

Committee	PLANNING COMMITTEE (B)	
Report Title	CHRISTOPHER BOONE'S ALMSHOUSES, BELMONT PARK SE13	
Ward	Lewisham Central	
Contributors	Jan Mondrzejewski	
Class	PART 1	Date: 22 MARCH 2012

Reg. No. DC/10/74143 and DC/10/74143A

Application dated 20.4.10 completed 30.4.10 and revised 4.6.10

Applicant Drivers Jonas Deloitte on behalf of Christopher Boone's Charity

Proposal The demolition of the existing buildings at Christopher Boone's Almshouses, Belmont Park SE13 and the redevelopment to provide 32, one bedroom and 30, two bedroom almshouses within a part three/part four storey block of flats, 1, two bedroom, 9 three bedroom self-contained flats, 8, three bedroom and 8, four/five bedroom self-contained maisonettes and a sub-station, together with the creation of additional vehicle and servicing access, 34 on-site car parking spaces, bike stores, electric buggy stores, landscaping including alterations to the existing boundary wall and associated works.

Applicant's Plan Nos. AA1098/2.0/007, 008, 011, 012_A, 013_A, 014_A, 015_A, 016_A, 017_A, 018, AA1098_2.0_019, 020_A, 021, 022_A, 023, 024, 025, 026, 027, 028, 029, 7421/01B, 02, 03, MT7, 23/1, 26/1 32, AA1098/2.3/P01, Archaeological Desk-Based Assessment CA Project: 3038, CA Report: 100026 (Cotswold Archaeology April 2010), Design & Access Statement AA1098 (PRP Architects), Energy Options Appraisal & Sustainability Strategy (Maxfordham April 2010), Transport Statement (Motion April 2010), Statement of Community Involvement (Drivers Jonas Deloitte 20 April 2010), Planning Statement (Drivers Jonas Deloitte 20 April 10), Tree Survey, Arboricultural Implication Assessment & Method Statement Project No: 1866 (Haydens 19 April 10), Preliminary Geo-Environmental Assessment (TEC April 2010), Air Quality Assessment Project Ref: 23606/001-b, Doc ref: R1b/rev001 (pba April 2010), Desk Study, Extended Phase 1 Habitat and Bat Scoping Survey LDRJ111/001/002 (Thomson Ecology April 2010), Environmental Noise Assessment Acoustics Report A892/R02 (Fleming & Barron 8 April 10), Overshadowing Analysis (Maxfordham) Issue 1 / 04.2010

Background Papers

- (1) Case File - LE/728/8/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) The London Plan (June 2011)
- (4) The Core Strategy (June 2011)
- (5) Planning Policy Statement 1: Delivering Sustainable Development
- (6) Planning Policy Statement 3: Housing
- (7) PPS 5: Planning for the Historic Environment.
- (8) Planning Obligations SPD
- (9) Residential Design Standards SPD

Designation

Adopted UDP - Existing Use

1.0 Background

- 1.1 On 19th August 2010, Committee B Members resolved to authorise the Head of Planning to grant permission in respect of Application Nos. DC/10/74143 & DC/10/74143A subject to a Section 106 Agreement in respect of (a) the provision of affordable housing and (b) meeting the Council's legal and professional costs associated with the drafting, finalising and monitoring the Agreement.
- 1.2 Due to changes in the funding arrangements for this development, it has been necessary to alter the basis of the Section 106 undertaking on affordable housing which underpins the scheme. This is discussed more fully in the 'Planning Considerations' section of the report.

2.0 Site Description

- 2.1 The application site is bounded by Belmont Park, Middleton Way and Blessington Road to the east, the site adjoins No. 29 Belmont Park and the rear gardens of properties in John Woolley Close. Although the site lies outside the Blackheath Conservation Area, redevelopment of the site would have a potential impact on Nos. 29-33 (odd) and Nos. 6-26 (even) Belmont Park opposite the site which are attractive period buildings of the 1860s located within the Conservation Area. The application site comprises 28 almshouses and two staff units dating from the early 1960s and arranged around a central green. The dwellings comprise single and two storey units. Vehicular access is from Belmont Park and Blessington Road and there is pedestrian access from these streets and from Middleton Way. There is a high brick boundary wall on the road frontages. There are a significant number of trees on site, mainly located close to the boundary with adjoining streets. There are currently no TPOs on any of the trees. The site slopes from the northeast corner down to the southwest corner by approximately 10m and by approximately 5m along each of its boundaries. However due to the sloping site, access to this area is difficult for many of the existing elderly almshouse residents as they need to climb or descend flights of steps to access their homes.
- 2.2 To the west of the site is a relatively high density housing estate comprising a 14 storey tower and 4 storey blocks. There is open space between the tower and

the site which includes play/ball park areas and lawns. To the north, on the far side of Blessington Road, there are back gardens behind high walls.

3.0 Planning History

- 3.1 Prior to development in the 1960s the site was occupied by two large Victorian detached houses fronting Belmont Park, with one and a half pairs of Victorian semi detached houses and one large detached house fronting Blessington Road. These buildings are likely to have been similar in scale and appearance to the existing period properties in Belmont Park which are now included within the Blackheath Conservation Area. The detached house fronting Blessington Road had a very large garden extending the whole length of Middleton Way and it is likely that much of the existing boundary wall of the site to Middleton Way is the original garden wall of this property.
- 3.2 In 1961 planning permission was granted for the redevelopment of the sites of 8-14 Blessington Road and Nos. 5-21 Belmont Park to provide almshouses with matron's quarters and a gardener's house together with ancillary buildings.
- 3.3 On 19th August 2010, Planning Committee (B) resolved to authorise the Head of Planning to grant permission in respect of the redevelopment of Christopher Boone's Almshouses Application Ref. DC/10/74143 & DC/10/74143A subject to a Section 106 Agreement in respect of (a) the provision of affordable housing and (b) meeting the Council's legal and professional costs associated with the drafting, finalising and monitoring the Agreement.

Related Development

- 3.4 In December 2010 listed building consent was granted for the alteration and conversion of the Merchant Taylor's Almshouses (MTA) in Brandram Road to larger dwellings by the amalgamation of the 34 almshouses to form 19 dwellings, Ref.DC/10/74140. It is intended that the charities responsible for the almshouses will market the Merchant Taylor's Almshouses site in order to enable the redevelopment of the Christopher Boone's Almshouses site.

4.0 Present Application

- 4.1 The scheme is for the same physical development as that considered by Planning Committee (B) on 19 August 2010 and seeks to redevelop the site with 62 new 'almshouse' flats, with the remainder of the development as general needs housing. The background to this proposal is that the Merchant Taylor's and Christopher Boone's Charities, which currently operate several facilities for elderly people, including almshouses and nursing homes in the Borough, face a funding crisis which requires a radical review of the way such accommodation is provided. It is also the case that both the Merchant Taylor's Almshouses at Brandram Road and the existing Christopher Boone's Almshouses are not fully suitable for the elderly residents, due to the presence of stairs within the properties and in the case of the current application site, steps within the external parts of the site. The Charities consider that they cannot afford to continue to operate the existing almshouses which make a loss on a monthly basis, nor do they have the resources to fund the new development. Therefore the scheme would need to be funded from a number of sources. These include the refurbishment and sale of the Merchant Taylors' Almshouses on a long leasehold

basis for private residential units, along with the long leasehold sale of 26 new private units on the balance of the Christopher Boone Almshouses site. This approach is intended to facilitate the on-going maintenance of the new almshouses, and secure the viability of the operation over the long-term.

- 4.2 The relocation of the almshouse accommodation at the Merchant Taylor's almshouses (MTA) in Brandram Road to a redeveloped Christopher Boone (CBA) is also necessitated by the difficulties of the adaptation of the Grade II listed buildings at the MTA site to the modern needs of elderly people, particularly those with mobility problems who may require wheelchairs or motorised buggies.
- 4.3 The application proposes the redevelopment of the existing 1960's Christopher Boone's Almshouses to allow for the almshouse accommodation provided by both charities (CBA and MTA) to be located on this single site. As stated above, part of the funding for the project will be raised by developing part of the CBA site for market housing, which was originally intended to be located along the southern edge of the site fronting Belmont Park.
- 4.4 The new almshouses will contain 62 apartments consisting of 32 No.1 bedroom flats and 30 No.2 bedroom flats, with the majority of them enclosing 3 sides of a south facing garden court. The proposal also includes a 1 bedroom apartment for visiting relatives or overnight assistance if required by any of the residents. The proposal is to build a part 3/part 4 storey building that works with the sloping site to enable level access to all the apartments and the main communal areas. All of the accommodation will conform to recognised wheelchair standards, with a number of apartments complying in full with the South East London Housing Partnership 'Wheelchair Homes Design Guidelines' dated August 2009.
- 4.5 The remainder of the development would comprise general needs housing on the south part of the site fronting Belmont Park. This part of the development would have a scale and massing modelled on the nearby period buildings within the Blackheath Conservation Area, with 4 linked 'villa' buildings stepping down the hill towards the corner with Middleton Way. These 4 storey units are a mixture of 4/5 bedroom family units with private gardens and 3 bedroom maisonettes over the 2nd and 3rd floor levels, providing 16 dwellings. The large family units are designed to a Lifetime Homes standard. The lowest point on the site is at the corner of Belmont Park and Middleton Way where a 6 storey apartment block is proposed. This has a mixture of 2 and 3 bedroom apartments, generally with 2 units per floor, providing 10 dwellings.
- 4.6 All of the new homes on the site will be provided with private outside space in the form of a garden, terrace or balcony, with larger communal gardens also provided for the Almshouses and the corner apartment block. The existing garden/boundary walls will be retained as far as possible, but will have areas opened up with metal railings inserted to open the site to its surroundings. A new electricity sub-station is proposed close to the frontage to Middleton Way.
- 4.7 The buildings will be constructed using a concrete frame, but with the external walls generally finished in a brick that will match the buildings of the nearby conservation areas. The design picks up on the white stucco feature bands and detailing to windows and doors that are evident in this area, although applied in a more contemporary manner. There are areas of stone used to form plinths and

walls along the external cloistered walkways to the Almshouses and as relief panels on other buildings. The buildings will generally have green roofs, and there are areas of metal finish to the villas and corner block.

- 4.8 The basis of the affordable housing provision as reported to Planning Committee on 19th August 2010 was that 31 of the 62 almshouses would be managed as affordable housing, with the remaining 31 managed as charitable almshouses, which due to restrictions on tenure and management, overseen by the Charities Commission, would in fact very similar to affordable housing.
- 4.9 The financing of the proposal was partly dependent on grant funding from the Homes and Communities Agency (HCA). As this funding is no longer available at previously envisaged levels this will impact on the level of affordable housing within the proposed development. However, the Applicant remains committed to delivering the proposed scheme, despite its poor viability. A revised viability report submitted by the applicant shows that without grant funding the provision of affordable housing is reduced from 31 Units to 2 - 4 units or circa six beds. It is still proposed that 31 of the 62 almshouse apartments would be subject to the restrictions which previously applied to almshouses managed by the charity. However, the remaining almshouse apartments, previously earmarked for affordable housing, would become general retirement flats to be sold or rented at market rates. This is discussed in more detail in Section 7.0 Planning Considerations.

5.0 Consultation and Replies

- 5.1 The responses set out below are those received in respect of the application when originally submitted and reported to Planning Committee A on 14 August 2010.

English Heritage

- 5.2 No objections raised to the archaeological assessment submitted with the application. Recommend no further archaeological requirement.

Neighbours & Local Amenity Societies

- 5.3 Letters of consultation were sent to the occupiers of 208 properties within the application site and within 50 metres of the site boundary together the Blackheath Society. Notices were displayed on site and in the local press. Ward Councillors were also consulted.

Blackheath Society

- 5.5 The Society supports the overall form now being proposed for this site. It is a great improvement on earlier proposals. The Society shares the views of the Design Panel and their request for further information. The quality of the landscaping is very high, which is welcomed, and conditions should be imposed to ensure that these standards are achieved.

- 5.6 A model of the scheme would be helpful in understanding the changes in levels across the site and in particular the relationship between the stepped gardens at the rear of the villas and the walled gardens of the new almshouses.

Blackheath Historic Buildings Trust

Summary:

- 5.7 We would have preferred that the existing cottages and mature landscaped setting were retained in their existing form and use, as they provide attractive accommodation for the existing residents despite the limitations for wheelchair access. However, if it is now accepted that the Merchant Taylors have no option but to restructure their current provision in order to sustain almshouse provision in the long term, then we would support the application for this scheme in principle. The new almshouse development will provide good quality accommodation, level access and good quality shared spaces for 61 older people. We share and value the ambitions for this project, which, if it is delivered to a high standard, could be a building of high architectural merit.

Scale, character and massing:

- 5.8 The existing character of the area is quiet residential with many mature trees and generous green spaces. We support the mixture of building types proposed for this site which addresses the scale, storey heights and building line of the neighbouring C19th buildings.
- 5.9 The proposed new buildings are contemporary in detail while respecting the materials, scale and character of the existing C19th buildings.
- 5.10 A physical model showing the buildings in their context would ensure that local people and future residents would have a better understanding of what is proposed and the effect of the changing ground levels.
- 5.11 The proposal for 4 linked 'villas', comprising a mixture of 4/5 bedroom units and 3 bedroom maisonettes is an unusual arrangement for which we would have liked to have seen some precedents. We think there may be some issues of privacy at the back, which may have been addressed by the introduction of the curved garden wall and pergola. A physical model and larger scale site sections would help explain how these issues would be addressed in the detail.
- 5.12 We note that the private rear gardens of the linked villas, and the south side of the courtyard will suffer from overshadowing most of the time.
- 5.13 It is our view that the 6 storey tower makes a positive addition, punctuating the corner of the site and that the sloping site provides the opportunity for a taller building at this end.
- 5.14 We note that the Arboricultural report identifies several perimeter trees for removal, but these are retained in the plan drawings and the perspective views. We would very much prefer to see the retention of all the mature perimeter trees on this site.

Architectural details:

- 5.15 We support the excellent landscape elements of the scheme including the photovoltaic cells, green roofs, quiet and formal gardens, raised beds, and summer room.

- 5.16 The planted wall to the internal courtyard could encourage plant and bird species and provide interesting green views to all accommodation on all floors. We would like to know what is the specific construction of this wall and how would it be maintained.
- 5.17 In particular we note the generous wide corridors outside each apartment with seats for residents to enjoy the view of the courtyard which are based on existing almshouse models. It is the social aspects of this scheme, including the provision of a residents lounge, gardens and summer house that will be of greatest benefit to the residents.
- 5.18 We welcome the stated future engagement with other local groups who might provide creative activities for residents, and as such we request that the communal lounge is planned with these activities in mind.
- 5.19 We support the treatment of the boundary wall, which retains the existing fabric but introduces sections of railings to provide better visual connections whilst retaining privacy and security for residents.

Neighbours

- 5.20 Six replies were received from the occupiers of Nos. 1, 2, 3, 8, Blessington Close and 23 Christopher Boone's Almshouses, together with a letter from outside the Borough on behalf of a resident of the Almshouses, objecting to the development on the following grounds:-
- (1) The proposal will cause disruption to the existing residents of the almshouses who will have to be found replacement accommodation.
 - (2) The height of the proposed buildings greatly exceed the height of the existing almshouses.
 - (3) The increased number of units represents overdevelopment.
 - (4) The style and materials proposed are not in keeping with the character of properties in the surrounding area.
 - (5) The rear gardens of the properties on the south side of Blessington Close will be overlooked by large windows and balconies in the proposed development.
 - (6) Blessington Road is currently used as a rat run and the increased numbers of vehicles accessing the site from this road is objectionable on highway safety grounds.
 - (7) The scheme is underprovided with car parking which will lead to traffic hazards caused by increased on-street parking.
 - (8) As the houses in Blessington Close were specifically designed to protect the privacy of residents in Belmont Hill, who have extremely long gardens, residents of Belmont Close would expect the Council to protect the privacy of their much smaller gardens from over-looking by the new almshouses.

- (9) Residents have no objection to the almshouses being modernised but not to the detriment of the local area.

(Letters are available to Members)

Design Panel

Pre application Comments.

- 5.21 The Panel commended the design team at this stage of the design process. The Panel considered the success of the scheme is dependent on achieving a nurturing environment for the residents of the almshouses.

Site layout

- 5.22 The overall layout was supported, including the 'villa' layout of the private housing facing Belmont Park, although there was limited information on this element at this stage.
- 5.23 The Panel was enthusiastic about the courtyard arrangements and generous associated balcony access for the sheltered housing element. The Panel considered it could be a very interesting social space and an attractive communal area, but would like to see further options for the layout of the apartments which could have a stronger relationship with the communal garden. The Panel was clear however that the development should not become too inward looking but should keep a strong interaction with the public realm/street. Further exploration as to how and where internal living areas could be orientated (towards the communal garden and / or street) to provide more connection with and overlooking of communal areas would be advised. More details of the retaining green wall and how it would provide apartments with enough sun and light is required.

Elevations

- 5.24 Generally the Panel considered that the roofline needs more definition and although there is potential in the articulation of the piano nobile on the façade (if the concrete and the windows are elegantly detailed) it was suggested that this element has been pushed too far in this case.
- 5.25 The Panel considered that the south corner building needs further work to make a more exciting and dynamic building on this key corner. The roof line becomes weakest at this corner and the concave corner layout appears introverted. A convex alternative may also provide scope for more floorspace.

Materials

- 5.26 The Panel was not convinced about brown brick on the lower part of the façade. Further exploration of the materiality is invited.
- 5.27 For future presentations, the Panel would like to see the boundary treatment illustrated, as it will have an impact on the appearance and provide a historic reference for the site. A model will also be important.

The Current Application

- 5.28 The Panel was concerned about overdevelopment of the site. This would not only affect the quality of the central courtyard but also the private nature of the north facing gardens of the properties proposed along Belmont Park. The Panel considered that the communal courtyard area was mean and inadequate. However, the illustrations on the Design and Access Statement were not large enough to really appreciate the level differences, scale and massing, enclosure and overshadowing of the Almshouses and the courtyard. Better drawings need to be provided for the Panel to make further comments and be convinced that this quality of accommodation and communal open space is adequate. A model of the development and its immediate surrounding would also help clarify the level differences and the way the proposals deal with them.
- 5.29 Adding to this, the Design Panel considered it was not clear from the plans if the courtyard had a southern entrance and if so, how this would be used. The Panel felt that if this entrance provides the most direct and easy access from the street to the courtyard, this entrance would need to be more celebrated. The landscape strategy seems to be missing and indicative trees on the plan misleading.
- 5.30 From the illustrations, the Panel was not convinced about the choice of materials. The Panel requested samples of materials.

Highways and Transportation

- 5.31 Unobjectionable in principle subject to modifications of road markings within the CPZ to reflect the layout of the new development (Grampian condition or Section 106 Agreement required).

Environmental Health

- 5.32 The acoustic report has found the site to be in category B of PPG24 for daytime and category C for night-time. Appropriate suitable mitigation measures in terms of glazing have been suggested. Fixed plant noise of 10dB below the background noise has also been suggested but the consultant could not confirm the full details of the type of plants to be installed, and therefore, the following is recommended as a condition:
- (i) Fixed plant and operational noise condition (i). The rating level of the noise emitted from fixed plant and from the premises on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made by a suitably qualified acoustic consultant according to BS4142:1997.
 - (ii) Development shall not commence until details of the scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.
 - (iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity."

Informative

Assessment of the scheme should be carried out by a suitably qualified acoustic consultant.

- 5.33 With regards to the Air Quality Assessments submitted for the above proposed developments, the results from the air quality modelling is satisfactory and it is unlikely that there will be problems with air quality as a result of this development.
- 5.34 While some minor errors appear in the report, these are not significant and unlikely to change the results greatly. However, the height of the stack serving the CHP unit is given in Table B.1 as being 1.5m and that this was used in the modelling. Please can the consultant confirm the height of the stack and whether the correct height was used in the model. If 1.5m was used, it is likely to give higher predicted results for pollutant concentrations so it will not affect the outcome in a negative way.
- 5.35 Condition N10 (dust minimisation) should also be applied and the informative on construction included. This should also make reference to the Code of Construction Practice produced by London Councils.
- 5.36 With regard to potential contamination and the report supplied, the following comments are provided:-
- 5.37 Agreement in principle that an intrusive investigation should be undertaken providing this fully characterises the site for potential contamination with soil sampling targeting sensitive site areas e.g. proposed private garden and communal landscaped areas.
- 5.38 Land gas testing should be targeted on areas of the site proposed for the new buildings.
- 5.39 The current buildings should be assessed for the presence of asbestos containing materials.
- 5.40 Soils should be sampled and tested for the presence of contaminants in the vicinity of the adjacent electrical sub station.
- 5.41 Agreement with the report recommendation that a detailed UXO assessment is undertaken.

6.0 Policy Context

Introduction

- 6.1 In considering and determining applications for planning permission the local planning authority must "have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations" (Section 70 (2) of the Town and Country Planning Act 1990). Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. This approach is reflected in PPS 1, where, at paragraph 8 (and again at paragraphs 28 and 31), it is confirmed that, where the development plan contains relevant

policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise. The development plan for Lewisham comprises the Core Strategy Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham UDP (July 2004) that have not been replaced by the Core Strategy and policies in the London Plan (July 2011).

Planning Policy Statements (PPS) and Planning Policy Guidance (PPG)

- 6.2 The development of a site such as this has a wide-ranging policy context covering many national policy statements. Those of particular significance are:

Planning Policy Statement 1: Delivering Sustainable Development (2005)
Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (2007)
Planning Policy Statement 3: Housing (2010)
Planning Policy Statement 5: Planning for the Historic Environment (PPS 5) 2010
Planning Policy Guidance 13: Transport (2011)
Planning Policy Statement 22: Renewable Energy (2004)
Planning Policy Statement 23: Planning and Pollution Control (2004)

Ministerial Statement: Planning for Growth (23 March 2011)

- 6.3 The statement sets out that the planning system has a key role to play in rebuilding Britain's economy by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Government's expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

Other National Guidance

- 6.4 The other relevant national guidance is:

By Design: Urban Design in the Planning System - Towards Better Practice (CABE/DETR 2000)
Planning and Access for Disabled People: A Good Practice Guide (ODPM, March 2003)
Safer Places: The Planning System and Crime Prevention (ODPM, April 2004)
Code for Sustainable Homes Technical Guide (DCLG/BRE, November 2010)

Planning Policy Statement 1: Delivering Sustainable Development

- 6.5 This guidance was published in February 2005 and sets out the planning policies for the delivery of sustainable development. It stresses the importance of good design, noting that it is indivisible from good planning.

Planning Policy Statement 3: Housing

- 6.6 PPS 3 sets out how the planning system supports the growth in housing completions needed in England. It indicates the importance of achieving high quality housing and a suitable mix, including affordable housing. The PPS states that housing should be sustainable and linked with public transport provision and lower overall levels of off-street parking. Mixed use development should be

promoted where possible with proposals making the best use (most efficient use) of land. The guidance was recently amended to remove domestic gardens from the definition of previously developed or Brownfield land.

Planning Policy Statement 5: Planning for the Historic Environment (PPS 5) 2010

- 6.7 This guidance sets out the Government's planning policies on the conservation of the historic environment. This replaces Planning Policy Guidance 15: Planning and the Historic Environment (PPG15) published on 14 September 1994; and Planning Policy Guidance 16: Archaeology and Planning (PPG16), published on 21 November 1990. PPS5, policy HE9.1 states that: -

“Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated asset should require clear and convincing justification”.

PPS 5, policy HE10.1 relates to setting and states:-

“When considering applications for development that affects the setting of a heritage asset, local planning authorities should treat favourably application that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any negative harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval”.

The London Plan (June 2011)

- 6.8 Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.12 Negotiating affordable housing
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology
Policy 8.2 Planning obligations

Core Strategy (Adopted June 2011)

- 6.9 Policies relevant to this application are:-

Spatial Policy 1 Lewisham Spatial Strategy
Policy 1 Housing provision, mix and affordability
Policy 7 Climate change and adapting to the effects
Policy 8 Sustainable design and construction and energy efficiency
Policy 14 Sustainable movement and transport
Policy 15 High quality design for Lewisham

Policy 16 Conservation Areas, heritage assets and the historic environment
Policy 21 Planning obligations

Unitary Development Plan (Adopted July 2004)

6.10 The saved policies relevant to this application are:-

URB 3 Urban Design

URB 12 Landscape and Development

URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas.

HSG 4 Residential Amenity

HSG 5 Layout and Design of New Residential Development

Supplementary Planning Documents

6.11 Residential Design Standards (August 2006).
Planning Obligations SPG

7.0 Planning Considerations

7.1 Given that the proposed development has not physically changed since the decision taken by Planning Committee (B) in August 2010, that resolution is a material planning consideration, however the proposed development needs to be assessed in the light of the adoption of the Core Strategy and the latest version of the London Plan. The main planning considerations are (a) whether the development is acceptable in urban design terms given the context of the site, (b) whether the proposal would have any detrimental effect on the character and appearance of the adjoining Blackheath Conservation area, (c) whether the proposal would have any detrimental impact on the amenities of neighbours in terms of loss of daylight/sunlight, overlooking or loss of privacy, (d) whether the proposal will have any detrimental impact on highway safety, (e) whether the development is acceptable in terms of sustainability and (f) whether the new accommodation will provide satisfactory living accommodation and whether the provision of affordable housing is satisfactory.

Urban Design

7.2 Core Strategy Policy 15 (High quality design for Lewisham) seeks to ensure that any new development protects and enhances the historic and natural environment creating sustainable and accessible buildings, optimising the potential of the site. The policy also states that the site should be sensitive to the local context and respond to local character. Saved UDP Policies HSG 4 and HSG 5 seek to improve and safeguard the character and amenities of residential areas in the borough and to ensure that new housing is of high quality design.

7.3 Saved UDP Policy URB 3 Urban Design states that the Council will expect a high standard of design in extensions and alterations to existing buildings whilst ensuring that schemes are compatible with, or complement the scale and character of existing development, and its setting. The policy lists a number of factors that need to be taken into consideration, including scale and mass, layout

and access, context, delineation of public and private domain (including public routes) and quality of materials.

- 7.4 This scheme was the subject of extensive pre-application discussions with officers, local residents and amenity societies. As explained previously, the applicant's strategy for the replacement of its almshouse accommodation in the Borough requires a considerable increase in the number of residential units to be provided on this site. This inevitably means that the proposed buildings will be at a greater scale. However, the context of the site includes Victorian Villas and 1960s blocks of flats which are significantly taller than the existing almshouses. This, and exploiting the fact that the site is located on a natural hill slope, has allowed a design to be evolved which is in keeping with the context of the site. Apart from the Belmont Park entrance, the existing almshouses had no real street presence. By contrast the proposed new development does and in this respect is compliant with policy URB 3 Urban Design in the adopted UDP. Despite the significant increase in the amount of development accommodated on the site, the proposed scheme still retains a significant amount of garden area and soft landscaping. In response to the query raised by the Blackheath Historic Buildings Trust, the applicant confirms that the case copy plans and not the Arboricultural Assessment (dated Sept 2009) are definitive in terms of which of the existing trees are to be retained. The case copy plans show the majority of trees surrounding the site as well as a large Catalpa in the centre of the site as being retained.
- 7.5 In terms of density, the number of units proposed is equivalent to 125 units per hectare or 390 habitable rooms to the hectare. The average unit size is 3.1 habitable rooms and the PTAL for the site is 2. Table 3.2 Density Matrix (habitable rooms and dwellings per hectare) of the London Plan states that for a site in an urban location where the average unit size is 3.1-3.7 hr/unit, the appropriate density range is 55 -145 u/ha. In terms of habitable rooms to the hectare, 200-450 is indicated as the acceptable range for a site of this type. In terms of units and habitable rooms to the hectare, the development proposal is within the range stipulated in the London Plan. It would therefore be difficult on policy grounds to support the argument that the proposal represents an overdevelopment of the site.

Impact on Blackheath Conservation Area

- 7.6 The chief impact on the Conservation Area will be from the Belmont Park frontage of the proposed development and the block on the corner of Belmont Park and Middleton Way. The Belmont Park frontage respects the building line, scale and spacing of the surviving Victorian detached houses on this side of the street at Nos. 29-33 (odd). Although contemporary in design and appearance, the new buildings, when compared with the much smaller 1960s buildings, represent a slight improvement to the setting of the Conservation Area. The taller corner block is still considered appropriate in scale and has a neutral effect on the setting of the adjoining Conservation Area. The retention of most of the existing trees on the periphery of the site will also help to soften the impact of the new development and preserve the setting of the Conservation Area. As the Conservation Area comprises a 'heritage asset' within the meaning of PPS 5, officers consider that the proposal satisfies policy HE10.1 of PPS 5 which relates to the setting of heritage assets.

Impact on Neighbour Amenity

- 7.7 The applicant has provided an overshadowing analysis which shows that the proposed development will have an insignificant impact on its surroundings. In most cases the overshadowing occurs during early mornings or late evenings when the sun is low on the horizon. The most significant impact is on the side (west) elevation of 14 Blessington Road which adjoins the application site. However, a more detailed study on the impact of the development on any windows in this elevation shows the impact to be slight.
- 7.8 The plans also include a number of cross sections through the site which compare the mass of the proposed buildings to that of the existing (shown in red). This shows that the block backing onto the houses in John Woolley Close, which are at a higher level, is taller than the existing roof ridge of the existing almshouses by 2-4 metres. However, the proposed block is located further away from the houses in John Woolley Close. In terms of distances between rear facing habitable rooms, the separation between the houses in John Woolley Close and the proposed block which runs parallel to these properties is between 22 and 19.5 metres. This is greater than the 18 metres minimum separation between rear facing habitable rooms normally applied to new residential development. If the rear balconies to this block are taken into account, this distance is reduced to between 18 metres and 19.5 metres. While this is unlikely to have any adverse impact on privacy to rear facing windows of habitable rooms in John Woolley Close, the balconies at first and second floor level would be 8 to 11 metres from the rear gardens of these houses. Although balconies and roof terraces in new development are encouraged as a means of providing amenity space provision for occupiers of upper floor flats, care must be taken to ensure that the ability of near neighbours to use their gardens without overlooking and loss of privacy is not compromised. In this case the distances are considered acceptable and the balconies in question relate to almshouses for the accommodation of older people.
- 7.9 Regarding the properties in Blessington Close, these have comparatively short rear gardens onto Blessington Road. In this case the separation between the rear elevations of these properties and the balconies of the nearest blocks on the application site is 23 to 30 metres. The distance between the rear garden boundaries of these properties and the balconies of the new blocks is 16.5 to 23 metres. This distance includes an intervening roadway and the forecourt/front gardens of the proposed development which contains several large mature trees proposed for retention. Officers therefore feel that the proposed development would have no significant adverse loss of privacy or overlooking impact on the Blessington Close houses.

Traffic Parking and Highway Safety

- 7.10 The 11 spaces proposed for the almshouses (including staff and visitors) compares with only one off-street space in the case of both the existing CBA and MTA sites, which is clearly an under-provision for this type of accommodation. In terms of the 23 spaces for the 26 private sale homes, the maximum provision which would be permitted for this part of the development under policy TRN 26 in the adopted UDP is 37 spaces. This reflects the fact that the majority of these units have 3 bedrooms or more and could, therefore, be provided with 1.5 spaces

per unit. In addition, the proposed redevelopment has secure cycle storage for 75 bicycles and 62 electric buggies.

- 7.11 The application is submitted with a Transport Statement which concludes that the car parking provision is in accordance with adopted policy and considered appropriate for the site location, that the impact of the proposals will not be detrimental to the operation of the local highway network and that development is not expected to have any adverse impact on on-street parking. The Council's Highways and Transportation Section concur with this view subject to an appropriate Grampian style condition to ensure that the developer reimburses the Council for any amendments to road markings in the CPZ as a consequence of the proposed development.

Quality of Accommodation

- 7.12 At national level, PPS 1 and PPS 3 recognise the need to develop socially inclusive communities, creating a suitable mix of housing. PPS 3 requires the Council to set a plan-wide target for affordable housing, and targets relating to the mix in terms of social and intermediate housing, size and type. In addition, PPS 3 requires the Council to set a threshold above which developments would be expected to achieve such targets and an approach for seeking developer contributions towards the provision of affordable housing.
- 7.13 London Plan Policy 3.3 Increasing Housing Supply outlines that the Mayor recognises the pressing need for more homes in London in order to promote opportunities and provide real choice for all Londoners. Policy 4.4 Optimising Housing potential requires development to optimise housing output subject to site constraints and local context. Policy 3.8 seeks to provide Londoners with a genuine choice of homes that they can afford and meet the requirements for different sizes and types of dwellings. The application meets the requirements of this policy by providing a range of housing types including family and a different kind of unique accommodation which is new to the Borough.
- 7.14 All room sizes comply with the Council's residential design standards. The almshouses include lift access to wide entrance decks. All the almshouse accommodation will conform to recognised wheelchair standards, with a number of apartments complying in full with the South East London Housing Partnership 'Wheelchair Homes Design Guidelines' dated May 2008.
- 7.15 The new almshouse apartments are intended to provide independent living to the elderly residents, but will be built to 'Extra Care' standards in terms of size, access and general provision. This is intended to future-proof the development should the residents require additional assistance in the future. The scheme provides a degree of communal facilities including a lounge with kitchen, a summer house, a laundry, buggy store and informal seating areas at all levels. All units are double aspect providing both light and natural through ventilation. They are all accessed from external cloistered walkways at each level, all of which overlook a communal garden area, either the main courtyard or the quiet garden. The walkways are wide and spacious providing opportunities for them to be used and personalised by the residents. To the garden side there are generally planters (at all levels) which will be planted from the outset, but could be supplemented by the residents. There are also protruding balconies which push out beyond the walkways and into the central courtyard. It is intended for these to have loose seating and tables to

allow people to meet socially. On the inside face of the walkways, there are bay windows to the dining areas of most of the 2-bed apartments, with planters adjacent to each entrance door, together with fixed seating and lightwells. The garden side of the building has cloistered walkways around three sides of the court and incorporates a communal summer room with toilet facilities. Unlike the existing almshouses the communal areas will have no abrupt changes in level requiring steps or stairs.

- 7.16 The large family units are designed to be Lifetime Homes, and would allow a member of the family to live at ground floor level with a possible bedroom and wet room located at this level. All of the new homes on the site will be provided with private outside space in the form of a garden, terrace or balcony.
- 7.17 Officers consider that the residential accommodation proposing a range of accommodation designed for older people, is of a satisfactory standard and in the case of the proposed almshouses, a clear improvement on the existing accommodation at the CBA and MTA sites. To comply with Policy 8 Sustainable design and construction and energy efficiency of the Council's recently Adopted Core Strategy, all new residential development must comply with Level 4 of the Code for Sustainable Homes. Should Members be minded to grant permission for this development on the basis of the proposed revised Section 106 agreement on affordable housing, a condition requiring compliance with Code Level 4 is proposed.

Affordable Housing and Viability

- 7.18 London Plan Policy 3.11 Affordable Housing Targets seeks to maximise affordable housing provision. Section F of the policy emphasises the importance of viability of developments. Policy 3.12 Negotiating Affordable Housing on individual private residential and mixed use schemes states that the 'maximum reasonable amount of affordable housing' should be sought when negotiating on mixed use schemes, ensuring that development is encouraged rather than restrained. Core Strategy policy 1 (CSP 1) states that the Council will seek the maximum provision of affordable housing. Contributions to affordable housing will be sought on sites capable of providing 10 or more dwellings. The starting point for negotiations will be a contribution of 50% affordable housing on qualifying sites across the borough, This would be subject to a financial viability report.
- 7.19 To ensure a mixed tenure and promote mixed and balanced communities, the Core Strategy states that the affordable housing component is to be provided as 70% social rented and 30% intermediate housing.
- 7.20 The original submission was accompanied by a financial appraisal that considered the viability of the scheme. As outlined above the originally envisaged funding of the proposal was in part dependent on grant funding from the Homes and Communities Agency (HCA). Unfortunately, this funding is no longer available at previously envisaged levels and this will impact on the level of affordable housing within the proposed development. However, the Applicant remains committed to delivering the proposed scheme, despite its poor viability. A revised viability report submitted by the applicant indicates that without grant funding the provision of affordable housing is reduced from 31 Units to 2 - 4 units or circa six bedrooms. It is possible that these could be provided off-site. It is still proposed that 31 of the

62 almshouses would be subject to the restrictions which previously applied to almshouses managed by the charity.

7.21 In a letter dated 22 February 2012, the applicant's agents have asked for the following points to be brought to the attention of the Planning Committee:-

"We always maintained that the s106 agreement would need to be explicit in stating that the 31 units could only be delivered as affordable housing if £7,700,000 of grant funding was forthcoming from the HCA. It was subsequently confirmed that, if this level of grant was not forthcoming, a proportional cascade mechanism would then be required which allowed the affordable housing obligation to pro-rata up or down."

"In the period from August 2010 and October 2011, the affordable housing funding picture changed enormously, driven by the Government's Spending Review in late 2010, and the HCA's subsequent 2011/15 Affordable Homes Programme announced in February 2011. Grant funding for affordable housing was cut by around 70% per annum from levels of investment available in their 2008/11 programme."

"During this period, the Applicant's affordable housing partner, London & Quadrant, bid to the HCA for grant funding to provide the affordable homes on the Site and, whilst they bid for the £7,700,000 initially anticipated, were only able to secure £930,000 based on a £30,000 cap per unit). The pro-rata approach previously agreed would therefore deliver four affordable housing units/equivalent to six bedrooms."

"The toolkit shows that, even at this reduced level of affordable housing, the schemes viability is very challenged, although the Applicant is committed to delivering the proposed scheme. The Applicant has also indicated that, as an alternative to the provision of four affordable units (1 and 2 bed units, totalling six bedspaces) on site, they would be prepared to agree either:

- i) a commuted payment in lieu, which the Council may feel can be better spent provided family units elsewhere; or*
- ii) the provision of two family units on land which the Charity owns in the vicinity of the site but not comprising part of this current application boundary."*

"Finally, whilst Members may be concerned that the 31 affordable housing units they thought were going to be secured as "affordable" via the s106 were always meant to be subject to a cascade mechanism it is worth reiterating that, whilst the affordable obligation via the s106 is only for four units (or a cash alternative), the balance of the almshouses remain in the ownership of the Applicant, Christopher Boone's Charity, whose sole object is to let the units under the tight tenancy restrictions as prescribed under the charity's governing document. This will ensure that at least 31 of the almshouses will be occupied by those meeting the charity's criteria of being in housing need, as defined below:-"

"Fifty percent of the homes will be used for the Merchant Taylors beneficiaries, and fifty percent for the Christopher Boone's beneficiaries."

"The Merchant Taylors beneficiaries are defined as being people in need by reason of age, ill-health, disability, financial hardship or other disadvantage with

preference being given to freemen of the Company of Merchant Taylors and their widows, widowers, children or other dependants.”

“The Christopher Boone’s beneficiaries are defined as being people in need by reason of age, ill-health, disability, financial hardship or other disadvantage of not less than 57 years who have been resident in the London Boroughs of Lewisham or Greenwich for not less than 5 years, with a preference being given to residents of the Ancient Parish of Lee in the Borough of Lewisham.”

“The term ‘financial hardship’ is defined by English Law. Any charges levied by the charity must, in accordance with the Governing Document, not “cause hardship” and will therefore, by definition, be “affordable rents.”

“From our clients perspective, therefore, the occupation of these units would be controlled in any event by the virtue of the charity’s legal objects. However, officers felt that further restrictions via the s106 were necessary.”

“I would hope that, once Members of the Committee are informed of the negotiations and agreements that preceded committee, and the fact that 31 of the other units (35% by unit) on the Site will be let by a Charity in accordance with it’s own legal restrictions to local people in housing need, this will be of comfort to them. In effect, this will deliver at least 31 “affordable” one and two bedroom housing units.”

- 7.22 Officers commissioned consultants to analyse and report on the applicant’s financial appraisal. The applicant has agreed to meet the cost of the report. The full document is available to the Committee. The consultant’s findings were as follows:-

Viability Conclusions

- 4.11 *“Our analysis has shown that on balance the assumptions contained within the submitted viability appraisal are reasonable. There are opportunities for certain assumptions to be challenged, notably build cost and private sales revenues, however any potential viability gains are likely to be offset by other areas where the applicant has taken significant commercial views by reducing the required profit margin and ignoring existing use value. We recommend that the submitted viability appraisal should therefore be accepted by the Council.*
- 4.12 *The applicant has shown that with 62 alms houses delivered at the stated target rents the scheme delivers a negative residual value of approximately £7.74m. We accept their argument that to make such a scheme viable will require this level of grant or cross subsidy, and as such this scheme cannot support financial S106 contributions.*
- 4.13 *We recommend that the Council makes further detailed enquiries of the applicant or its agent to understand precisely how this viability gap is to be met, as we understand that the Council would not wish to grant planning permission based on an exceptional S106 position for a scheme that cannot be delivered.*

4.14 *This does not mean that we accept the applicant's argument that the scheme cannot support affordable housing on the basis of the viability appraisal submitted. Indeed to the contrary, the alms houses have been entered into the appraisal at affordable capital values based on rents at affordable levels. The Council should therefore seek assurances that that the alms houses are to be provided at the rent levels stated by the applicant in perpetuity.*

The Delivery of Affordable Homes

4.15 *The definitions and assessment of whether this scheme provides Affordable Housing in accordance with Lewisham's policy can be found both in the Planning Committee report and the Toolkit evaluation provided by applicant's agent. Affordable Housing includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should: meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices and include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.*

4.16 *Both the Merchant Taylors and Christopher Boone Alms houses provide accommodation that fits within this definition 'in need by reason of age, ill-health, disability, financial hardship or other disadvantage' however, they further restrict access to persons who qualify in accordance with their Charitable aims 'with preference given to .. residents in the London Boroughs of Lewisham or Greenwich for not less than 5 years'.*

4.17 *Currently, the Boone Almshouses are managed by Merchant Taylors in accordance with the former's charitable aims. This would mean that, apart from the residency qualification, Lewisham Residents would have direct access to the properties.*

4.18 *These Charities are regulated by both the Charities Commission and TSA/HCA and as such would not be able to change use/dispose of/let to other client groups*

4.19 *In order to secure this provision, and not unduly restrict the Almshouse charitable activities, the Council may get comfort from a loosely worded S106 provision which would set down their basic requirements but give the Alms houses flexibility to develop the scheme with or without grant - along the lines of a minimum of 50% of the properties are be let in perpetuity as affordable housing (in accordance with Borough policy) at no more than affordable rents (as defined).*

Conclusion

4.20 *The viability appraisal shows a very significant financial deficit which the Council should satisfy itself the applicant is able to meet from other sources, otherwise the scheme as proposed is unlikely to be delivered.*

4.21 *The viability appraisal does not support the applicant's claim that the scheme is unable to support affordable housing. Indeed, it shows that the alms houses are to be delivered at rents which can be considered as affordable in the Borough. This is the very reason why the substantial viability gap exists. The applicant has not presented a scheme with an alternative private/alms house/affordable mix to demonstrate what would be deliverable without reliance on significant subsidy or cross funding.*

4.22 *The Council should therefore consider taking legal advice and any further steps it deems necessary to ensure that the units are retained at affordable rental levels. This may require a flexible S106 agreement to be entered in to, or alternatively, the applicant may be able to provide sufficient evidence to the Council's legal advisors to demonstrate that the units will be secured as affordable by some alternative mechanism*

7.23 The applicants have provided the following response to the consultant's report:-

We note that the consultant has agreed with the findings of our viability report, in that without grant funding, the scheme cannot provide any affordable housing via a traditional section 106 agreement.

The viability of this development as with any other development should be considered on its own merits, however, the charity is obliged to consider how this project can best be funded for the benefit of its existing and future beneficiaries under the Charities Act 1993. This being the primary objective of the Charity.

In considering this, the Charity has the option of taking a commercial mortgage offsetting the interest and repayments from the rental income, disposal of other investment assets or as likely a combination of both.

With the position on viability now agreed we do not see the basis for a "loosely worded s106 provision". The applicant has remained true to their commitment as part of the original application to provide some affordable housing via section 106, this would reflect the maximum £900k grant that has been secured from HCA and being the 6 beds/2 units either provided on-site, by commuted payment or provided off-site. We therefore assume that your report will detail these potential heads of terms, which we then need to quickly turn into a full s106 agreement.

As we have always maintained the identified 31 almshouse units at affordable rents will be secured by alternative means outside of a section 106 agreement.

The almshouse units are owned and managed by a registered charity, the Merchant Taylors' Boone's Charity (the "Charity") (registered charity number 214262). The Charity's use of the almshouses is governed by a Scheme of the Charity Commission dated 31 December 2010 (the "Scheme"). The trustee's of the Charity have to ensure at all times (in accordance with the Charities Act 1993 and Trust law) that it acts in accordance with the Scheme.

As such, the assets of the Charity can only be used in the furtherance of its charitable objects (as set out in the Scheme), for the public benefit and for no other purpose. The objects of the Charity are the relief of poverty by the provision of almshouse accommodation for the beneficiaries of the Charity and such

charitable purposes for the benefit of the residents of the almshouses as the trustees decide. The Scheme provides that:

50% of the thirty one almshouse units must be occupied by people in need by reason of age, ill health, disability, financial hardship or other disadvantage with preference being given to freemen of the Company of Merchant Taylors and their widows, widowers, children or other dependents,

and

50% of the thirty one almshouse units must be used for people in need by reason of their age, ill health, disability, financial hardship or other disadvantage of not less than 57 years who have been resident in the London Borough of Lewisham or Greenwich for not less than 5 years with a preference being given to residents of the Ancient Parish of Lee in the Borough of Lewisham. The trustee may in exceptional circumstances appoint a resident who is not a beneficiary of the Charity (as set out above), but such person must be otherwise qualified (i.e. in need)

A third party cannot require the trustee to use the units for some other purpose and Charity Commission consent would be required if an amendment of the Scheme was sought. The use of the almshouses (as they are charitable assets) are subject to the jurisdiction of the Charity Commission and the courts and cannot be used for some other purpose. The jurisdiction of the Charity Commission over charities is set out in the Charities Act 2006 (and in the Charities Act 2011 which comes into force on 14 March 2012).

The charity is also registered with the Tenant Services Authority ("TSA") and is a provider of social housing. The powers of the TSA over social housing providers are set out in the Housing and Regeneration Act 2008 (the "Act"). As a social housing provider, the charity must comply with the regulatory framework set by the TSA and is required under the Act to ensure that the rent charged to residents is below market rate and that the accommodation is available to people whose needs are not adequately served by the commercial housing market." The governing scheme also states that the rental levels should "not cause hardship" which equates to what is an "affordable rent" and as such will follow the current and future TSA capped rental levels".

- 7.24 With regard to paragraph 4.21 of the consultant's report, the applicant considers that the restrictions placed upon the charity in terms of the need to retain 31 almshouses on site, means that these units can never be offered at market levels to provide 100% private units across the whole development.
- 7.25 It is considered that the development would secure a development, including 'almshouses' within the Borough suited to the needs of present and future generations. This will replace aging stock within the Borough which is now largely unsuitable for the elderly and infirm. The Grade II listed Merchant Taylors Almshouses in Brandram Road are to be converted to family housing with some sensitively designed in-fill development. None of this housing will be affordable as the proceeds of sale will largely be used to fund the development of the current application site. Although the reduced size of the HCA grant means that 31 of the 62 units can no longer be secured as affordable housing by means of a Section 106 Agreement, the applicant's status as a charity effectively means that at least

31 of the proposed units will be managed in a manner more akin to affordable than market housing. Up to 31 of the remaining almshouses would be let at market rents as retirement homes. The HCA funding which is available does, however, permit a small amount of affordable housing to be provided. Although the applicant has offered to provide the 2 -4 units (6 bed-space) affordable housing provision in a variety of ways, officers consider that on-site provision, outside of the 31 proposed 'charity' almshouses, would be preferable. which seeks to achieve a range of housing choice, and with Lewisham Saved UDP policy HSG 5, which requires that all new residential development is attractive, neighbourly and meets the functional requirements of its future inhabitants.

- 7.26 On this basis the revised provision of affordable housing is considered to be acceptable.

Sustainability

- 7.27 It is intended that the scheme will comply with the Code for Sustainable Homes level 4 and will incorporate renewable energy in the form of a gas fired Combined Heat and Power Plant and photovoltaic cells on the roof of the almshouses. The applicants have submitted an energy options and sustainability strategy which states that these measures will meet the London Plan policy requirement of reducing CO2 emissions from the building by 20%. A green roof on the almshouses will also contribute to the insulation of the buildings, nature conservation and the reduction of rainwater run-off into the drainage system. Although no grey water harvesting is proposed, the proposed private sale 'villas' within the development will have rain water butts to collect rain water for garden use.

8.0 Conclusion

- 8.1 The decision to recommend that planning permission be granted has had regard to the policies and proposals in the London Plan (July 2011), the Core Strategy Development Plan Document (June 2011) and the saved policies in the Unitary Development Plan (July 2004) as set out below, and all relevant material considerations, including comments received in response to third party consultation.
- 8.2 The Local Planning Authority has considered the particular circumstances of the application against relevant planning policy set out in The London Plan (2011), the Core Strategy Development Plan Document and saved policies in the adopted Unitary Development Plan (2004). The Local Planning Authority has further had regard to the Mayor of London's Supplementary Planning Guidance and Best Practice Guidance, as well as the Local Planning Authority's Residential Standards Supplementary Planning Document (August 2006), Government Planning Policy Guidance and Statements, and all other material considerations, and the obligations that are to be entered into in the planning agreement in connection with the development and the conditions to be imposed on the permission. The Local Planning Authority considers that:
- (1) The development of the site is in accordance with London Plan policy 3.8 in respect of housing choice which seeks to achieve a range of housing choice, and with Lewisham Saved UDP policy HSG 5, which requires that all new residential development is attractive, neighbourly and meets the functional requirements of its future inhabitants.

- (2) The provision of residential accommodation at the density proposed at this site is in accordance with London Plan policy 3.4 which states that development proposals should seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth.
- (3) The proposed dwelling mix and provision of affordable housing, which is controlled by planning obligations agreed as part of the permission, is considered to be the maximum reasonable that can be achieved on this site taking account of targets and scheme viability and the need to encourage rather than restrain residential development in accordance with London Plan policy 3.12 regarding the provision of affordable housing, and with Core Strategy policy 1 regarding housing provision, mix and affordability.
- (4) The energy demand of the proposed development has been assessed in accordance with London Plan Policy 5.2 and Core Strategy policy 8 regarding energy and carbon dioxide savings through a lean, clean and green strategy. The CO2 saving achieved is considered acceptable.
- (5) The proposed level of cycle parking and associated measures to reduce car use are in accordance with Core Strategy policy 14 regarding sustainable movement and transport.
- (6) Consideration has also been given to the objections made to the proposed development, as set out in the report. It is considered that none of the material objections outweigh the reasons for granting planning permission.

9.0 RECOMMENDATIONS

9.1 RECOMMENDATION (A)

Authorise officers to negotiate a Section 106 Agreement in respect of the provision of affordable housing as detailed above.

9.2 RECOMMENDATION (B)

Upon completion of a satisfactory Section 106 Agreement, the Head of Planning be authorised to GRANT PERMISSION subject to the following conditions:-

The standard condition requiring implementation within 3 years to be amended to allow 5 years for the reasons set out in Para. 6.8.5 of the report.

- (1) B01 Facing Materials - New Buildings
- (2) B09 Plumbing or Pipes
- (3) C11 Construction Hours
- (4) H12 Provision for Cyclists
- (5) L01 Planting, Paving, Walls etc
- (6) L08 Trees - Protection during Works

- (7) N10 Dust Minimisation Scheme
- (8) RF1 Refuse Storage
- (9) RF2 Refuse Collection
- (10) No development shall commence on site until an agreement under section 278 of the Highways Act 1980 has been agreed and completed to secure the highways works as shown on drawing no. AA1098/2.0/013_A. The development shall not be commenced until the applicant has secured amendments to the controlled parking zone markings outside the premises to permit the creation of the new vehicular access points detailed in the plans hereby approved.
- (11)
 - (i) The rating level of the noise emitted from fixed plant and from the premises on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made by a suitably qualified acoustic consultant according to BS4142:1997.
 - (ii) Development shall not commence until details of the scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.
 - (iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity.
- (12)
 - (i) The development hereby approved shall achieve a Code for Sustainable Homes rating of minimum Code Level 4.
 - (ii) Prior to commencement of development, a Design Stage Assessment undertaken by a suitably qualified Assessor shall be submitted to and approved in writing by the local planning authority to demonstrate compliance with (i).
 - (iii) Within 3 months of the building being occupied, evidence shall be submitted to demonstrate full compliance with the requirements of this condition, which shall include a Post Construction Certificate issued by a suitably qualified Assessor.

Reasons

(10) & (11)

In order to ensure that satisfactory means of access is provided and to comply with the Policies in Chapter 6 Sustainable Transport & Parking in the adopted Unitary Development Plan (July 2004).

- (12) To safeguard the amenities of the adjoining premises and the area generally and to comply with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).

- (13) To ensure the development achieves the maximum possible in respect of energy and carbon emissions and to comply with Policy 8 Sustainable design and construction and energy efficiency of the adopted Core Strategy (June 2011).

Informatives

- (1) Construction Sites Code of Practice
With regard to Condition (12), the noise assessment of fixed plant and machinery should be carried out by a suitably qualified acoustic consultant.