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| Committee | PLANNING COMMITTEE C |
| Report Title | ADDENDUM - LAND TO THE REAR OF 29 LADYWELL ROAD, SE13 |
| Contributors | MAX CURSON |
| Date | 02 DECEMBER 2021 |

ADDENDUM

- 1 This is an addendum to the Planning Committee C agenda published 25 November 2021 for the upcoming meeting on 02 December 2021.
- 2 The addendum provides details of a dismissed of appeal APP/C5690/W/21/3273257 relating to application DC/20/117753. This appeal decision was published on 25 November 2021, the morning of agenda publication. The appeal decision is included in full at **Appendix AD1**.
- 3 The appeal decision in is respect of the previously refused scheme noted in the committee report. The appeal has been dismissed and Lewisham's decision to refuse the previous scheme has been upheld.
- 4 Officer note it is permissible under the planning system for the applicant to appeal the previous refusal and concurrently proceed with a live application for an amended proposal. A discussion of the implications of the Inspector's decision to the current scheme is below.

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- 5 Application DC/20/117753 was for construction of a two-storey two-bedroom dwellinghouse at the same location as the current site. It was larger than the current scheme in both footprint and height and had a greater presence on the site. An assessment of the main appeal issues is below.

Impact on Conservation Area and Listed building

- 6 The Planning Inspector concludes that the setting of the Grade II listed former Ladywell Baths would not be harmed by the appeal proposal. However, due to its scale and layout it would have adversely impacted the character and appearance of the St Mary's Conservation Area. The current proposal is a materially different scheme with a reduced height and a flat roof. As such, officers consider the Planning Inspector's comments on the heritage impact on the appeal proposal are consistent with the current proposal being acceptable as the scale and layout have been amended and reduced.

Amenity of Adjoining Occupiers

- 7 The Planning Inspector concluded that the appeal scheme would not impact the living conditions of neighbours. Given the current application is smaller in height and scale, Officers believe that the current proposal would also not impact the living conditions of neighbours.

Parking

- 8 The Planning Inspector concluded that the proposed parking arrangements of the appeal site would not be harmful to the on-street parking capacity or to the safe or efficient operation of the highway network in the vicinity of the site. The current application proposes a car free development. The Heads of Terms for a S106 agreement to prevent future owners and occupiers of the application site to acquire a parking permit to the CPZ. Officers therefore consider the appeal decision confirms the current proposal would not be harmful in transport terms.

Conclusion

- 9 The Planning Inspector's comments do not alter the recommendation to approve the current scheme. The harm identified by the Inspector regarding the impact to heritage assets has been overcome with an amended design as set out in the committee report. The appeal decision is a material consideration for members and supports the officer recommendation to approve the current proposal.
- 10 Planning Officers therefore consider the proposal is compliant with the development plan.