- 74 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. The Small Sites SPD has an Inside and Out Toolkit at section 15.

Internal space standards

Policy

- 75 London Plan Policy D6 and DM Policy 32 seek to achieve housing developments with the highest quality internally and externally in relation to their context

Discussion

- 76 The table below sets out proposed dwelling sizes.

Table [2]: Internal space standards

Unit	Layout	GIAm ²	B1m ²	B2m ²	Built in storage	Amenity
Ground floor rear	2B4P	90m ²	19m ²	19m ²	2.14m ²	14m ²
Third floor front	1B2P	54m ²	18m ²		1.21m ²	0m ²

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Third floor rear	1B1P	45m ²	10.5m ²		0.95m ²	0m ²
Third floor front and rear	1B2P	51m ²	15m ²		1.29m ²	12m ²

- 77 Table 3.1 of Policy D6 of the London Plan states that the minimum gross internal area floor area for 1B1P units is 39m², 1B2P units is 50m² and 2B4P units is 70m². Table 3.1 also sets out the minimum size requirement of a single bedroom to be 7.5m² and 11.5m² for a double bedroom.
- 78 As can be seen from Table 2, all of the units would comply with the GIA requirements for the unit type. Additionally all bedrooms would exceed the required sizes.
- 79 Table 3.1 of Policy D6 of the London Plan sets out the built in storage requirements for 1B1P units to be 1m², 1.5m² for 1B2P units and 2m² for 2B4P units. Part (7) of Policy D6 states that any built in wardrobe area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built in storage requirement. As can be seen from the table above the 2B4P would comply with the requirement for built in storage. All of the 1-bedroom units would not comply with the requirements, however, given that shortfalls would be 0.29m², 0.05m² and 0.21m², these shortfalls are not considered to be so significant that would result in an unacceptable standard of accommodation.
- 80 In terms of floor to ceiling height, London Plan Policy D6 states that the floor to ceiling height should be 2.5m for 75% for the GIA of each dwelling. The proposed dwellings would have floor to ceiling heights of 2.45m, whilst this is not compliant with the London Plan, the floor to ceiling height is compliant with the Nationally Described Space Standards which state that the floor to ceiling height should be 2.3m for 75 of the GIA. The floor to ceiling height of the proposed units is considered to be acceptable.

Outlook & Privacy

Policy

- 81 London Plan Policy D6 seeks high quality design of housing development and requires development to achieve 'appropriate' outlook, privacy and amenity. Policy D6 seeks to maximise the provision of dual aspect dwellings. This is echoed in DMP 32.

Discussion

- 82 Three of the four proposed units would be single aspect. Given the context of the site with the existing flats in the building being single aspect and that all habitable rooms would be provided with adequate outlook, the proposed single aspect units are considered to be acceptable.
- 83 Privacy to the units on the proposed third floor is considered to be acceptable. In respect of the proposed unit at ground floor level, given that the rear yard area would be

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

subdivided between the commercial and residential uses and boundary treatment is proposed between, the privacy of the residential unit is considered acceptable.

Daylight and Sunlight

Policy

- 84 DM Policy 32 (1) (b) expects new development to provide a 'satisfactory level' of natural lighting for future residents. The London Housing SPD and the Lewisham Small Sites SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living space.
- 85 Daylights and sunlight is generally measures against the Building Research Establishment (BRE) standards. This is not formal planning guidance and should be applied flexibly according to context.

Discussion

- 86 A Daylight and Sunlight assessment has not been submitted with this application, this is typical for an application of this size. Considering that all habitable rooms would be served by windows, combined with the size of the windows and the depth of the room, the units are considered to be provided with adequate daylight and sunlight.

Noise & Disturbance

Policy

- 87 The NPPF at paragraph 174 should among other things prevent new and existing development from contributing to, being put through an unacceptable risk, from, or being adversely affected by, unacceptable levels of noise pollution. Development should improve local environmental conditions. Paragraph 185 states decisions should mitigate and reduce the to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impact on health and the quality of life.
- 88 To ensure that the commercial units would have an acceptable impact in terms of noise on the residential accommodation, details of soundproofing would be secured by condition.
- 89 No details have been provided in respect of the opening hours of the commercial units, details of these will be secured by condition.

Accessibility and inclusivity

Policy

- 90 LPP D5 expects proposals to achieve the highest standards of accessible and inclusive design, including at para (3) that proposals should be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment; para (4) be able to be entered, used and exited safely, easily and with dignity for all; and para (5) be designed to incorporate safe and dignified emergency evacuation for all building users.
- 91 LPP D7 requires 10% of residential units to be designed to Building regulation standard M4(3) 'wheelchair user dwellings' i.e. designed to be wheelchair accessible, or easily

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

adaptable for residents who are wheelchair users, with the remaining 90% being designed to M4(2) 'accessible and adaptable'. Paragraph 3.7.6 of the supporting text of Policy D7 states that in exceptional circumstances the provision of lift to dwelling entrances may not be achievable (and only in blocks of four storeys or less), flats above existing shops or garages is an instance in which the policy can be applied flexibly.

Discussion

- 92 It is highlighted that the existing residential accommodation at the site is not wheelchair accessible as there is no lift in the building providing access to the first and second floors. Applying Policy D7 flexibly as allowed in this instance, the lack of wheelchair unit is considered acceptable

External space standards

Policy

- 93 Standard 4.10.1 of the Mayors 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'. This is also set out in London Plan Policy D6, which also emphasises the minimum dimensions and states that private open amenity space must achieve a minimum depth and width of 1.5m.
- 94 The London Plan Housing SPG at paragraph 2.3.32 states that where site constraints make it impossible to provide private amenity space for all dwellings, dwellings may instead be provided with additional living space equivalent to the area of private amenity space requirements.

Discussion

- 95 As can be seen in Table 2, only two units would be provided with private outside amenity space; both of these units would comply with the required space requirements for the unit types.
- 96 The 1-bedroom units situated at the front and rear of the proposed third floor would not be provided with any private amenity space. In line with paragraph 2.3.32 of the SPG, the 1B1P unit should have a GIA 44m² and the 1B2P 55m², when the private amenity space is added to the GIA. As can be seen from Table 2, the 1B1P would comply with this and for the 1B2P unit there would be a 1m² shortfall. Given that the shortfall is 1m² and the context of the site, this shortfall is considered acceptable in this instance.

6.2.4 Housing conclusion

- 97 Overall, the proposed development is considered to provide a good standard of accommodation and to contribute to meeting the housing targets for small sites set out in the London Plan.

6.3 URBAN DESIGN

General Policy

- 98 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.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 99 Polices D4 and D6 of the London Plan emphasise that the ‘scrutiny of a proposed development should cover its layout, scale, height, density, land uses, materials, architectural treatment, detailing and landscaping’.
- 100 Core Strategy Policy 15 outlines how the Council will apply national and regional policy and guidance to ensure the highest quality design, 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.
- 101 DM Policy 30 requires planning applications to demonstrate site-specific response, which creates a positive relationship with the existing townscape whereby the height, scale, and the mass of the proposed development relates to the urban typology of the area.

6.3.1 Appearance and character

Policy

- 102 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).
- 103 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.
- 104 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.
- 105 DM Policy 31 relates to alterations to existing buildings and requires development to be of high, site specific, and sensitive design quality, and respect and/or compliment the form, setting, period, architectural characteristics, detailing of the original buildings including external features, such as chimneys and porches. It further states that high quality matching or complimentary materials should be used in relation to the context.
- 106 DM Policy 32 expects new residential development to be attractive and neighbourly.
- 107 The Alterations and Extensions SPD sets out in section 5.14 that additional storeys are only likely to be acceptable on a flat roof, and that additional storeys needs to be subservient and lightweight. Section 5.14 of the SPD goes onto states that additional storeys should be set back from all sides.

Discussion

- 108 The application building as existing is a poorly detailed building without an active frontage which does not make a positive contribution to the character and appearance of the street scene and the wider area.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 109 The proposed additional storey is by means of a mansard roof extension which incorporates dormer windows on the front and rear elevations. The local parade that the application property is a part of has a range of heights, with the immediate adjoining properties being two storey in height. Within the parade at the junction with Dartmouth Road, are three storey flat roofed properties which benefits from roof extensions to provide additional storeys. Directly opposite the application site is Denham Court, which is a four storey flat roofed flatted development.
- 110 As set out in the principle of development section of this report, the principle of An additional storey is supportable in this location given the context and as set out below, the scheme incorporates other design benefits including the ground floor being brought back into commercial use so that it is an active part of the parade and due to improvements proposed to the elevations.
- 111 The mansard roof extension would be set back from the front and rear building lines and the proposed dormer windows on the front and rear would be aligned with the windows on the elevations below. The mansard roof extension would be finished in slate roof tiles and the dormer windows would be led clad with the sides painted white. The proposed mansard roof extension by means of its detailed design and the materiality that has been indicated is considered to result in a high quality addition to the host building. To ensure the quality of the materials, details would be required to be submitted and approved by way of a planning condition.
- 112 As set out above, the existing building does not contribute positively to the streetscene. On the front elevation at ground floor level three new shop fronts are proposed; the shop fronts would include glazed shop front above a stall rise with a single door opening with signage above. The arrangement of the shop fronts is considered to be acceptable for a local parade. Limited information has been provided in respect of the materials and details of the shop front, these details would be secured by condition as to ensure their quality. An informative would also be added to any decision advising that advert consent would be required for any signage.
- 113 Also on the front elevation, the existing render is proposed to be removed and replaced by brick detailing and new rendered finish. No information has been provided in respect of the brick type or the colour of the rendered finish. The introduction of brick detailing and the re-rendering of the front elevation would improve the appearance of the building and is considered to result in the building making a positive contribution to the character and appearance to the streetscene. The rear elevation is also proposed to be re-rendered. Details of the brick work and render would be required to be submitted as part of the condition for all of the external materials as to ensure their quality. It would also be conditioned that the improvements to the elevations have to be completed prior to the occupation of the residential units proposed within this application, as to ensure the works are implemented.
- 114 The rear elevation incorporates the two private amenity spaces, the introduction of these terraces are not considered to have an unacceptable impact on the character and appearance of the host building or wider rear scape. The details of the balustrading for the terraces would be secured by condition.
- 115 Also on the rear elevation, a new window and door arrangement is proposed at ground floor level to accommodate the introduction of residential accommodation at ground floor level and the alterations to the rear access for the commercial units. The openings would be in keeping with the existing on the building and this is considered to be acceptable.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 116 At the rear of a new gated boundary wall is proposed to the residential element and to the commercial element. The scale of the boundary treatment is considered to be appropriate and the final details would be secure by condition.
- 117 Officers do not consider that the proposed development would give rise to any impacts to the Sydenham Park or Jews Walk Conservation Areas given the scale of the scheme and the separation distances. 110 and 112 Kirkdale are located within the Halifax Street Conservation Area and are situated to the north of application site along Kirkdale. The improvements to the façade and detailing of the application building are considered to enhance the setting of 110 and 112 Kirkdale. The proposed roof extension would not be visible from the residential part of the Halifax Street Conservation Area and Officers consider that no harm to heritage assets would result from the development proposal.

6.3.2 Urban design conclusion

- 118 In summary, subject to the final details being secured by condition the proposed development is considered to improve the character and appearance of the host building and result in making a positive contribution to street scene.

6.4 TRANSPORT IMPACT

General policy

- 119 NPPF paragraph 108 states that planning decisions should ensure safe and suitable access to the site for all users, and that any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 120 Paragraph 109 of the NPPF states 'Development should only be prevented or refused on transport grounds. The Small Sites SPD has guidance in sub-sections 12.12-12.18.'

6.4.1 Access

Policy

- 121 As noted above, London Plan Policy D5 expects the highest standards of accessible and inclusive design while London Plan Policy D7 requires 10% of residential units to be designed to Building regulation standard M4(3) 'wheelchair user dwellings' i.e being designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% being designed to M4(2) 'accessible and adaptable'.

Discussion

- 122 In terms of the access to the commercial units, whilst the existing commercial unit is vacant, the door is not at street level as step up is required. On all three of the shop fronts proposed the entrance would be in line with the pavement, this is considered acceptable and appropriate for providing access to all.
- 123 In terms of access to the proposed residential accommodation, this is set out above in paragraphs 91 to 93.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

6.4.2 Local Transport Network

Policy

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

Discussion

- 125 The application site has a PTAL of 4, with a bus stop in close proximity to the site which is served by four bus routes. The application site is also 0.5 miles and 0.6 miles from Sydenham and Forest Hill Stations respectively. No additional on-site residential car parking is proposed. The provision of four additional units is therefore not considered to have a significant impact on the local transport network in terms of capacity on the road network or public transport.

6.4.3 Servicing and refuse

Policy

- 126 DM Policy 31 requires new development to have appropriate regard for servicing of residential and commercial units.
- 127 Separate residential and commercial waste storage is required.

Discussion

- 128 Details of the waste storage for both the residential and commercial units would be secured by condition.
- 129 A Delivery and Servicing Plan for both the commercial and residential units would be secured by condition.

6.4.4 Transport modes

Walking and cycling

Policy

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

Discussion

- 133 As per Table 10.2 of the London Plan, a minimum of 6 bicycle parking spaces are required. The details of this would be secured by condition.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

134 Details of the external lighting on the building will be secured by condition as to ensure safe pedestrian access.

Car parking

Policy

135 Policy T6 of the London Plan states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite').

Discussion

136 As existing, the application site benefits from two car parking spaces for the commercial unit. It is proposed for these spaces to be retained, given that these spaces are existing, in this instance it is acceptable for the spaces to be retained.

6.4.5 Transport impact conclusion

137 The proposal would have an acceptable impact on transport in terms of parking, encouraging sustainable modes of transport and accommodating the site's servicing needs, subject to conditions.

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 LPP D3, D6 and D14 and DM Policy 30, 31 and 32.

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

140 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

6.5.1 Enclosure, Outlook and Daylight and Sunlight

Policy

141 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

142 The proposal is for an additional storey which would not extend beyond the envelope of the existing building line. There are no buildings adjoining to the rear and both of the directly adjoining properties have no window openings facing onto the site. The

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

proposed additional storey is not considered to result in a sense of enclosure, loss of outlook or harmful impact in terms of daylight and sunlight.

6.5.2 Privacy

Policy

143 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.

Discussion

144 New openings are proposed on the front and rear elevations only.

145 There are no buildings situated to the rear and as such the new windows in the rear elevation would not have an impact in terms of neighbouring amenity.

146 On the front elevation, the new window openings would face onto Denham Court. The front elevation of Denham Court is situated approximately 21m across the street. Given the separation distance and the existing arrangement between these properties, there is not considered to be an unacceptable impact in terms of overlooking and loss of privacy.

147 The proposed terrace at roof level does not face onto any windows on the adjoining property and as such there would not be an unacceptable impact in terms of overlooking or loss of privacy.

6.5.3 Noise and disturbance

Policy

148 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

149 The site currently consists of a vacant commercial unit and residential accommodation within a local parade. The increase in the number of residential units at the application site is not considered to result in material harmful impact in terms of noise and disturbance. Officers do note that terraces would be introduced, the use of these terraces is not considered to be materially harmful on neighbouring properties considering the context of the site as part of a local parade.

150 The proposal would bring back commercial units into use. Given that the application site is within a local parade, the principle of the commercial units is acceptable. No details of opening hours of the commercial units have been provided, the details would be secured by condition as to ensure that the proposal would have an acceptable impact on neighbouring amenity.

151 Details of the delivery and servicing of the commercial units would be secured by condition to ensure that the delivery and servicing has an acceptable impact on amenity of neighbouring occupiers.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

6.5.4 Impact on neighbours conclusion

152 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.

6.6 SUSTAINABLE DEVELOPMENT

General Policy

153 Para 153 of the NPPF requires Local Planning Authorities to take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies and decisions should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.

154 CS Objective 5 reflects the principles of the NPPF and sets out Lewisham's approach to climate change and adapting to its effects. CSP 7, CSP 8 and DM Policy 22 support this. Small Sites SPD section 11 and 21 provides guidance on sustainability.

6.6.1 Energy and carbon emissions reduction

Policy

155 LPP SI2 states that major development should achieve zero carbon and should minimise to peak energy demand in accordance with the following energy hierarchy: Be lean: use less energy; Be clean: supply energy efficiently; and Be green: use renewable energy.

Discussion

156 The application is not a major development (as only 4 units are proposed) and as such the provision of LPP SI2 do not apply. Notwithstanding this, the submitted Energy Statement (prepared by Eurohaus, dated July 2020), sets out that the internal water usage rates would not be in excess of 105 litres per person per days and that solar panels are proposed on the flat roof.

6.6.2 Flood Risk

Policy

157 LPP SI12 requires development proposals to ensure that flood risk is minimised and mitigated.

Discussion

158 The application site lies outside of Flood zones 2 and 3 and is therefore at low risk of flooding.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

7 LOCAL FINANCE CONSIDERATIONS

159 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).

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

161 The CIL is therefore a material consideration.

162 The application is CIL liable and the amount due to be paid would be confirmed at a later date in a Liability Notice.

8 EQUALITIES CONSIDERATIONS

163 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.

164 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.

165 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.

166 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

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

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

- 167 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
- 168 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>
- 169 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

- 170 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
- 171 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.
- 172 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.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

173 This application has the legitimate aim of four new residential units and reinstating the commercial use at the property. The rights potentially engaged by this application, including Article 8 and Protocol 1, Article 1 are not considered to be unlawfully interfered with by this proposal.

10 CONCLUSION

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

175 The subdivision of the commercial floor space and reactivation of the ground floor frontage is acceptable in principle. Whilst the increase in residential units at the site is supported, and an additional storey is supported. The development will result in the long vacant ground floor being bought back into commercial use so that it is an active part of the parade, and improvements to the existing elevations as the building currently detracts from the character and appearance of Kirkdale. Substantial weight has been given to the reactivation of the commercial units and the improvements to the external appearance of the existing building.

176 Subject to details being secured by conditions, the proposed development is considered to be of an acceptable design.

177 No adverse impact have been identified in terms of impact on neighbouring amenity or on the highways network.

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

11 RECOMMENDATION

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

11.1 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) **APPROVED PLANS**

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

Received 20th July 2021

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

2021/001 Rev F; 2021/002 Rev F; 2021/003 Rev F; 2021/004 Rev F; 2021/005 Rev F; 2021/006 Rev F; 2021/007 Rev F; 2021/008 Rev F; 2021/009 Rev F; 2021/010 Rev F; 2021/011 Rev F; 2021/012 Rev F; 2021/013 Rev F; 2021/015 Rev F; 2021/016 Rev F; 2021/017 Rev F; 2021/018 Rev F; 2021/020 Rev F; 2021/021 Rev F; 2021/022 Rev F; 2021/025 Rev F; 2021/026 Rev F

Received 28th September 2021

2021/014 Rev G; 2021/019 Rev G; 2021/024 Rev G

Received 16th November 2021

2021/023 Rev G

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) **USE CLASS**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the commercial premises shall be used in Use Class E(a) and for no other purposes (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To ensure that any other use of the building would be suitable in the mixed used building and to protect the amenities of the occupiers of neighbouring premises and the area generally and to comply with DM Policy 16 of the Development Management Local Plan (2014).

4) **FIT OUT OF COMMERCIAL UNITS**

(a) No development shall commence above ground on site until plan (1:50) and details showing the physical fit out of the commercial units hereby approved have been submitted to and approved in writing by the local planning authority.

(b) No occupation of the residential units hereby approved shall take place until the commercial units have been constructed in full accordance with the details approved under part (a).

Reason: To ensure that the fit-out of the units is sufficient to ensure that they are an attractive and commercially viable option and to demonstrate the developers commitment to delivering the commercial units as part of this development in accordance with DM Policy 16 of the Development Management Local Plan (2014).

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

5) **SOUNDPROOFING**

(a) The development shall be designed to incorporate soundproofing of a specification for sound insulation against airborne noise to meet $D'nT,w + Ctr$ dB of not less than 55 for walls and/or ceilings where residential parties non domestic use shall be submitted to and approved in writing by the local planning authority.

(b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.

(c) The soundproofing shall be retained permanently in accordance with the approved details.

Reason: In the interests of residential amenity and to comply with DM Policy 26 Noise and vibration, DM Policy 31 Alterations and extensions to existing buildings including residential extensions and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

6) **MATERIALS**

No development above ground shall commence on site until a detailed schedule and specification/samples of all external materials and finishes/windows and external doors/roof coverings/other site specific features including the balustrading for the terraces to be used on the building(s) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

7) **SHOPFRONT DETAILS**

(a) Prior to installation, plans and sectional details at a scale of 1:10 or 1:20 showing the proposed shop fronts shall be submitted to and approved in writing by the local planning authority. Such information should demonstrate the location of the fascia sign, any shutter/grill box, the window system, the stall riser and the entrance.

(b) The development shall be constructed in full accordance with the approved details.

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 19 Shopfronts, signs and hoardings.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

8) **BOUNDARY TREATMENTS**

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

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

Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

9) **FAÇADE IMPROVEMENT – EXISTING BUILDING**

The residential units hereby approved shall not be occupied until evidence has been to and approved in writing by the Local Planning Authority that the façade improvements to the existing building have been implemented.

Reason: To ensure the developers commitment to improving the appearance of the existing building and 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.

10) **DELIVERY AND SERVICING**

(a) The commercial and residential units shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.

(b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.

(c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

11) **CONSTRUCTION MANAGEMENT PLAN**

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

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy SI1 Improving air quality and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).

12) **REFUSE STORAGE**

- (a) No development (above ground level) shall commence until details of proposals for the storage of refuse and recycling facilities for each residential and commercial unit hereby approved, have been submitted to and approved in writing by the local planning authority.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

(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).

13) **CYCLE PARKING**

(a) Prior to first occupation, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.

(b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.

(c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

Reason: In order to ensure adequate provision for cycle parking and to comply with Policy T5 cycling and Table 10.2 of the London Plan (March 2021) and Policy 14: Sustainable movement and transport of the Core Strategy (2011).

14) **CONSTRUCTION WORK HOURS**

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

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 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).

15) **SOLAR PANELS**

(a) Details of the proposed solar panels shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works.

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

(b) The solar panels approved by (a) shall be installed in full prior to first occupation of the residential units hereby approved and retained in perpetuity.

Reason: To comply with policies SI2 Minimising greenhouse gas emissions of the London Plan (2021), Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency of the Core Strategy (2011).

16) **EXTERNAL LIGHTING**

(a) Prior to occupation of the residential units 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 DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

11.2 **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 discussions took place which resulted in further information being submitted.

- 2) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An 'assumption of liability form' must be completed and before development commences you must submit a 'CIL Commencement Notice form' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: -
<http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 3) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- 4) The applicant is reminded that Advertisement Consent is required for any signage to the shopfronts.

12 BACKGROUND PAPERS

- 1) Submission drawings
- 2) Submission technical reports
- 3) Internal consultee responses
- 4) Statutory consultee responses

13 REPORT AUTHOR AND CONTACT

Georgia McBirney; Georgia.McBirney@Lewisham.gov.uk; 020 8314 7118

Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>