



Planning Committee A

Report title: 17 Minard Road

Date: 01 Feb 2022

Key decision: No

Class: Part 1

Ward(s) affected: Lewisham Central

Contributors: Samuel James

Outline and recommendations

The application is reported to committee as there have been over three planning objections.
The application is recommended for approval.

Application details

Application reference number(s): DC/21/120262

Application Date: 19 July 2021

Applicant: The Edition Group Ltd.

Proposal: The construction of a part two storey, part single storey building, plus habitable roofspace at 17 Minard Road, SE6, to provide 1, three bedroom and 1, four bedroom dwelling houses, together with the provision of 1 off-street car parking space, bicycle and refuse storage facilities and associated landscaping.

Background Papers: (1) Submission Drawings
(2) Submission technical reports and documents
(3) Internal consultee responses
(4) Statutory consultee responses
(5) *Appendix A: Local Meeting Minutes*

Designation: PTAL 2

Screening: N/A

1 SITE AND CONTEXT

Site description and current use

- 1 The site is a roughly triangular shaped plot of land located at 17 Minard Road. It is on the south-eastern side of Minard Road at the end of an existing terraced row, approximately 70m from the junction with Brownhill Road, and the last plot on this side of the street before the junction. A two-storey, end of terrace house previously stood on the land, but this was demolished in 2017 following an application for prior approval.

Character of area

- 2 The surrounding area is characterised by two storey, double height canted bay dwellings set out in terraces. This section of Minard Road exhibits a strong architectural vernacular. The vast majority of surrounding dwellings are finished in red brick, bar a few exceptions, where the brick has been rendered and/or painted.
- 3 They style of the properties is consistent with that of the wider Corbett Estate, in which the proposal site is situated.

Heritage/archaeology

- 4 The site is not located within a conservation area, nor is it in the vicinity of any listed buildings.

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5 The site is not within a known area of archaeological interest.

Surrounding area

6 The surrounding area is residential in nature, however there are various commercial uses and local shopping parades along Brownhill Road (A205) to the south. The site is within walking distance of Hither Green Rail Station.

Local environment

7 The site is in flood zone risk area 1 meaning the risk of river flooding is low.

8 The site is within an area of designated Local Open Space Deficiency.

Transport

9 The site has a PTAL rating of 2 on a scale of 1-6, where 1 indicates poor access to public transport, and therefore accessibility to public transport is below average for London areas. Hither Green Rail station is an approximate 12-minute walk from to site.

10 Minard Road is a public highway with a speed limit of 20mph. Minard Road forms a junction with Brownhill Road, a classified A-Road, approximately 70m to the south-west of the site.

11 The existing property benefits from a vehicular crossover to the highway.

2 RELEVANT PLANNING HISTORY

12 There is significant planning history pertaining to this property but the most relevant is outlined below:

13 **DC/20/116332:** The construction of a part one, part two storey building, plus habitable roofspace at 17 Minard Road SE6 to provide 1, three bedroom and 1, four bedroom dwelling houses, together with the provision of 2 off-street car parking spaces, 5 bicycle spaces and refuse storage facilities. Application **Withdrawn 24 May 2021** following identification of errors with the site ownership certificate that had been submitted.

14 **DC/17/104165** - The construction of a 2 storey building including roof space at 17 Minard Road, SE6 to provide 2 x No. three bedroom houses and 1 x No. two bedroom house, together with the provision of 3 car parking spaces, 6 bicycle spaces and a refuse storage area – **Refused 8th January 2018**, for the following reasons:

1. *The proposed development, given its footprint, massing and proximity to the shared boundary with the properties along Brownhill Road, would not be in keeping with the prevailing plot coverage of the surrounding area and would represent a development which is disproportionate to the size of the application site, whilst also resulting in an unacceptable impact on the amenity of the occupiers of 315 Brownhill Road as a result of appearing overbearing, and on the amenity of the occupiers of 317 Brownhill Road due to increased overlooking and loss of privacy to their rear amenity space, contrary to Policy 7.4 Local Character and Policy 7.6 Architecture of the London Plan (2016), DM*

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Policy 30 Urban design and local character of the Development Management Local Plan (2014), and Lewisham Core Strategy Policy 15 High quality design for Lewisham (June 2011).

- 2. The proposed development, due to the depth, irregular shape and cramped nature of the outdoor amenity space for the end-terrace unit (Unit 3), would fail to provide an acceptable standard of accommodation, and is therefore contrary to Policy 3.5 Quality and Design of Housing Development of the London Plan (2016), DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (2014), Lewisham Residential Standards SPD (Updated 2012) and The London Plan Housing SPG (2016).*
- 3. The proposed cycle parking spaces would result in cycle parking which is not convenient to use or fully secure, contrary to Policy 6.9 of the London Plan (2016), and Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).*

15 **DC/17/102697** - The demolition of the existing buildings and the construction of a 2 storey building including roof space at 17 Minard Road, SE6 to provide 3 three bedroom houses, together with the provision of 3 car parking spaces, 3 bicycle spaces and a refuse area – **Withdrawn 11th October 2017.**

16 **DC/16/099545** - The demolition of the existing buildings and the construction of a 2 storey building including roof space at 17 Minard Road, SE6 to provide 3 two bedroom houses, together with the provision of 3 car parking spaces, 3 bicycle spaces and a refuse area – **withdrawn 21st April 2017.**

17 **DC/16/095066** - Prior notification for the demolition of the existing two storey dwelling at 17 Minard Road SE6 – **Prior Approval not required 17th February 2016.**

18 **DC/14/090238** - The demolition of the existing buildings and the construction of a 2 storey building with basement and roof space at 17 Minard Road, SE6 to provide 2 one bedroom, 3 two bedroom and 1 three bedroom self-contained flats, together with the provision of 4 car parking spaces and 6 bicycle spaces – **Refused 16th April 2015**, for the following reasons:

- 1. The proposed development would result in the loss of a single dwelling house to the detriment of housing choice in the Borough, contrary to DM Policy 2 (Prevention of loss of existing housing) and DM Policy 3 (Conversion of a single dwelling to two or more dwellings) in the Development Management Local Plan.*
- 2. The proposed development, by reason of the location and design would result in an overbearing, dominant and visually intrusive form of development which would result in a loss of outlook, daylight/sunlight and increase the sense of enclosure on the occupiers at adjoining sites on Minard and Brownhill Roads contrary to Core Strategy Policy 15 High Quality Design for Lewisham of the adopted Core Strategy (2011) and DM Policy 32 Housing design, layout and space standards, DM Policy 33 Development on infill sites, of the adopted Development Management Local Plan (2014).*
- 3. The proposed development would result in a substandard living environment for future occupiers who would not benefit from adequate outlook, amenity/play space and natural light contrary to Policy 3.5 Quality and Design of Housing Developments and Policy 7.6 Architecture of the London Plan 2011; Core Strategy Policy 15 High quality design for Lewisham; Lewisham Council*

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Residential Standards Supplementary Planning Document 2006, the Mayor of London's Housing Supplementary Guidance, November 2012 and 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).

4. *The proposed development by reason of the location and design would result in an incongruous form of development, unacceptable in principle and harmful to the character and appearance of the wider street scene and be contrary to Objective 10:Protect and enhance Lewisham's character; Policy 15: High Quality Design for Lewisham; in the adopted Core Strategy (2011); DM Policy 30 Urban design and local character; DM Policy 31 Alterations and extensions to existing buildings including residential extensions; DM Policy 32 Housing design, layout and space standards and DM Policy 33 Development on infill, backland, back garden and amenity area development of the adopted Development Management Local Plan (2014).*

3 CURRENT PLANNING APPLICATION

3.1 THE PROPOSALS

- 19 The proposal is for construction of a part two storey, part single storey building plus habitable roof space consisting of two single family dwellinghouses (1, three bedroom, and 1, four bedroom).
- 20 The proposal includes off-street parking for one cars.
- 21 The proposal also includes landscaping works around the proposed building, and provision of 5 bicycle spaces and refuse storage.

4 CONSULTATION

4.1 APPLICATION PUBLICITY

- 22 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 26th July 2021, and a site notice sent to the applicant for display.
- 23 15 responses were received, comprising 15 objections.

4.1.1 Comments in objection

Comment	Para where addressed
Objections to loss of previously existing original Corbett house, and construction of two dwellings in its place. Contrary to DM2 and DM3.	48
Pre-Existing / existing plan accuracy, and proposed plan accuracy.	The applicant has asserted the accuracy of the plans and

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	provided details of the survey. The plans are considered sufficiently accurate to make an assessment. Pre-exist plans are for reference only.
Proposed building is out of character with the surrounding area. Corbett Estate is of special interest.	98
Proposed building does not respect local context or original Corbett houses	100
Windows do not align and are not same size as neighbours, bays do not match, materials do not match	100
Overdevelopment of plot	66
2 storey rear element is not in accordance with policy and guidance in SPD	102
Floor to ceiling heights are insufficient	72
Amenity space not large enough	84
Loss of sunlight and overshadowing to neighbours	168
Overlooking to neighbours / loss of privacy	165
Increased sense of enclosure and loss of outlook to neighbours	158
Cycle parking spaces not secure	140
Insufficient parking provided for proposal	148
Loss of existing trees	202

4.1.2 Local Meeting

- 24 As more than ten valid planning objections were received, objectors, ward councillors and the developer were invited to attend a 'Local Meeting'. This meeting was held on 30th November 2021. Due to the Covid-19 pandemic, this meeting was held in a virtual format, via Zoom. The meeting was chaired by Councillor Aisling Gallagher, and followed a webinar format. The Local Meeting was held in accordance with Lewisham's Statement of Community Involvement.
- 25 The developer was invited to give a short presentation on the scheme, followed by pre submitted questions which had been emailed to officers prior to the meeting. Follow up questions during the meeting were submitted via text on the Zoom web application.
- 26 The meeting was attended by eight local residents, Councillor Gallagher, the developer's planning agent representing Resi, and Planning Officer Samuel James (case officer).
- 27 The key concerns raised by objectors largely mirrored those received in writing. The key planning concerns were the impacts of the design of the proposal on the surrounding area and the impact on neighbouring amenity. The minutes of the Local Meeting are included at Appendix A.

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4.2 INTERNAL CONSULTATION

28 The following internal consultees were notified on 26th July 2021.

29 Highways: No comments were received for the current proposal. However highways officers commented on the previous application DC/20/116332, which was withdrawn prior to being heard at Committee in May 2021. They raised concern that 2 parking spaces for 2 dwellings would represent an over-provision, and suggested only 1 off-street space be provided. No other objections were raised.

30 Environmental Health: No comments received.

31 Tree Officer: Confirmed that none of the existing trees on site were of sufficient amenity value to be protected by a TPO, and recommended planting of new trees be secured by condition.

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)

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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:

- Small Sites Supplementary Planning Document (October 2021)
- Alterations and Extensions Supplementary Planning Document (April 2019)
- Planning Obligations Supplementary Planning Document (February 2015)

38 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- London's Foundations (2012)
- All London Green Grid (March 2012)
- Play and Informal Recreation (September 2012)
- Character and Context (June 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Energy Assessment Guidance (October 2018)

6 PLANNING CONSIDERATIONS

39 The main issues are:

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

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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.

Policy

42 The London Plan at Table 4.1 sets a 10 year housing completion target of 16,670 new homes between 2019 and 2029 for Lewisham, and London Plan Policy H1 requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites through their planning decisions.

43 LPPH2 LPP H2 states that boroughs should increase the contribution of small sites (below 0.25 hectares) to meeting London's housing needs and sets a ten year target for Lewisham of 3,790 new homes on these kinds of sites.

44 The National Planning Policy Framework (NPPF 2021) speaks of the need for delivering a wide choice of high quality homes, which meet identified local needs (in accordance with the evidence base), widen opportunities for home ownership, and create sustainable, inclusive and mixed communities.

45 NPPF Chapter 11 outlines that planning decisions should make effective use of land by promoting and supporting under-utilised land and buildings, particularly where they would contribute to housing need and where sites could be used more effectively.

46 Lewisham Core Strategy Spatial Policy 1 'Lewisham Spatial Strategy' which links to Core Strategy Objective 2 'Housing Provision and Distribution' supports the delivery of new housing to meet local need. The Core Strategy recognises the Borough's need for housing and outlines the objectives to achieve 18,165 new dwellings between 2009/2010 and 2025.

47 DMP 2 *Prevention of loss of existing housing* sets out that planning permission for loss of housing by demolition will only be granted in a limited set of circumstances. DMP 3 *Conversion of a single family house to two or more dwellings* sets out that planning permission will normally be refused for the conversion of a single family house into flats. The general aims of these policies is to protect the loss of the existing housing stock, and the loss of family housing respectively, to ensure an adequate supply and genuine choice of homes for residents of Lewisham.

48 The house that previously existed at No.17 was a three bedroom, single family dwellinghouse. That property was demolished following an application for prior approval to demolish in 2017. Planning permission was not required for this, and this proposal for demolition was not required to be assessed against DMP2 or DMP3 at the time because the demolition was Permitted Development – only the methodology of demolition could be assessed by the Council.

49 The current proposal is for the construction of two new dwellinghouses of three and four bedrooms, meaning that as a result of the proposal there would be an additional family

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sized dwellinghouse, compared to the previously existing situation. The principle of development is therefore acceptable as there would be an increase in provision of family housing in line with the Development Plan, and the proposal would not be contrary with DMP2 nor DMP3.

50 The overall acceptability of the scheme is subject to a proposed building of an appropriate scale and design, which would have an acceptable impact on the surrounding area, including on the amenities of neighbours and the local highways network. These matters are discussed in the following sections of this report.

6.1.1 Principle of development conclusions

51 The site will make a valuable contribution towards meeting housing needs as identified in LPPH1 and H2 to increase housing supply and optimise housing potential of the site. The proposal will make more efficient use of the land and officers therefore support the principle of development. This is subject to a residential scheme of an appropriate design, siting, height, and scale, whilst ensuring that neighbouring amenity is maintained, and a good standard of accommodation is provided.

6.2 HOUSING

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

Policy

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

54 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.

55 The NPPF encourages the efficient use of land subject to several criteria set out in para 122. Para 123 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.

56 The London Plan supports the most efficient use of land and development at the optimum density. Defining optimum is particular to each site and is the result of the design-led approach. Consideration should be given to: (i) the site context; (ii) its connectivity and accessibility by walking and cycling and existing and planned public transport (including PTAL); and (iii) the capacity of surrounding infrastructure.

57 The Plan sets a 10 year housing completion target of 16,670 new homes between 2019 and 2029

58 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.

59 NPPF para 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.

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60 CSP 1 echoes the above with several other criteria and expects the provision of family housing (3+ bedrooms).

Discussion

61 The proposal is for two new family sized dwellings, and the site measures approximately 0.04 hectares in a residential area.

62 The surrounding area comprises of predominantly blocks of perimeter form urban terraced housing of 2-stories in height. The A205 (Brownhill Road), which has a mix of commercial uses, and is a busy main road runs close to the site, and therefore the area is characterised as being urban,

63 Table 1 below sets out the measures of density criteria required by LPPD3 for all sites with new residential units.

Table [1]: Measures of Density

Criteria	Value	Value/area
Site Area (ha)	A 0.04	BLANK
Units	W 2	W/A: 50 U/Ha
Habitable rooms	X 10	X/A: 250 Hr/Ha
Bedrooms	Y 7	Y/A: 175 Br/Ha
Bedspaces	Z 12	Z/A: 300 Bs/Ha

Summary

64 Policy D6 of the LP states for London to accommodate the growth identified in this Plan in an inclusive and responsible way every new development needs to make the most efficient use of land. This will mean developing at densities above those of the surrounding area on most sites.

65 Whether the scale of development is appropriate for the site and surrounding area, the impact on neighbouring occupiers, and accessibility are all relevant factors when determining optimum density, and these are considered in following sections of this report.

66 Subject to the following matters, the proposed density is acceptable, and would not result in an over-intensification of the site. The proposed development would result in a more efficient use of the land and increase housing supply in line with the London Plan (2021).

6.2.1 Residential Quality

General Policy

67 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

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Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).

- 68 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity; and (vii) children’s play space.

Internal space standards

Policy

- 69 The ‘Technical housing standards – nationally described space standards’ sets out the minimum floorspace requirements for dwellings.

- 70 DMP 32 ‘Housing design, layout and space standards’ and LPD6 of the London Plan require housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision.

Discussion

- 71 The table below sets out proposed dwelling sizes.

Table [2]: Internal space standards – proposed v target

House No.	Unit type (min req. GIA)	Unit size (GIA) (sqm)	Room sizes (metres squared)(min req.)	Floor to ceiling heights (metres)	Amenity space (m. squared)	Compliance
1	3b 5p 3-storey dwelling (99)	103	Bed 1 (1f double) – 13.7 (11.5) Bed 2 (1f single) – 9.5 (7.5) Bed 3 (2f double) -15 (11.5)	2.6 / 2.39	46 (8)	Yes
2	4b 7p 3-storey dwelling (121)	132	Bed 1 (gf double) – 17.3 (11.5) Bed 2 (1f double) – 16.5 (11.5) Bed 3 (1f single) – 8 (7.5) Bed 4 (double) – 16.2 (11.5)	2.7 / 2.39	55 (9)	Yes

- 72 The floor to ceiling heights would be above 2.6m for the majority of rooms within the dwellings, which exceeds the requirements of Policy DM32 and LPPD6, which require a minimum of 2.5m.

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- 73 It is noted that LPP D6 recommends a minimum floor to ceiling height of 2.5m for at least 75% of the Gross Internal Area of each dwelling, which would be exceeded by the proposed development.
- 74 The bedrooms in the loft would have an approximate 2.4m floor to ceiling height, with one side of their ceiling sloping due to the pitch of the roof. Approximately 1.5m² of each of these bedrooms would have a floor to ceiling height of less than 1.5m at the sloping side. Based upon LPPD6, this should not be counted in the overall GIA. This is not a significant area and as these rooms are significantly larger than the minimum required floor area for double bedrooms, this would not reduce the usable area of the rooms below the minimum requirements, and the rooms are compliant with the standards and considered to provide a high level of amenity.
- 75 The proposed houses would both exceed the minimum requirements in terms of overall floor areas, and in terms of the sizes of individual bedrooms. It is therefore considered that future occupiers would be provided with a high standard of residential amenity, in line with policy DM32.

Outlook & Privacy

Policy

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

Discussion

- 78 Given both dwellings would have dual aspects, and with the amount of glazing proposed, they would be provided with good levels of outlook overall. It is noted that the rear bedroom at first floor level (bedroom 2) of House 1 would have an obscure glazed window up to 1.7m, however as this would be a single bedroom, and there would be outlook from the high level clear glazing, as well as the rooflight, this is considered acceptable.
- 79 The proposed houses would not be directly overlooked by existing neighbouring properties, and therefore the levels of privacy would be acceptable.
- 80 Overall the levels outlook and privacy provided to future residents would be acceptable, in line with Policy DM32.

Daylight and Sunlight

Policy

- 81 The London Housing SPD and the Lewisham Alterations and Extensions SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living spaces. LPP Table 3.2 states that site layout, orientation and design of dwellings should provide privacy and adequate daylight for residents.

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Discussion

- 82 The proposed houses would all be provided with good levels of glazing, and they would all have windows on the south easterly and north westerly elevations. Due to the levels of glazing proposed, residents would be provided with acceptable levels of natural daylight and sunlight. It is noted that living areas and amenity spaces are located facing south, to provide optimum levels of lighting to the most needed areas.

External space standards

Policy

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

Discussion

- 84 Each unit would be provided with a private amenity space in the form of rear garden. Table 2 above shows that they would both be provided with significantly larger than the minimum required private amenity space. The gardens are on the southerly faces of the proposal for optimum daylight and sunlight. The shape of the gardens is also considered suitable for children's play.
- 85 The gardens would be located at the rear of the house and would therefore be afforded sufficient privacy for a garden in an urban area. They would be overlooked to a similar degree to the previously existing garden for No.17 Minard Road, and other surrounding properties and are therefore considered to be suitably private.

Summary of Residential Quality

- 86 In summary, the quality of the proposed residential dwellings would be high. Each dwelling would exceed the relevant internal and external space standards, would be provided with good levels of internal natural daylight and sunlight, appropriate levels of outlook and privacy, and good sized private external amenity space, in line with the previously mentioned policies.

6.2.2 Housing conclusion

- 87 The proposal would deliver two new family sized dwellings, which would be provided with a high standard of residential amenity. It would contribute one additional unit to the Borough's housing targets in a predominantly residential and sustainable urban location, making the more efficient use of land and increasing housing density. This is a planning merit to which very significant weight is given.

6.3 URBAN DESIGN

General Policy

- 88 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.
- 89 CSP 15 outlines how the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and

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natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.

- 90 DMP 25 requires the submission of a landscape scheme, including 5 years of management and maintenance of high quality hard and soft landscapes and trees.
- 91 DMP 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 92 The Small Sites SPD provides guidance for the redevelopment of small infill sites (maximum 0.25ha). Sections 28 is of particular relevance.

6.3.1 Appearance and character, Form and Scale

Policy

- 93 Policies D1 and D2 of the London Plan (2021), require development to have regard to the form, function and structure of an area and the scale, mass and orientation of surrounding buildings.
- 94 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.
- 95 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.
- 96 DM Policy 32 expects new residential development to be attractive and neighbourly

Discussion

- 97 The surrounding area is characterised by two storey, double height canted bay dwellings set out in terraces. This section of Minard Road and surrounding streets exhibit a strong architectural vernacular. The dwellings are largely red brick, bar a few exceptions, which have been painted.
- 98 The proposed building would be of the same height as the adjoining terrace and the roof pitch and eaves would match, as shown on the proposed elevations.
- 99 The proposed building would be 9.3m in width, 0.6m wider than the adjoining No.15 Minard Road, and other houses along the terrace. This increased width compared to other houses would not be noticeable to a passerby, and would not result in harm to the overall appearance of the streetscene. The footprint of the proposed building is slightly larger than that which previously existed, but the overall scale of the proposal is

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comparable to the previously existing house. Therefore, the proposal respects the scale and massing of surrounding development.

- 100 The proposal incorporates two double height forward projections to the front elevation, in roughly similar positions to the bays of the house which previously stood on site. This is an interpretative design cue from the prevalent two storey bays on surrounding properties. The proposal includes a similar solid to void ratio and glazing proportions to the front elevation when compared with surrounding properties, though the design is a modern interpretation of the existing street style and typology rather than a pastiche.
- 101 To the rear of the building, it would feature a 3.6m deep single storey projection, with a 2m deep first floor projection above, which would be set in from the main side elevations by 1m. This would have an acceptable appearance, similar to a domestic rear extension. Objections relating to the rear projection have been received, with the suggestion it is contrary to policy, and the guidance set out in the Alterations and Extensions SPD. The proposal is for a new building and not an alteration or extension, and therefore the alterations and extensions SPD is not directly relevant.
- 102 There are no planning policies prohibiting 2-storey rear extensions, and although not directly relevant, the alterations and extensions SPD states that 2 storey rear extensions may be achieved where they are well designed, and do not dominate the host building.
- 103 The 2-storey element of the rear projection would be moderate in scale, projecting just 2m from the main rear elevation, and set away from the shared boundaries. It would read as a subordinate addition to the main building, and would not result in harm to the appearance of the surrounding area. It is noted that the part-single, party two-storey projection was reduced in scale following advice from officers.
- 104 At roof level at the rear the proposal includes a dormer. The proposed dormer would be moderate in scale, being clearly set in from each of the party wall and the side elevation, as well as down from the ridgeline and back from the eaves of the roof. This element is proposed to be finished in zinc, which is a high quality and durable material.
- 105 The Council's Alterations and Extensions SPD (2019) gives guidance on rear roofslope extensions, and whilst not relevant to this application as it is for a new building, the guidance does help to demonstrate that this element would not appear harmful, as it is a common feature to the rear of existing dwellinghouses. It states that they must be set in from the party wall on each side by at least 0.3m, a minimum of 0.3m below the ridge line, 0.3m from the edge of any hip and at least 0.3m above the existing eaves line. The proposed dormer would be in line with this guidance, and officers consider it would have a high quality appearance.
- 106 It is therefore considered that the design of the proposed building would respect the height, massing and scale of surrounding buildings, and would be a high quality addition to the street, which would have a positive impact on the character and appearance of the area.

Layout

Policy

- 107 DMP 25 requires the submission of a landscape scheme, including 5 years of management and maintenance of high quality hard and soft landscapes and trees.

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108 Policy DM32 requires the siting and layout of new residential development to respond positively to the site specific constraints and opportunities as well as to the existing context of the surrounding area. They must also meet the functional needs of future residents.

Discussion

109 The building would be in the same position, and would have a similar footprint to the house which previously stood on site, however to the rear it would have a part single, part two storey projection at the rear, and to the side where the garage once stood would also be a single storey side projection.

110 Each house would have its own front door, and would be accessed via a segregated pedestrian pathway.

111 The submitted landscaping scheme is indicative at this stage, but indicates grassed areas and a tree to the front garden area.

112 The private gardens would be to the rear, and the side of the proposed building, and a significant area to the front would remain soft landscaped, with hardstanding used only for the pedestrian path, and off-street parking spaces.

113 Overall the proposed layout makes good use of the site, subject to assessment of the final scheme of landscaping, which is proposed to be secured by condition.

Detailing and Materials

Policy

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

Discussion

115 The proposed elevation treatment and materials would appear modern and well considered. The building would be built in similar red brick to surrounding properties with a concrete tiled roof of a similar colour.

116 A more modern approach than surrounding properties would be taken with the introduction of vertical zinc cladding which would be used on the first floor front elevation protrusions and on the roof of the single storey side element. The windows would be aluminium framed and the doors would be aluminium/timber. Zinc and brickwork are considered high quality materials.

117 Final details and specifications of materials are recommended to be secured by condition, to ensure the choice of brick matches as closely as possible with adjoining properties, and other materials are high quality and durable as required by DMP30.

6.3.2 Urban design conclusion

118 In summary, the proposed building is considered to be a high quality, site specific response that would create interest at this currently under optimised site. It is of an

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appropriate height and scale, and would use high quality materials. The design of the proposal is therefore acceptable, and in line with the aforementioned policies.

6.4 TRANSPORT IMPACT

General policy

- 119 NPPF Paragraph 110 states that planning decisions should ensure safe and suitable access to the site for all users, and that any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 120 Para 111 of the NPPF states 'Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or on the residual cumulative impacts on the road network would be severe'.
- 121 CSP 14 'Sustainable movement and transport' promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans.
- 122 The site has a PTAL rating of 2, on a scale of 0 (worst) to 6b (best) accessibility to public transport, meaning it is has average accessibility to public transport.

6.4.1 Access

Policy

- 123 The NPPF requires safe and suitable access for all users. Paragraph 110 states that in assessing application for development it should be ensured that appropriate opportunities to promote suitable transport modes can – or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users. Paragraph 111 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 124 LP Policy T6, CS Policy 14 and DMLP Policy 29 identifies that car limited development is be supported.

Discussion

- 125 Pedestrian accessibility to the site is considered to be good, as Minard Road is paved on both sides of the street.
- 126 The property benefits from an existing vehicular crossover, but this would be removed as part of the proposal. One new vehicular crossovers would be constructed to access the proposed off-street parking spaces.
- 127 Being an existing residential plot, accessibility to the proposed dwellings is considered to be good.

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6.4.2 Local Transport Network

Policy

- 128 Policy T4 of the London Plan states consideration of the cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated.

Discussion

- 129 Due to the scale of development, the proposal would not have a significant impact on the local transport network in terms of capacity of the road network, or public transport.
- 130 The site is not in a controlled parking zone. The proposed provision of one off-street car parking space is consistent with Policy T6 of the London Plan, which sets maximum parking standards, depending on the level of accessibility. For a site with a PTAL of 2 the maximum standards are 0.5 spaces per dwelling.
- 131 No parking survey has been submitted, but officers are satisfied the addition of one dwelling, would not result in harmful levels of parking stress in the surrounding area.
- 132 A preliminary construction management plan has been submitted, and a full Construction Management would be secured by condition, to ensure the impacts of construction vehicles on the local highway network would be acceptable.

6.4.3 Servicing and refuse

Policy

- 133 The NPPF states development should allow for the efficient delivery of goods and access by service and emergency vehicles.
- 134 DM Policy 32 requires new developments to have appropriate regard for servicing of residential units, including refuse.
- 135 Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Buildings in accordance with London Plan Housing Supplementary Planning Guidance (2016) standard 23.

Discussion

- 136 The proposal includes provision for the storage of refuse for each dwelling, in separate stores towards the front of the site. The positioning and size of the bin stores appears to be acceptable, however final details of these are recommended to be secured by condition.

6.4.4 Transport modes

Walking and cycling

Policy

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137 Policy T5 of the Publication London Plan states development proposals should create a healthy environment in which people choose to cycle, and should provide cycle parking in accordance with the minimum standards set out in table 10.2.

138 Development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring area. Development should create places that are safe, secure and attractive, minimising the scope for conflicts between pedestrians, cyclists and vehicles.

139 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised.

Discussion

140 A bicycle store for five bikes would be provided within the proposed development, in the western corner of the site. This is in line with current London Plan Table 6.3, and LPP table 10.2.

Public transport

Policy

141 LPPT4 states development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated.

Discussion

142 There are a two of local bus services running close to the site, along Brownhill Road. Hither Green Rail station is an approximate 15 minute walk to the site.

143 It is considered that the scale of development would have an acceptable impact on the local public transport network, and that the site is suitably accessible for residential development of this scale.

144 Regarding the cumulative impacts of development on the local transport network, CIL would be chargeable on this scheme, which in the future could be used to contribute to development of the local transport network.

Private cars

Policy

145 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 well-connected by public transport with developments elsewhere designed to provide the minimum necessary parking ('car-lite').

Discussion

146 Table 10.3 of Policy T6 of the London Plan (2021) sets maximum parking standards. For sites in inner London Boroughs with a PTAL rating of 2, the maximum level of parking

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provided should be 0.5 spaces per dwelling. The proposal includes 1 off-street parking space, which is equal to 0.5 spaces per dwelling, so it is in compliance with these policies.

147 It is noted that the previously existing dwelling also benefitted from an off-street parking space.

148 No parking survey has been submitted, but officers are satisfied the addition of one dwelling, would not result in harmful levels of parking stress in the surrounding area.

6.4.5 Transport impact conclusion

149 The proposed residential development would have an acceptable impact on the surrounding transport network. The pedestrian and vehicular accesses would result in no material safety implications, and the development would have no significant impact on the wider transport network, in line with the relevant local and national policies.

6.5 LIVING CONDITIONS OF NEIGHBOURS

General Policy

150 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the Publication London Plan PLPPD3, the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA).

151 The main impacts on amenity arise from: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas; and (iv) noise and disturbance.

6.5.1 Enclosure and Outlook

Policy

152 Policy DM32 expects new residential development to result in no harmful increased sense of enclosure and no significant loss of outlook to neighbouring dwellings.

Discussion

153 *No.15 Minard Road (adjoining to the easterly side):* The single storey element of the proposed part-single, part-two storey protrusion would extend past the rear elevation of No.15 by 3.8m, and would have a height at the eaves along the boundary of 2.6m. The single storey element would have some impact on the outlook of the closest rear facing window at ground floor level, however at the moderate height of 2.6m, this would not be so significant to cause a harmful sense of enclosure or overbearing.

154 The first floor element would be set away from the shared boundary with No.15 by 1m, and would have a depth of 2m. It would be 2.7m away from the glazed doors at ground floor level and 1.3m from the first floor windows. A structure of this scale would not significantly impact on the outlook from these windows, and would therefore cause no harmful increased sense of enclosure or overbearingness. 45 degree tests taken from the rear facing glazed door further suggest this.

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- 155 No.15 has a small single storey extension along the boundary with No.13 Minard Road, which is approximately 6.5m from the shared boundary with the host property. This structure has windows facing towards the host site, which could have its outlook impacted by the proposed 2-storey projection of the building. This room is in use as an office, which is considered a habitable room. The 2-storey element would be approximately 7.5m from these windows, and due this distance and its limited depth of 2m, the impacts would not be harmful.
- 156 Concern has been raised that the proposed bays to the front could harm the outlook or cause an increased sense of enclosure to the adjacent front bay window at No.15. The proposed first floor bay window would have a depth of approximately 1m from the front elevation and would therefore be visible from certain angles when looking out of the side facing bay windows at No.15. Although it would be visible, due to its limited depth of 1m and the 0.65m separation distance from the outer bay window at No.15, this would not cause a significant loss of outlook, or sense of enclosure.
- 157 The impact on outlook to No.15 is therefore considered to be acceptable, as it would not result in a significantly harmful increased sense of enclosure nor overbearing to occupants of No.15 Minard Road.
- 158 *Properties on Brownhill Road, which adjoin to the rear.* The two storey element of the building would be a minimum of 16m from the rear elevation of No.317 and 319 Brownhill Road and the building would not directly face these properties, but would be at an approximate 45 degree angle. At this distance there would be no significant impact in terms of loss of outlook to the rear of these properties. Furthermore the two storey element of the proposal would be at least 3m from the rear boundary of these properties, and due to the off-set angle, this would not cause any significant sense of enclosure to the occupants.

6.5.2 Privacy

Policy

- 159 DMP32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 160 The Small Sites SPD (2021) states that in general terms, the privacy of the first 10m of rear gardens (defined as the area of rear garden extending 10m beyond the furthest rear part of the dwelling, for the width of the main part of that property) should be protected from direct overlooking from habitable room windows of new dwellings. To protect these areas, conventional windows (ie. vertically aligned with clear glass) should be located more than 6m from the rear edge of this 10m privacy area.
- 161 It also states there should be no less than 16m between new and existing principal facing windows at upper levels, unless steps are taken to achieve privacy in some other way.

Discussion

- 162 Brownhill Road Properties: It is noted that the rear facing upper floor windows of the proposed building would not directly face the rear elevations of Brownhill Road properties, and would be a minimum of 17m from any neighbouring windows, so there would not be harmful overlooking of neighbouring windows. Furthermore, the first floor rear facing windows would all be obscure glazed to avoid overlooking of Brownhill Road

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properties' amenity spaces. Notwithstanding this, all proposed upper floor windows would be more than 6m from the 10m 'privacy areas' of neighbouring amenity spaces as set out in the Small Sites SPD.

- 163 The second floor rear elevation windows serving the proposed dormer would be the same distance to Brownhill Road properties as the previously existing first floor windows of No.17, and therefore they would not cause any harmful loss of privacy to neighbours as the impacts would be similar to the previously existing situation.
- 164 No.15 Minard Road: No windows would overlook this property directly, and the impact of the new second floor windows would be similar to the previously existing first floor windows of No.17.
- 165 In light of the above, the impact to neighbouring privacy would be acceptable, in line with Policy DM32 and the Small Sites SPD.

6.5.3 Daylight and Sunlight

Policy

- 166 The Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight' 2011, sets out standardised criteria for the assessment of planning applications including the 25 degree, and 45 degree guides.
- 167 The Alterations and Extensions SPD gives guidance for application of the 45 and 25 degree guides when applied to proposals for extensions to existing buildings.

Discussion

- 168 No daylight and sunlight impact assessment has been submitted, which is usual, and acceptable for a development of this scale.
- 169 Officers consider the only property which could potentially be impacted by the proposal in terms of daylight and sunlight would be No.15 Minard Road, and this would be due to the proposed part single, part two storey rear projection. Other than this additional element to the rear, the massing and scale of the proposed building is commensurate to that which previously stood on site, and therefore the impact on daylight would not be significantly altered.
- 170 Although not a directly relevant document, as the proposal is for a new building, the Alterations and Extensions SPD gives guidance on how the 45 degree guide test should be used where the proposed development is at right angles to the affected window of the neighbouring property:
- Draw a line at 45 degrees upwards from the centre of the affected window.
 - Draw a line at 45 degrees sideways from the centre of the affected window.
- 171 If the proposed development is **both** higher and wider than these 45 degree lines, there may be an unacceptable loss of daylight to the affected window.
- 172 Impact to the ground floor glazed door closest to the boundary at No.15:

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- The 'upwards' 45 degree tests taken from the approximate centre of the full height glazed door would clear the single storey element, however the line would touch the proposed 2-storey element, approximately 1.25m below its roofline. Although the 45 degree test does not clear the second storey element, this does not necessarily suggest a significant level of harm with respect to loss of light.
- The 'sideways' 45 degree test taken from the ground floor plan would not clear the single storey element, however it would clear the 2-storey element. It is usual for a single storey extension to not pass the sideways 45 degree test, and due to the relatively low eaves height of 2.5m of this element, as well as the full height nature of the glazed door, the impacts to daylight are further reduced.

173 The above suggests that whilst there may be some impact to the ground floor glazed door, that it would not be significantly harmful. Furthermore, due to the limited 2m depth of the first floor element and its set away from the boundary, together with the south-easterly orientation and large amount of glazing to the door, officers consider that the impact on levels of light would be acceptable.

174 First Floor window closest to boundary at No.15:

- The 'upwards' and 'sideward' 45 degree guide tests show there would be no significant impacts to this window.

175 The 25 degree guide test is used where the proposed development faces the affected window of the neighbouring property. The impacts to the ground floor side facing window (within rear extension at No.15) can be assessed using this test. The 25 degree line taken from this window shows that there could be some impact to the levels of daylight reaching this window, but that this would be minimal. Furthermore, considering the limited 2m depth of the 2-storey element, and the south-westerly orientation, the impacts on levels of daylight to this room would not be significantly harmful. Furthermore, this room does not appear to be a main habitable room, based upon its relatively small size.

176 Concern has been raised that the proposed front bay window could have an impact on levels of light reaching the front bay window of No.15. The 1m depth of the proposed front bays would ensure there would not be a significant impact on levels of daylight reaching No.15. Furthermore the front elevations are north-westerly facing, and therefore levels of sunlight reaching these windows is already heavily restricted by the main building, and would have been affected similarly by the house which previously stood at No.17.

177 *Properties on opposite side of Minard Road:* An objection has been raised that due the additional width of the proposed building, compared to that which previously existed on site, that there will be a harmful impact to the daylight and sunlight received by the property opposite the application site on Minard Road. The height of the proposed building would match that which previously existed on site, and the additional (up to) 0.6m in width would not result in a building of significantly greater scale or massing. The separation distance between front elevations would be approximately 23m, and there would therefore be no noticeable impacts to natural light reaching the windows of the properties opposite on Minard Road. No formal assessment is required to determine this.

Summary

178 Although no sunlight and daylight impact assessment has been submitted, officers have assessed the impact of the proposal on levels of sunlight and daylight to neighbouring

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properties using the appropriate 45 and 25 degree guide tests, and their professional planning judgement, and are satisfied that the impacts would not be significantly harmful.

179 This conclusion also takes account of the planning history of the site. Officers note that although the proposed building has a larger footprint than that which previously existed on site the current scheme is of a commensurate massing and scale to the demolished dwelling, and would have commensurate daylight/sunlight impacts to adjoining properties.

180 The proposal would be in line with Policy DM32 and DM33, and the provisions of the Small Sites SPD in these respects.

6.5.4 Noise and disturbance

Policy

181 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

182 Two residential dwellings are unlikely to generate a significantly higher level of comings and goings and general residential activity than the previously existing single family dwellinghouse, and as this is a residential proposal, in a residential area the proposed use is compatible and the levels of domestic noise generated are unlikely to be significantly harmful to neighbouring residents.

183 Notwithstanding this, a new dwellinghouse would be covered by Part E of the Building Regulations and the adjoining owner has rights under the Party Wall Act. Both of those pieces of legislation would provide appropriate mitigation to this issue and are separate to Planning and would bite in this situation.

184 Nevertheless, officers have considered the potential for harmful noise impacts to the living conditions of neighbours, both in terms of noise break-in from airborne noise and structural-borne noise, and conclude that harmful impacts would not arise. Officers reach this conclusion on the basis that this proposal is for 2 family-sized dwelling houses in an area of predominantly family housing, therefore airborne noise generated by the scheme would not be materially different to the existing situation (and that which existed before the house was demolished). In terms of structural-borne noise, officers consider the proposed use, in light of the previous use prior to the demolition of the house and the mitigation measures afforded by separate legislation (Building Regulations and Party Wall act), would not give rise to harmful impacts on amenity.

6.5.5 Impact on neighbours conclusion

185 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

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- 186 NPPF para 152 sets an expectation that planning will support transition to a low carbon future. This is reflected in relevant policies of the London Plan and the Local Plan.
- 187 CS Objective 5 sets out Lewisham's approach to climate change and adapting to its effects. CSP 7, CSP 8 and DMP 22 support this.

6.6.1 Energy and carbon emissions reduction

Policy

- 188 LPP SI2 stated that major development should achieve zero carbon and should minimise 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.
- 189 CSP8 seeks to minimise the carbon dioxide (CO2) emissions of all new development and encourages sustainable design and construction to meet the highest feasible environmental standards.
- 190 DMP22 require all developments to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy.

Discussion

- 191 The proposed development falls below the threshold for a major development so the requirements of LPP SI2 and CSP 8 are not applicable to this application. However, building control runs alongside planning, and has separate regulations to ensure developments achieve satisfactory emissions and energy ratings.

6.7 NATURAL ENVIRONMENT

General Policy

- 192 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 193 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 194 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.
- 195 The NPPF at para 174 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. At para 175, it sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 196 NPPF para 185 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.

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6.7.1 Urban Greening, trees and ecology

Policy

- 197 Paragraph 131 of the NPPF (2021) states trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.
- 198 LPP G5 expects major development to incorporate measures such as high-quality landscaping (including trees), green roofs and green walls.
- 199 CSP 12 seeks to preserve or enhance local biodiversity.
- 200 DMP 24 requires all new development to take full account of biodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on the natural environment.

Discussion

- 201 The proposal falls below the definition of major development, and is therefore not required to submit an urban greening assessment.
- 202 Officers note that four self-seeded trees are to be removed as part of the proposal. These are not protected and the Council's tree officer confirms they are not of sufficient quality or amenity value to warrant TPO protection. A number of trees are proposed to be replanted.
- 203 The footprint of the proposed building is largely commensurate with that of the house which previously stood on site. Some hardstanding is proposed in the form of patios, entrance paths, and for the parking space, but the remainder of the site would be laid as lawn. Several new trees are indicated on the proposed block plan.
- 204 To ensure the final scheme of soft landscaping is acceptable, and contains appropriate numbers and species of plants, final details are recommended to be secured by condition.
- 205 Subject to suitable details being submitted with regards to proposed landscaping and tree planting, the impacts to the ecology and trees are considered to be acceptable.

6.7.2 Natural Environment conclusion

- 206 The impact on ecology and biodiversity on the site would not be harmful, subject to suitable details with respect to landscaping and tree planting, which are recommended to be secured by condition.

7 LOCAL FINANCE CONSIDERATIONS

- 207 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

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- sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

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

209 The CIL is therefore a material consideration. In certain circumstances the internal area of an existing building can be taken into account in calculating the chargeable amount. Where part of an existing building has been in lawful use for a continuous period of 6 months within the past 3 years, parts of that building that are to be demolished or retained can be taken into account. Where an existing building does not meet the 6-month lawful use requirement, its demolition (or partial demolition) is not taken into account.

210 The previously existing building was demolished in excess of 3 years ago, and therefore it is not taken into account in the CIL calculation. The total new GIA of the proposal is 235m².

211 **£17,959.50** Lewisham CIL (£70pm²) and **£11,866.0** London Mayoral CIL (£35pm²) is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

8 EQUALITIES CONSIDERATIONS

212 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.

213 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.

214 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.

215 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

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statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>

- 216 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
- 217 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>
- 218 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

- 219 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
- 220 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.
- 221 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.

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222 This application has the legitimate aim of providing a new building with residential use. The rights potentially engaged by this application are not considered to be unlawfully interfered with by this proposal.

10 CONCLUSION

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

224 The proposed residential development would achieve a number of the urban design and spatial planning objectives set out in the Core Strategy, including the following planning merits to which significant weight is attached:

- Increasing the housing potential of an underused residential site, including one additional family sized dwelling.
- Comprising an appropriate scaled and high quality building that takes account of the existing context, including neighbouring residential amenity.

225 The scale of the proposed development is acceptable, and the building has been designed to respond to the context and constraints including adjacent residential development.

226 The proposal would maximise the potential of the site and the development would provide a high standard of accommodation for future residents of the proposed family sized homes.

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

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

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

11 RECOMMENDATION

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

11.1 CONDITIONS

1. 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.

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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:

1239-PL-01-Rev C; 1239-PL-02-Rev C; 1239-PL-03-Rev C; 1239-PL-04-Rev C; 1239-PL-05 Rev.I 1239-PL-06-Rev H; 1239-PL-07-Rev H; 1239-PL-08-Rev H; 1239-PL-09 - Rev H; 1239-PL-10-Rev C; 1239-PL-11-Rev H; 1239-PL-12-Rev H; Survey Summary Rev B (Hood, 22 June 2021); Construction Method Statement (Resi, 13 May 2020); Design Access & Planning Statement (Resi); Site Location Plan

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3. **Construction Logistics Plan**

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

- (a) Rationalise travel and traffic routes to and from the site.
- (b) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity.
- (c) Measures to deal with safe pedestrian movement.

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

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).

4. **Residential Soundproofing**

- (a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB L_{Amax} (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
- (b) Above-ground works must not commence until a sound insulation scheme pursuant to paragraph (a) has been submitted to, and approved in writing by the local planning authority and implemented in its entirety.
- (c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety.

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Thereafter, the sound insulation scheme shall be maintained in perpetuity 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, DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

5. **Materials details**

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

Reason: To ensure that the high design quality demonstrated in the plans and submission is delivered so that 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.

6. **Refuse Storage and collection**

- (a) The development shall not be occupied until full details of proposals for the storage, and collection of refuse and recycling facilities, including enclosed bin storage, for each residential unit hereby approved, have been submitted to and approved in writing by the local planning authority.
- (b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

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

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

8. **Hard Landscaping**

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- (a) Prior to above-ground works drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) shall be submitted and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies SI 12 Flood risk management in the London Plan (March 2021), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

9. **Soft Landscaping**

- (a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

10. **Boundary Treatment**

- (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).

11. **External Lighting**

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- (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

12. **Vehicular Access**

The development hereby approved shall not be occupied until the vehicular access as shown on plan 1239-PL-05 Rev.I has been constructed in full accordance with the said plan.

Reason: In order to ensure that satisfactory means of access is provided and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

13. **Section 278 Agreement for Highway works**

Prior to the commencement of the development, an agreement pursuant to S278 of the Highways Act 1980 shall be entered into for works to remove the existing vehicular crossover and the reinstatement of the footway. The works the subject of the agreement shall be completed prior to the occupation of the development hereby approved.

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

14. **Removal of Permitted Development Rights**

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

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

15. **Obscure Glazing**

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Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the windows to be installed in the rear elevation at first floor level of the building hereby approved shall be fitted with obscure glazing, as shown on Plan No.1239-PL-09 Rev.H and retained in perpetuity.

Reason: To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards, DM Policy 32 Housing design, layout and space standards, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

16. **Restriction on use of Flat Roofs**

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

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 32 Housing design, layout and space standards, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

17. **Permitted hours of construction and deliveries**

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

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

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

11.2 INFORMATIVES

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.

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- B. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- C. 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.
- D. You are advised to contact the Council's Drainage Design team on 020 8314 2036 prior to the commencement of work.
- E. The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.
- F. The developer is reminded of their responsibility to ensure appropriate party wall agreements are in place, prior to commencement of works.

12 BACKGROUND PAPERS

- (1) *Submission Drawings*
- (2) *Submission reports and documents*
- (3) *Internal consultee responses*
- (5) *Appendix A: Local Meeting Minutes*

13 REPORT AUTHOR AND CONTACT

231 Samuel James, Samuel.james@lewisham.gov.uk, 020 8314 3722

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Minard Road Local Meeting

Monday 30th November 2021 – 19:00 – 20:00 @ Virtually held on Zoom

Meeting Opened at 19:00

Councillor Aisling Gallagher introduced themselves and Sam James - Planning Officer and Mark Hood – Planning Agent for the applicant of Resi.

The reason for the virtual meeting was outlined: to discuss planning application DC/21/122399. The purpose of this meeting is to allow residents to ask questions of, and put their views to, the developer and Council officers. The meeting format was explained, including how the questioning process would work, following the Planning Agent's presentation.

Mark Hood, planning agent gave a short opening statement, and outlined that since the previous application were withdrawn, the site had been re-surveyed, and to the best of his professional knowledge the dimensions on the most recent set of plans are accurate. It was stated that they were happy to refer to any drawings and answer all questions during the meeting.

Following the presentation, the meeting proceeded in 'themes' which broadly covered each of the main material planning considerations. Main concerns that had been raised during consultation were read out the Planning Officer, Sam, who gave a brief explanation of officers' assessment with regard to each of these. This was generally followed by follow up comments or questions in the text chat function from residents. Cllr Gallagher kept track of comments and questions in the chat function throughout.

The planning officer noted that many of the queries and concerns raised were similar to those raised, and spoken about in the previous Local Meeting in November 2020, but these would be discussed again. The first theme would be around the Principle of Development.

It was explained that officers considered the principle of development to be acceptable - the previously existing house was demolished under prior approval, with limited scope for the Council to object. As the current proposal is for two family sized dwellings on a vacant plot of land, it would result in a net gain of family housing and would be acceptable. The officer explained the DM2 and DM3 remains relevant for existing family dwellinghouses, which are still protected from being sub-divided into smaller residential units (i.e. flats).

Comments were submitted regarding the demolition of the previously existing building. It was stated by a resident that the demolition method statement that was approved was not properly followed, and that the site has been left unsecure and open a number of times since then. The Planning officer stated that whilst this is regrettable, it cannot be a material consideration for the current application. It was noted the Council's enforcement team will investigate any future breaches of planning at the site if they are made aware. Councillor Gallagher noted from their experience on planning committees, that even where previous applicant actions have been in breach of planning, this cannot be considered when determining following applications. The planning agent confirmed he would speak with the applicant to ensure the site is secure.

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The next theme was the standard of accommodation proposed, concern was raised regarding internal sizes, external amenity space and floor to ceiling heights within the dwellings. It was confirmed by Sam that the proposed dimensions are in excess of minimum requirements, and officers consider a high standard of amenity would be provided. Concern was raised from the chat that the building would need to be sunk into the ground to achieve the proposed dimensions. The planning agent confirmed that the building will not be sunk, there would be a flush threshold, which is non-standard, but possible with slightly more complex construction methods. Further question from the chat regarding whether further planning consent would be required, if it turned out the ridge height needed to be raised during construction, and Sam confirmed that yes it would be. Further concern was raised by a neighbour regarding party wall issues associated with the proposed build, and stated it was not possible to build the proposal as shown, noting that this would result in the floor to ceiling heights being reduced when actually built. Councillor Gallagher confirmed this was noted, but also noted that the applicant has confirmed they believe it can be built. Again the neighbour reiterated that this will not be able to be built in reality, and that the applicant had been shown to submit inaccurate information in the past. The planning agent stated that although previous surveys may have contained errors as they were done by hand, the most recent survey was millimetre accurate, as a new survey had been carried out.

The following theme was with regard to the design of the proposal, and its impact on the appearance of the area. Firstly it was confirmed by Sam that although the proposed building is not a direct replication or 'pastiche' of existing surrounding development of the Corbette Estate, that the design is considered high quality and modern approach and would not result in harm to surrounding properties. Concern was raised regarding the 2-storey rear extension. Sam noted that 2-storey rear extensions are not contrary to the Local Plan nor the SPD, and that in this case the 2-storey protrusion was of a moderate scale, in line with SPD guidance and would not harm the appearance of the surrounding area, and would be set away from the shared boundary to protect neighbouring amenity.

The next theme regarded impact on neighbouring amenity. Concern regarding impacts to the neighbouring property from the 2-storey 'extension' element at the rear, with reference to 25 and 45 degree guide tests. Sam explained that the 25 and 45 degree guide tests were described in the Alterations and Extensions SPD and are one tool that can be used to assess impact on neighbouring windows. The 45 degree tests suggest, together with the moderate scale of the proposed rear protrusion, and the orientation of the rear elevations, the impact to neighbouring light would be acceptable, in officers' professional planning judgement. It was noted that a full technical daylight impact assessment had not been carried out, but that this was not necessary due to the proposed scale of development. Neighbours noted that they still considered there would be significant harm, and that the full technical daylight test should be carried out. It was also noted in the chat, that this could impact on 'right to light' and could result in a claim against the developer for this.

Councillor Gallagher asked about sound insulation between the proposed and existing dwelling, and Sam confirmed that details of sound insulation will be secured by condition if the proposal is approved, prior to occupation. Cllr Gallagher asked whether it would be prior to commencement of development instead, and Sam confirmed that indeed it should be.

Councillor Gallagher asked if there were further questions. Clarification around the 25 degree test was sought. Sam noted that this would be relevant for the side elevation window of the small single storey projection at No.15. Although the 25 degree line would not clear the top part of the proposed 2-storey 'extension', due to its 2m depth, and distance from the affected window, it would not represent significant harm to this window.

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A neighbour asked whether Policies are subjective, and how they are applied. The planning officer explained that policies are not subjective, but that application of them is a balancing exercise with every application, and based on individual facts of the case, and that the assessment would be contained in the report to committee. Councillor Gallagher confirmed that was their understanding of how policies are applied.

Next theme was impact on highways. Concern was raised over the impacts during construction works, the impact on local parking, and the quality of cycle storage. It was confirmed by Sam that a preliminary construction management plan had been assessed by highways officers, and a condition requiring submission of a final Construction Logistics Statement, and that that this would be secured should the application be approved. Construction hours would also be limited by condition to ensure no unacceptable disruption at unsociable hours. He also confirmed that provision of a single parking space is compliant with the London Plan, and any additional off-street parking would represent an overprovision when assessed against this. The possible addition of 1 vehicle parking on the street would not represent significant harm to levels of local parking stress. Regarding cycle parking, Sam confirmed the cycle store as proposed appeared secure and dry as required, and to ensure this it would be secured by condition. The planning agent confirmed that both properties would have shared ownership of the proposed cycle store.

The final theme related to other issues. This included reiteration of party wall and accuracy of plans issues, management of disruption during construction, and the loss of existing trees. Sam noted that we had covered the party wall issues, and reiterated that construction management and hours would be secured by condition. Regarding the loss of trees, Sam confirmed that 4 self-seeded trees would be removed, and that the Council Tree officer had assessed these did not have sufficient value to warrant protection by TPO, and therefore their removal would be acceptable as part of the proposal. New trees are proposed to be planted as part of the proposed landscaping scheme, which would be secured by condition which would be enforceable. He confirmed that he agreed the loss of all trees is regrettable, however planning policy would not allow the protection of the existing trees on the site.

Concern was raised in the chat again regarding the developers previous actions during demolition, which were disrupted, and how would it be ensured this does not happen again. Cllr Gallagher noted that they had been involved in previous cases where construction management plans had not been followed, and that enforcement would deal with these cases. The planning agent confirmed that they expect to use a reputable and vetted builder.

Councillor Gallagher drew the meeting to a close, explained that further questions and comments can be submitted in writing, and residents can write to councillors, the planning team and the applicant. They confirmed residents who have commented on the application will be notified of the date any future planning committee meeting relating to the proposal, thanked everyone for attending and for participating in the meeting. Sam confirmed that committee would likely be in February if recommended for approval, and the decision would be made at that meeting.

Meeting Closed 20:00.

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