



## Planning Committee A

### Report title:

**56-60 Farmstead Road, SE6 3ED**

**Date:** 8 June 2022

**Key decision:** No.

**Class:** Part 1

**Ward(s) affected:** Bellingham

**Contributors:** Georgia McBirney

### Outline and recommendations

This reports sets out the officer's recommendation of approval for this planning application.

The case has been brought before committee as 8 objections have been received.

## Application details

**Application reference number(s):** DC/21/124149

**Application Date:** 28 October 2021

**Applicant:** BPTW Partnership on behalf of Phoenix Community Housing

**Proposal:**  
Demolition of all existing buildings and comprehensive redevelopment to provide residential units (Use Class C3), with associated access works, landscaping, refuse storage, cycle parking and the installation of a sub-station at 56-60 Farmstead Road, SE6.

**Background Papers:** Submission drawings  
Submission technical reports  
Internal consultee comments  
Statutory consultee comments

**Designation:** PTAL 2, Local Open Space Deficiency, Small Houses in Multiple Occupancy Article 4 Direction, Area of Archaeological Priority

**Screening:** N/A

## 1 SITE AND CONTEXT

### *Site description and current use*

- 1 The subject site is currently occupied by a terrace of three, two storey residential properties located on the eastern side of Farmstead Road within the Bellingham Estate, close to the junction with Brookhowse Road. It has a site area of 0.28ha.
- 2 No. 56 has been converted to provide 2x one-bedroom self-contained flats, whilst Nos. 58 and 60 accommodate three and four bedrooms respectively. Each property benefits from sizeable rear gardens, with a further area of land that extends to the rear of the dwellings fronting Brookhowse Road, as shown in Figure 1.

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**Figure 1 Site Location Plan**

***Character of area***

- 3 The surrounding area is predominately residential in nature, comprised of two storey dwellinghouses.
- 4 To the rear of the site is Network Rail land which slopes down towards the railway lines.

***Heritage/archaeology***

- 5 The application site is not within a conservation area, nor is it or close to a listed building.
- 6 The application site is within an area of archaeological priority.

***Local environment***

- 7 The site is within Flood Risk Zone 1 meaning there is minimal risk of river flooding; there are no known other sources of flood risk.

***Transport***

- 8 The application site has a PTAL rating of 2 on a scale of 0 to 6b, which indicates the site has poor access to public transport. It is however close to two train stations and thus served by trains to central London via Blackfriars and Victoria. It is 8m walk to day-to-day amenities on the Randlesdown Road shopping parade and is a similar distance to two primary and one secondary schools.

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- 9 The closest bus stops to the application site are on Southend Lane, with further bus routes available on Bromley Road.
- 10 The application site is situated 9 mins walk (800m) from Bellingham Station and 6 mins walk (550m) from Beckenham Hill Station.

## **2 RELEVANT PLANNING HISTORY**

- 11 Prior to the submission of the application, the applicants undertook two pre-applications (one in 2019 and one in 2020).

## **3 CURRENT PLANNING APPLICATION**

### **3.1 THE PROPOSALS**

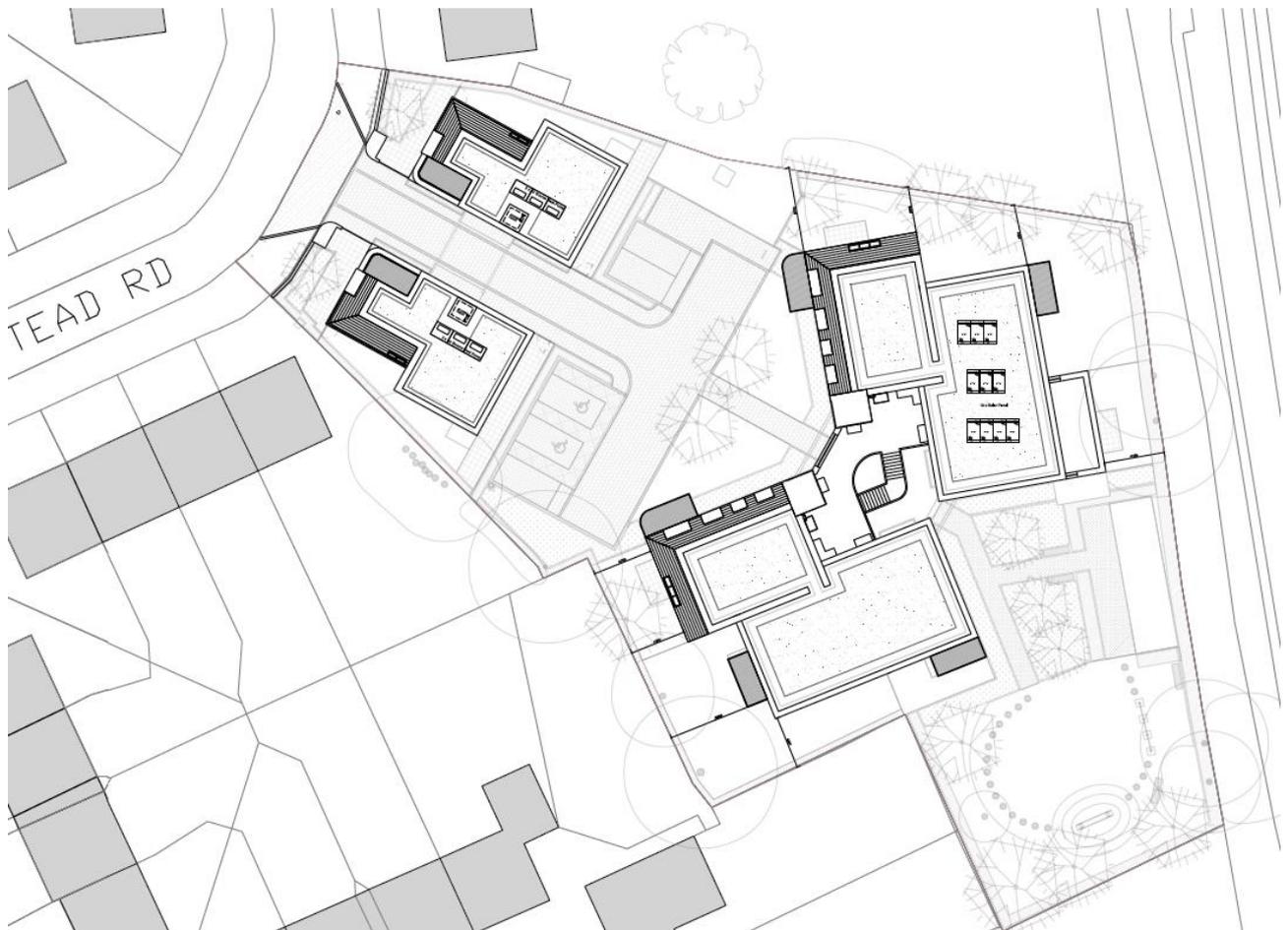
- 12 The present application is for the demolition of all existing buildings and structures at 56-60 Farmstead Road, SE6, together with the construction of 3x three storey buildings to provide 24 self-contained units, together with all associated works including the provision of hard and soft landscaping, refuse storage, cycle parking, installation of an electricity substation, ancillary works and the creation of an access onto Farmstead Road.

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- 13 The two blocks at front of the site would host 3 dwellings each, with the remaining 18 units being situated within the block at the rear. Figure 2 below shows the layout of the proposed blocks.



**Figure 2 Layout of proposed blocks**

- 14 The proposed unit mix is 16x 2-bedroom units and 8x 3-bedroom units. The proposal would be 100% affordable with 18 of the units to be let at London Affordable Rent levels and 6 of the units would be shared ownership.

## **4 CONSULTATION**

### **4.1 PRE-APPLICATION ENGAGEMENT**

- 15 The submitted planning statement sets out that prior the submission of the application, the applicants team begun consultation with local residents in 2019 and that a drop in exhibition was held in June 2019.
- 16 In 2020 due to restrictions in place by Covid-19, the applicants undertook online and postal consultation with local residents.

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## 4.2 APPLICATION PUBLICITY

- 17 Site notices were displayed on 17 November 2021 and a press notice was published on 17 November.
- 18 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 10 November 2021.
- 19 [8] number responses received, comprising [8] objections, [0] support and [0] comments.

### 4.2.1 Comments in objection

Comment	Para when addressed
<i>Urban Design</i>	
The design is not in keeping with the character of the area	Section 6.3
<i>Transport</i>	
Increased parking stress and difficulties parking	Section 6.4.4
Noise dirt and dust from construction and impacts from construction vehicles	A construction management plan would be secure by condition
Insufficient parking will increase foot traffic that would increase noise and disturbance	Section 6.4.4
Increased traffic	Section 6.4.2
<i>Living Conditions of Neighbours</i>	

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The area will be noisier, busier and less safe	Section 6.5.4
Overlooking and loss of privacy	Section 6.5.2
Loss of light and overshadowing	Section 6.5.3
Loss of views	In planning terms there is no right to a view
<i>Natural Environment</i>	
Loss of wildlife	Section 6.7.1
Loss of trees	Section 6.7.2

- 20 Building works will take at least two years. Officer response: The length of build is not a material planning consideration. It is highlighted that a Construction Management Plan would be secured by condition.
- 21 Concerns about level of consultation undertaken by applicant. Officer response: Officers cannot confirm the extent of the consultation undertaken by the applicants but can confirm that the consultation for the planning application was in line with statutory requirements.
- 22 Loss of value to properties. Officer response: Property values are not a material planning consideration.

### 4.3 INTERNAL CONSULTATION

- 23 The following internal consultees were notified on 9 November 2021.
- 24 Environmental Protection: No objection subject to conditions in respect of site contamination, air quality mitigation and a dust management method statement. A financial contribution is also required as the development is not air quality neutral.
- 25 Environmental Sustainability: No objections.
- 26 Ecological Regeneration Manager: No objection subject to conditions in respect of green roof, sensitive lighting, site clearance and construction in alignment with reptile strategy

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and PEAR/EcIA, biodiversity enhancements and LEMP and time limit of the validity of the surveys. Also advised that amendments are required to the species proposed within the soft landscaping.

- 27 Planning Policy: No response received.
- 28 Highways: No objection subject to conditions, S106 obligations and S278 works.
- 29 Strategic Housing: Recommend approval of the application. The proposed development exceed the maximum suggested affordability providing 100% affordable units, 66% of which are London Affordable Rent. It is noted that the wheelchair provision fall short of requirements at 8.3% but this is deemed acceptable due to exceeding provision of affordable and family units.
- 30 CIL Officer: No response received.
- 31 Tree Officer: Raised objection see section 6.7.2.
- 32 Flood Risk Manager: No objections subject to standard conditions in respect of drainage.
- 33 Urban Design Officer: Confirmed that an officer assessment can be made.

#### **4.4 EXTERNAL CONSULTATION**

- 34 The following External Consultees were notified on 9 November 2021.
- 35 Fire Prevention Group: No response received.
- 36 Environment Agency: Provided comments in respect of Groundwater and Land Contamination. The requested condition in respect of contamination will be incorporated into a Site Contamination condition required by the LPA. A condition has been requested in respect of surface water drainage and this would be secured as a standalone condition.
- 37 London Fire Brigade: No response received.
- 38 Metropolitan Police – Designing Out Crime: No objection subject to secure by design condition. This will added as an informative.
- 39 Thames Water: No objection subject to informatives.
- 40 Southern Gas Network: No response received.
- 41 Sustrans: No response received.
- 42 UK Power Network: No response received.
- 43 Network Rail: No comments received.
- 44 GLAAS: No objection subject to the imposition of a pre-commencement condition in respect of a written scheme of investigation being submitted.

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## **5 POLICY CONTEXT**

### **5.1 LEGISLATION**

45 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**

46 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.

47 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.

48 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to aforementioned directions and the test of reasonableness.

### **5.3 NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2021 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

### **5.4 DEVELOPMENT PLAN**

49 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**

50 Lewisham SPG/SPD:

- Planning Obligations Supplementary Planning Document (February 2015)

51 London Plan SPG/SPD:

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- Planning for Equality and Diversity in London (October 2007)
- 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)
- Social Infrastructure (May 2015)
- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Energy Assessment Guidance (October 2018)
- Urban Greening Factor (UGF) guidance (September 2021)

## 6 PLANNING CONSIDERATIONS

52 The main issues are:

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

### 6.1 PRINCIPLE OF DEVELOPMENT

#### *General policy*

53 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.

54 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 and Discussion*

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

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

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- 57 Table 4.1 of Policy H1 of the London Plan sets a year housing completion target of 16,670. Part 2 of Policy H1 states that councils should optimise potential for housing delivery on all suitable and available brownfield sites.
- 58 Policy H8 Loss of existing housing and estate redevelopment of the London Plan states in part (a) that loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace.
- 59 Core Strategy Policy 1 states in part (2) that there should be no net loss of housing and housing densities should be in accordance with Core Strategy Policy 15. Core Strategy Policy 15 states that densities as applied in the London Plan should be applied, except where this is not appropriate to preserving or enhancing the characteristics of conservation areas.
- 60 DM Policy 2 states in part (1) that the Council will only grant planning permission for the loss of housing by demolition, redevelopment or change of use if the proposed redevelopment would result in housing gain which regenerate and replace older housing estates.
- 61 The application proposes the demolition of the four existing residential units at the site. The submission details that the units are currently vacant as the tenants have been rehoused by Phoenix Housing. Of the four units that currently exist on site, two are family sized dwellings. The proposal would provide 24 units, with 8 units being three bedroom family sized units; the increase in the provision in family sized units offsets the loss of the existing family sized units on the site. The proposal is considered to be in accordance with Policy H8 of the London Plan and DM Policy 2 of the Development Local Plan.
- 62 DM Policy 33 Infill, backland and back garden and amenity area development sets out the requirements for a variety of sites within residential areas that may come forward for development. The policy recognises that there will be instances where a particular site does not fall squarely within one of the definitions in the policy and in these cases the principles that will be applied will be taken from the appropriate parts of the policy.
- 63 Due to the nature of the proposal, the site has both infill and backland characteristics as such parts (a) Infill sites and (b) Backland sites are both relevant. Part (a) Infill Sites states that development within street frontages and on street corners will only be permitted where they:
- a. make a high quality contribution to the area
  - b. provide a site specific creative response to the character and issues of the street frontage typology identified in Table 2.1 Urban typologies in Lewisham
  - c. result in no significant over shadowing or overlooking, and no loss of security or amenity to adjacent houses and gardens
  - d. provide appropriate amenity space in line with DM Policy 32
  - e. retain appropriate garden space for adjacent dwellings
  - f. repair street frontage and provide additional natural surveillance
  - g. provide adequate privacy for new development
  - h. respect the character, proportions and spacing of existing housing

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- 64 Part (b) of DM Policy 33 sets out that new development on sites of this type will only be permitted where they provided:
- a. a proper means of access and servicing which is convenient and safe both for drivers and pedestrians
  - b. no significant loss of privacy and amenity, and no loss of security for adjoining houses and rear gardens; and
  - c. appropriate amenity space in line with policy requirements in DM Policy 32 (Housing design, layout and space standards)
- 65 The demolition of the existing housing and construction of 24 residential units is supported in principle subject to the application meeting the policy tests set out above and other relevant development plan policies as set out in the sections below. The development is acceptable in principle and will make a contribution to Lewisham's targeted housing supply.
- 6.1.1 Principle of development conclusions**
- 66 The demolition of the existing housing and construction of 24 residential units is supported in principle as it would make a contribution to Lewisham's targeted housing supply.
- 6.2 HOUSING**
- 67 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; (iii) the standard of accommodation; and (iv) total affordable housing proposed and its tenure split.
- 6.2.1 Contribution to housing supply**
- Policy*
- 68 National and regional policy promotes the most efficient use of land.
- 69 LPP D2 sets out that the density of development proposals should consider, and be linked to, the provision of future planned levels of infrastructure and be proportionate to the site's connectivity and accessibility by walking, cycling and public transport to jobs and services (including both PTAL and access to local services).
- 70 The NPPF states that housing applications should be considered in the context of the presumption 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.
- 71 The NPPF encourages the efficient use of land subject to several criteria set out in para 124. Para 125 applies where there is an existing or anticipated shortage of land for meeting identified housing needs and strongly encourages the optimal use of the potential of each site.
- 72 The plan sets a 10 year housing completion target of 16,670 new homes between 2019 and 2029.

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- 73 National and regional policy avoids specifying prescriptive dwelling size and mixes for market and intermediate homes.
- 74 NPPF paragraph 62 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups within the community.
- 75 Core Strategy Policy 1 echoes the above with several other criteria and expects the provision of family housing (3+ bedrooms).

*Discussion*

- 76 The application site has an area of 0.28 hectares and is in a PTAL of 2 in a suburban location. The proposal is for 24 units consisting of 4 x 2B3P units, 12 x 2B4P units and 8 x 3B5P units.
- 77 Table 1 below sets out the measures of density criteria required by the supporting text to LPP D3 (para 3.3.22 of the LP) for all sites with new residential units.

**Table 1: Measures of Density**

Criteria	Value	Criteria/area
Site Area (ha)	0.28	n/a
Units	24	85.71 U/HA
Habitable rooms	81	289.28 Hr/HA
Bedrooms	56	200 Br/HA
Bedspaces	100	357.14 Bs/HA

- 78 Table 2 below sets out the measures of height and scale of each building or major component in the development required by the supporting text to LPP D3 (para 3.3.23 of the LP) for all major proposals.

**Table 2: Additional Major criteria**

Criteria	Value
Site Area	0.28
Floor Area Ratio (GEA of all floors/site area)	$\frac{2,722.59}{2,800} = 0.97$
Site Coverage Ratio (GEA of ground floors/site area)	$\frac{907.53}{2,800} = 0.32$
Maximum height (m above ground level) – Gate House	9.46m
Maximum height (m above ground level) – Gate House	9.46m
Maximum height (m above ground level) – Butterfly Block	12m

*Summary*

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- 79 Policy D6 of the London Plan states for London to accommodate the growth identified in the plan in an inclusive and responsible way, every new development needs to make the most efficient use of land. This means developing at densities above those of the surrounding areas on most sites.
- 80 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 the optimum density, and these will be considered in the following sections of the report.
- 81 Subject to an assessment of matters in this report, the principle of the proposed density is considered to be acceptable and would not result in an over intensification of the site and would provide 24 residential units. The proposed development is considered to result in a more efficient use of land and increase the housing supply in line with the London Plan.

## 6.2.2 Affordable housing

### ***Percentage of affordable housing***

#### *Policy*

- 82 London Plan Policy H4 sets out the strategic target of 50% of all new homes delivered across London to be genuinely affordable. Major developments which trigger affordable housing requirement should provide affordable housing through the threshold approach. This approach is outlined in London Plan Policy H5. Part (D) of policy H5 states that developments proposing 75% or more of affordable housing may follow the fast track route where the tenure is acceptable to the borough. Part (E) of Policy H5 states that fast tracked applications are not required to provide a viability assessment at application.

#### *Discussion*

- 83 The application has been submitted on behalf of Phoenix Community Housing and the scheme is proposed to be 100% affordable.

### ***Affordable housing tenure split and dwelling size mix***

#### *Policy*

- 84 The NPPF expects LPAs to specify the type of affordable housing required.
- 85 Core Strategy Policy 1 sets out that affordable housing component should be provided as 70% social rented and 30% intermediate housing. DM Policy 7 sets out that the Council will require new residential development to provide onsite affordable housing in accordance with Core Strategy Policy 1. Part (2) of DM Policy 7 states that when considering affordable housing mix, the Council will maximise housing output on a case by case basis by making the best use of available resources and by taking account of other relevant factors.

#### *Discussion*

- 86 The current scheme proposes all 24 units to be affordable units. 18 units would be London Affordable Rent (LAR), which is genuinely affordable housing and comparable to social rent, and 6 units would be shared ownership. The proposed tenure split would be 66:33. If the scheme delivered the 50% affordable housing requirement in policy, the 70:30 tenure split would equate to 9 socially rented units and 3 intermediate units.

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Therefore, even though the proposed tenure split would be 66:33, the proposed LAR unit numbers surpass the requirements stated above due to the scheme being 100% affordable. Consequently the tenure split is deemed acceptable. It is highlighted that Strategic Housing support the proposed tenure split.

87 The supporting text of Policy H6 Affordable housing tenure of the London Plan states that London Shared Ownership, should be affordable to households on incomes of up to £90,000. The applicant has confirmed that income thresholds for the shared ownership units will follow the London Plan guidance in respect of income thresholds for the proposed shared ownership units. While this is above the threshold in Lewisham’s own SPD, it is noted that Strategic Housing Colleagues raise no objection to the income thresholds being in line with the London Plan.

**Table 3: Tenure Mix by Dwelling Size\***

	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed +</b>	<b>Total</b>
<b>LAR</b>	0	12 (2)	6 (0)	0	18 (2)
<b>Shared Ownership</b>	0	4 (0)	2 (0)	0	6 (0)
<b>Total</b>	0	16 (2)	8 (0)	0	24 (2)

\*Wheelchair accessible units shown in ( )

*Summary*

88 The scheme would provide 24 units of which 100% would be affordable, significant weight is given to this. The proposed tenure split is considered to be acceptable.

***Dwelling Size***

*Policy*

89 The NPPF expects planning policies to reflect the need and housing size, type and tenure (including affordable housing for different groups in the community. Core Strategy Policy 1 echoes the above with several other criteria, however, expects the provision of family house (3+ bedrooms) in major developments. Core Strategy Policy 1 also states that for affordable housing, the Council will seek a mix of 42% as family dwellings (3+ bedrooms).

*Discussion*

90 As can be seen from Table 4 below 8 x 3-bedroom units are proposed and this equates to 33.33% of the affordable housing units being family sized dwellings. The submitted Planning Statement acknowledges that the proposed number of family size unit falls short of the 42% policy requirement but goes on to state that the over provision of affordable housing in the applicant’s view is sufficient to outweigh the shortfall in the number of family sized units.

91 It should be highlighted that that if the scheme provided a policy-compliant 50% affordable housing, there would be a requirement for only 6 family sized units.

92 Therefore the provision of 8 family sized units is considered acceptable in this instance. It is noted that Strategic Housing do not raise an objection to the unit size mix.

**Table [4]: Dwelling Size Mix\***

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	1 Bed	2 Bed	3 Bed	4 Bed +	Total
<b>No.</b>	0	16 (2)	8 (0)	0	24 (2)
<b>%</b>	0	66.66	33.33	0	
<b>Total</b>	0	16 (2)	8 (0)	0	24 (2)

\*Wheelchair accessible units shown in ( )

### **Summary of Affordable housing**

93 The scheme would be 100% affordable, providing 24 residential units of which 8 would be 3-bedroom units. The scheme providing 100% affordable units is given substantial weight as a material planning consideration.

### **6.2.3 Residential Quality**

#### *General Policy*

94 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LPP D6), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).

95 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*

96 London Plan Policy D6 and DM Policy 32 seek to achieve housing developments with the highest quality internally and externally and in relation to their context and sets out the minimum space standards. These policies set out the requirements with regard to housing design, seeking to ensure the long term sustainability of new housing provision.

##### *Discussion*

97 The table below sets out proposed dwelling sizes.

**Table [5]: Internal space standards – proposed v target**

Layout	Block	Storey	GIAm <sup>2</sup>	B1m <sup>2</sup>	B2m <sup>2</sup>	B3m <sup>2</sup>	Built in storage	Private amenity m <sup>2</sup>
2B4P (wch)	North Gate House	0	80.6 (70)	13.6 (11.5)	14.8 (11.5)		2.8 (2)	58 (7)
2B4P (wch)	South Gate House	0	80.6 (70)	13.6 (11.5)	14.8 (11.5)		2.8 (2)	58 (7)

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3b5P	Butterfly Block	0	86 (86)	12.4 (11.5)	9.7 (7.5)	11.5 (11.5)	2.5 (2.5)	40 (8)
2B4P	Butterfly Block	0	70 (70)	12.3 (11.5)	11.6 (11.5)		2 (2)	131 (7)
3B5P	Butterfly Block	0	86 (86)	12 (11.5)	8 (7.5)	12 (11.5)	2.6 (2.5)	30.89 (8)
2B3P	Butterfly Block	0	63.9 (61)	12 (11.5)	8 (7.5)		2 (2)	26 (6)
2B4P	Butterfly Block	0	70 (70)	12.3 (11.5)	11.6 (11.5)		2 (2)	119 (7)
3B5P	Butterfly Block	0	86 (86)	12.4 (11.5)	9.7 (7.5)	11.5 (11.5)	2.5 (2.5)	32.5 (8)
2B4P	North Gate House	1	71.7 (70)	14 (11.5)	14.4 (11.5)		2.5 (2)	7.6 (7)
2B4P	South Gate House	1	71.7 (70)	14 (11.5)	14.4 (11.5)		2.5 (2)	7.6 (7)
3B5P	Butterfly Block	1	86 (86)	12.4 (11.5)	9.7 (7.5)	11.5 (11.5)	2.5 (2.5)	8 (8)
2B4P	Butterfly Block	1	70 (70)	12.3 (11.5)	11.6 (11.5)		2 (2)	7 (7)
3B5P	Butterfly Block	1	86 (86)	12 (11.5)	8 (7.5)	12 (11.5)	2.6 (2.5)	8 (8)
2B3P	Butterfly Block	1	63.9 (61)	12 (11.5)	8 (7.5)		2 (2)	7 (6)
2B4P	Butterfly Block	1	70 (70)	12.3 (11.5)	11.6 (11.5)		2 (2)	7 (7)
3B5P	Butterfly Block	1	86 (86)	12.4 (11.5)	9.7 (7.5)	11.5 (11.5)	2.5 (2.5)	8 (8)
2B4P	North Gate House	2	71.7 (70)	14 (11.5)	14.4 (11.5)		2.5 (2)	7 (7)
2B4P	South Gate House	2	71.7 (70)	14 (11.5)	14.4 (11.5)		2.5 (2)	7 (7)
3B5P	Butterfly Block	2	86 (86)	12.4 (11.5)	9.7 (7.5)	11.5 (11.5)	2.5 (2.5)	8 (8)

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2B4P	Butterfly Block	2	70 (71)	12.3 (11.5)	11.6 (11.5)		2 (2)	7 (7)
2B3P	Butterfly Block	2	63.9 (61)	12 (11.5)	8 (7.5)		2 (2)	7 (6)
2B3P	Butterfly Block	2	63.9 (61)	12 (11.5)	8 (11.5)		2 (2)	7 (6)
2B4P	Butterfly Block	2	70 (70)	12.3 (11.5)	11.6 (11.5)		2 (2)	7 (7)
3B5P	Butterfly Block	2	86 (86)	12.4 (11.5)	9.7 (7.5)	11.5 (11.5)	2.5 (2.5)	8 (8)

- 98 As can be seen from table 5 above, all of the units would meet or exceed the minimum floor areas for all unit types, with the wheelchair units exceeding the minimum floor area by 10.6m<sup>2</sup>. All of the bedrooms would also meet or exceed the required sizes.
- 99 As can be seen from table 5, all the units would also meet or exceed the minimum requirements in respect of built in storage.
- 100 In terms of floor to ceiling heights, the units in the Gate Houses would have floor to ceiling heights of 2.4m and the units in the Butterfly Block would have floor to ceiling heights of 2.4m. Whilst this is not compliant with Part 8 of Policy D6 of the London Plan and DM Policy 32 which requires a floor to ceiling height of 2.5m or above for 75%, the floor to ceiling height is compliant with the Nationally Described Space Standards (2015) which state the floor to ceiling height should be 2.3m or above for 75%. In this instance officers consider that a floor to a ceiling height in compliance with the Nationally Described Space Standards is acceptable as an increased floor to ceiling height would increase the overall height of the building, and given the context the building being taller would not be appropriate.

### ***Outlook & Privacy***

#### *Policy*

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

#### *Discussion*

- 102 All of the units in the Butterfly Block would be dual aspect and the units in the Gate Houses would have windows on all elevations, as such all of the units are considered to be provided with a good standard of outlook.
- 103 The proposed units are sufficiently set from neighbouring properties as to not result in direct overlooking.
- 104 Officers also need to consider any inter-development overlooking. The windows on the side elevations on each gatehouse facing towards the other, are not considered to result

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in an unacceptable level of overlooking due to the combination of the separation distance and as the windows are secondary windows to the rooms they would serve.

- 105 In respect of the overlooking between the northern and southern wings of the butterfly block, considering the angles of the wings and the siting of the windows, there is not considered to be direct overlooking between the units. At ground floor level, the soft landscaping condition will secure hedging that establishes quickly and maintains a height so as to protect the privacy of the ground floor units.

### ***Daylight and Sunlight***

#### *Policy*

- 106 DM Policy 32 (1) (b) expects new development to provide a 'satisfactory level' of natural lighting for future residents. The London Housing SPD promote access to sunlight and natural daylight as important amenity factors, particularly to living spaces.

#### *Discussion*

- 107 All of the units would be at least dual aspect with all habitable rooms being served by windows as such the proposed units are considered to receive adequate levels of daylight and sunlight.

### ***Noise & Disturbance***

#### *Policy*

- 108 Paragraph 174 of the NPPF states decisions should amongst other things prevent new and existing developments from contributing to, being put at an unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Paragraphs 186 states decisions should mitigate to reduce a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts to quality of life.

#### *Discussion*

- 109 The site's noise environment is that of a low-density residential area, with the exception of the railway line that sides along the eastern boundary. As such, the application has been accompanied by a Noise and Vibration Assessment – Report 19105.NVA.01 Rev A (prepared by KP Acoustics). The report concluded that no further mitigation is needed to protect the proposed habitable spaces from external noise. The report set out that noise from train activity from the railway line at the rear of the site is below the threshold of human perception in accordance with BS6472:2008.
- 110 The report also sets out that external amenity areas are expected to meet the recommended noise levels provided within BS8233:2014.
- 111 Considering the conclusions of the Noise and Vibration Assessment and that the application site is within a predominately residential area, the proposed development is not considered to be unduly affected by external noise.

### ***Accessibility and inclusivity***

#### *Policy*

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112 London Plan Policy D7 requires 10% of residential units to be designed to Building Regulation M4(3) 'wheelchair user dwellings' i.e. designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users; with the remaining 90% being designed to M4(2) 'accessible and adaptable'.

*Discussion*

113 The application proposes two M4(3) 'wheelchair user dwellings' units on the ground floors of Gate Houses, which equates to 8.3%. All of the units in the Butterfly Block would be M4(2) 'accessible and adaptable'. The four units across the first and second floors of both gate houses would not meet the requirements of M4(2) 'accessible and adaptable' as there would not be step free access to the residential units.

114 10% of wheelchair dwellings on this scheme would equate to three residential units (when rounded up); as such there would be a shortfall as only two wheelchair user dwellings are proposed. Occupational Therapist and Strategic Housing colleagues have said this shortfall is acceptable due to the scheme exceeding the required provision in respect of affordable housing and family sized units. Confirmation from an appointed Building Control Body that the units comply with M4(2) and NM4(3) would be secure by condition.

115 Four units not complying with M4(2) or M4(3) is a weakness of the scheme. However, officers consider the significant merits of the scheme being 100% affordable and the high design quality proposed outweigh this modest planning harm.

**External space standards**

*Policy*

116 Policy 4.10.1 of the Mayors Housing SPG states that a 'minimum of 5sqm of private outdoor amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant'. This is also set out in London Plan Policy D6, which also emphasises the minimum dimensions and states that private open amenity space must achieve a minimum depth and width of 1.5m

*Discussion*

117 Table 5 sets out the private amenity space for each dwelling against the required size. All of the dwellings would meet or exceed the minimum requirements. It is noted that all of the ground floor units would considerably exceed the minimum requirements with the units being provided with private gardens.

118 The ground floor units of each Gate House would be provided with amenity space to the front, side and rear. Officers raise concern to the level of privacy that would be afforded to the amenity space at the front as such as part of the soft landscaping condition, hedging that establishes quickly and maintained at a height as to protect the amenity of these spaces will be required. Further to this, these units would also have private amenity space to the side and rear and on balance, the private amenity spaces for these units is considered to be acceptable.

**Children's play space**

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## *Policy*

- 119 London Plan Policy S4 Play and informal recreation states housing proposals should make appropriate provision for play and informal recreation. The Mayor's Shaping Neighbourhood: Children and Young People's Play and Informal Recreation SPG recommends 10sqm of play space per child. The GLA divides the requirements of children's play space into three categories: (i) under 5s, described as door step play and generally considered as part of the plot; (ii) ages 5 -11; and (iii) children 12 plus.

## *Discussion*

- 120 The child occupant and play space requirement for the proposed dwelling and tenure has been calculated using the Mayor's Play Space Calculator Tool. Based the child play space calculator, the development would generate a child yield of 26.4 children; of which 11.7 would be under 5, 8.8 between the ages of 5 to 11 and 5.8 children over 12. This equates to 263.9sqm of play space in total; 58m<sup>2</sup> is required for children over 12 and 205.9m<sup>2</sup> for children under 11.
- 121 The applicants only propose to provide provision for under 11's by way of providing incidental play in a communal garden, at the rear of the site, which would be 289sqm. The communal garden would be traffic free, provided with timber play equipment, stepping stones and mounds to provide incidental play. A condition will be added requiring details of and the implementation of the play equipment prior to occupation.
- 122 The Design and Access Statement sets out that local parks are being relied on to provide the provision for children over 12. Of the three parks mentioned, only Bellingham Green is within 800m of the application site. Bellingham Green hosts a multi-sports ball court and a play area for older children. Southend Lane and Bellingham Play Park which are also referenced within the Design and Access Statement are 900m and 1770m from the application site respectively, and as such fall outside the walking distance set out within the Play and Informal Recreation SPG. The walking route to Bellingham Green is considered to safe and well used by pedestrians.
- 123 As no play provision is being provided on site for over 12's, a financial contribution of £17,400 is required for the maintenance and management of existing playspace. This will be secure via the S106 agreement.
- 124 On balance, the provision of playspace on site is considered to be acceptable and a financial contribution is required in respect of playsapce for over 12's.

## ***Summary of Residential Quality***

- 125 All of the units would meet or exceed the required space standards and the development is considered to provide a good standard of residential accommodation.

### **6.2.4 Housing conclusion**

- 126 The proposal would provide 24 residential units, all of which would be affordable units which contribute to meeting the Boroughs identified housing need. All of the units would be provided with a good standard of accommodation. Substantial weight is given to these matters as material planning considerations.

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## 6.3 URBAN DESIGN

### *General Policy*

- 127 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.
- 128 Policies D4 and D6 of the London Plan emphasise that the 'scrutiny of a proposed development should cover its layout, scale, height, density, land uses, materials, architectural treatment, detailing and landscaping'.
- 129 Core Strategy Policy 15 outlines how the Council will apply national and regional planning policy and guidance to ensure the highest quality design, and the protection and enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of the site, is sensitive to local context, and responds to local character.
- 130 DM Policy 30 requires planning applications to demonstrate site specific response, which creates a positive relationship with the existing townscape whereby the height, scale and mass of the proposed development relates to the urban typology of the area.
- 131 DM Policy 33 states that if a site is considered suitable for development, planning permission will not be granted unless the proposed development is of the highest quality and relates successfully to the existing design quality of the streetscape.

### 6.3.1 Appearance and character

#### *Policy*

- 132 In terms of architectural style, the NPPF encourages development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 130).
- 133 London Plan Policy D3 states that development should enhance local context by delivering buildings and spaces that positively responds 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 design, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety, building lifespan through appropriate construction methods and use of attractive, robust materials which weather and mature well.
- 134 DM Policy 30 requires planning applications to demonstrate a site specific response which creates a positive relationship with the existing townscape whereby height, scale and mass of the proposed development relates to the urban typology of the area.
- 135 DM Policy 33 relates to sites with infill and backland characteristics, and sets out a number of site specific requirements for development on these sites.

#### *Discussion*

- 136 The application site is within the Bellingham Estate. The application proposes a modern development which has taken cues from the architectural style of the Bellingham Estate.

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The development would consist of three blocks: the two gate house blocks would be arranged either side of a central access, with the Butterfly block being situated at the rear of the site. The use of two gatehouses either side of the access road, with the larger Butterfly block being situated towards the rear of the site, is considered to respond positively to the character and appearance of the Bellingham Estate.

- 137 The surrounding properties are all two storeys in height. Officers acknowledge that the proposed development would result in three storey buildings in an area characterised by two storey buildings; however, the scale and articulation of the massing, combined with the high quality detail and materiality (as set out below) would ensure the development would sit comfortably within the existing built context.
- 138 In terms of the material palette for both the gate houses and Butterfly block, cues have been taken from existing Bellingham Estate which is predominately characterised by brown/red bricks.
- 139 All of the blocks are proposed to be faced in reddish/brown bricks with a light mortar, in addition to this, the proposed gate houses would also incorporate a glazed brick (No.3 in Figure 3). Aspects of the brick work would be recessed and projecting. The roofs would be finished in interlocking clay tiles. All metal work (balustrades, privacy screens, dormer window surrounds) and windows and doors would be red orange in colour (RAL 2001) and some windows would be reed green (RAL 6013) colour. The material palette is shown on page 70 of the Design and Access Statement. Figure 4 below, shows, as CGI of the proposal as viewed from Farmstead Road, demonstrating the proposed materials in their context.
- 140 Figure 3 CGI of proposed development as viewed from Farmstead Road



**Figure 3 CGI of proposed development as viewed from Farmstead Road**

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- 141 The proposed materiality and detailing are considered to result in a high quality buildings that respond to their context and respect the character and appearance of the area. The final details of the materials would be secured by condition as to ensure their quality.
- 142 The submitted Design and Access Statement indicates that four types of boundary treatment are proposed; which include brick walls, brick walls with railings, architectural metal railings and close board timber fences. The principle of the boundary treatments is acceptable, with the final details being secured by condition. It is noted that the existing railway chainlink fence would be retained, with a new boundary treatment being installed on application site.

### **6.3.2 Layout and Landscaping**

#### *Policy*

- 143 DM Policy 25 requires the submission of a landscape scheme, including 5 years of management and maintenance of high quality hard and soft landscaping.
- 144 DM Policy 32 requires the siting and layout of new residential development to respond positively to site specific constraints and opportunities as well as the existing context of the surrounding area. They must also meet the functional needs to future residents.

#### *Discussion*

- 145 The gate houses would be situated either side of the proposed access road with the Butterfly block to the rear of the site. Figure 5 below is extracted from the Design and Access Statement. Figure 5 demonstrates the layout of the site, with a central courtyard being proposed between the gates houses and Butterfly block. The central courtyard would host five car parking spaces, a shared cycle store, substation and bin store (No.2 on Figure 5) and green spaces.

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**Figure 4 Proposed Site Layout**

- 146 To the rear of the Butterfly block, a communal garden is proposed, along with planted areas and a cycle store and substation (No. 11 on Figure 5).
- 147 The dwellings within the gate houses would be accessed via a shared access from access road and the main entrance to the Butterfly block leads off the central courtyard. The dwellings within the Butterfly block would have a deck access circulation; the units on the upper levels would be accessible via lifts or stairs.
- 148 An indicative landscape strategy has been submitted; final details of hard landscaping and soft landscaping (including details of maintenance and management for 5 years) would be secured by condition. Such details shall include coordination with other relevant details such as Urban Greening Factor, Sustainable Urban Drainage and biodiversity/ecological matters.
- 149 Overall, the proposed layout is considered to make good use of the site and the proposed landscape scheme is considered to be acceptable subject to details being secured by condition.

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### 6.3.3 Urban design conclusion

150 In summary, the proposed development is considered to be a high quality proposal. It is of an appropriate height and scale and would use suitable materials. The design of proposal is acceptable and in line with the aforementioned policy.

## 6.4 TRANSPORT IMPACT

### *General policy*

151 The NPPF at 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 highways safety, can be cost effectively mitigated to an acceptable degree.

152 Paragraph 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 the residual cumulative impacts on the road network would be severe'.

### 6.4.1 Access

#### *Policy*

153 Paragraph 110 of the NPPF states amongst other things that safe and suitable access to the site can be achieved for all users.

154 Core Strategy Policy 14 states that access and safety of pedestrians and cyclists will be promoted and prioritised.

#### *Discussion*

155 A new vehicle and pedestrian access is proposed to be created at the site onto Farmstead Road which will serve the site. As a result of the access proposals, on street parking would be impacted with the loss of three car parking spaces. A telegraph pole situated to the front of the site would also need to be relocated. The site access indicates sufficient visibility in accordance with Manual for Streets.

156 The access would be a shared space facility of 4.8m wide at its narrowest point, which allows for two vehicles to pass each other side by side, with pedestrians sharing the space with vehicles. Highways Officers note there will not be sufficient space for two vehicles to pass each other whilst accessing or egressing the site; however, due to the small number of on-site spaces (5) and anticipated number of movements during the peak or typical hour, it is not anticipated this would result in cars obstructing the free flow of traffic on the public highway. Any delays would be minimal.

157 A Section 278 agreement is required in respect of the highways works for the implementation of the proposed access, with the appropriate detailed drawings and licenses needing to be sought from the highways team.

### 6.4.2 Local Transport Network

#### *Policy*

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

*Discussion*

159 The application site has a PTAL of 2. The closest bus stops to the application site are on Southend Lane, with further bus routes available on Bromley Road. The application site is situated a short (less than 10mins) walk from Beckenham Hill Station and from Bellingham Station.

160 The provision of 24 additional units is not considered to have a significant impact on the local transport network in terms of capacity on the road network or on public transport.

161 A Construction Management Plan would be secured by condition to ensure the short-term impacts of construction vehicles on the local highways network are acceptable.

### **6.4.3 Servicing and refuse**

*Policy*

162 DMP 31 requires new development to have appropriate regard for servicing of residential units including refuse.

*Discussion*

163 A communal bin store is proposed on site. The new vehicular access on Farmstead Road would service the site, which has been designed to ensure that the appropriate visibility is achieved at the Farmstead Road junction; access for refuse collection and deliveries would be via this access. The submitted swept path analysis shows that a refuse vehicle can access and egress the site satisfactorily. A Waste Management Strategy for the bin storage and collection has not been provided; however, Highways Officers have confirmed that this can be secured by condition.

164 The proposal would result in an increase in deliveries and servicing movements on Farmstead Road. The applicants have advised that there are multiple options in respect of site deliveries, which includes deliveries utilising vacant parking spaces on site and within the turning area for a short duration. Smaller delivery vehicles could also utilise parking bays on street. In respect of the larger delivery vehicles, these are anticipated to be managed by Phoenix Community Housing with there be temporary closures of on-site parking bays for the hours needed, with a minimum of one week's notice being given to residents.

165 A full Delivery and Servicing Plan will be secured as a pre-commencement condition.

### **6.4.4 Transport modes**

***Walking and cycling***

*Policy*

166 LPP T5 states that development plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

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

*Discussion*

168 Highways Officers have commented that the pedestrian desire line from the site to Bellingham train station requires users to cross at the junction of the A2218/ Southend Lane Dunfield Road/ Brookehowse Road. This crossing is sufficient. However, on exiting the crossing and heading south onto Dunfield Road there is no dropped kerb or tactile paving on the eastern side of Dunfield Road, just north of the row of shops on the eastern footway. Highways request that the above works are completed by the applicant to install dropped kerbs at this location and the works should be secured by a S278 agreement.

169 In respect of cycle parking, the proposed quantum of cycle parking is correct, with 48 long term and 2 short term spaces being provided in accordance with Policy T5 of the London Plan. However, amendments to the cycle parking are required as the cycle parking for the Butterfly Block includes two tiered cycles spaces which is not in accordance with the London Cycle Design Guide and the cycle parking for the Gatehouses does not propose the required separation distances between the stands. Amendments are also required so that special cycle spaces and spaces for cargo bikes can be accommodated. Revised cycle parking will be secured via condition.

**Car parking**

*Policy*

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

171 Table 10.3 of the London Plan states in areas of Inner London with a PTAL of 2, the maximum provision of car parking is 0.5 spaces per dwelling.

172 CSP 14 states that the Council will take a restrained approach to parking provision.

173 DMP 29 requires wheelchair parking to be provided in accordance with best practice standards.

*Discussion*

174 Five car parking spaces are proposed as part of the proposal of which two would be disabled spaces, a parking ratio of 0.2 spaces per dwelling.

175 Neighbours have raised objections to the scheme on the basis of lack of on-site parking and consequential impacts on on-street parking in the area. As the application site is not within a Controlled Parking Zone, the applicants submitted parking stress surveys. The results of the parking stress surveys are that there is spare capacity within the area to accommodate any overspill car parking generated by the proposal. The survey results show that were 17-18 spaces available on Farmstead Road and 124-128 vacant spaces within 200m, therefore confirming that parking demand associated with the proposed dwellings can be accommodated without causing harmful parking stress in the vicinity of the site. Highways officers raise no objection in respect of quantum of proposed parking.

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- 176 A Parking Management plan that includes details of allocation and enforcement of the off-street parking provision, the details of allocated EV enabled parking bays and a strategy for enforcing informal parking within the hard landscaped areas will be secured by condition.
- 177 A Travel Plan will also be secured by condition and this will be required to include details of a car club strategy.

#### **6.4.5 Transport impact conclusion**

- 178 The proposal would have an acceptable impact on transport in terms of parking, encouraging sustainable modes of transport and accommodating the site's servicing needs subject to planning conditions, S106 obligations and a S278 agreement.

### **6.5 LIVING CONDITIONS OF NEIGHBOURS**

#### *General Policy*

- 179 NPPF paragraph 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 D3, D6 and D14) and in the Development Management Local Plan (DMP 30, 32 and 33).
- 180 DMP 31 (1) (b) expects new development to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 181 The main impacts on amenity arise from: (i) overbearing sense of enclosure/ loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas; and (iv) noise and disturbance.

#### **6.5.1 Enclosure and Outlook**

##### *Policy*

- 182 DMP 32 expects new residential development to result in no harmful increased sense of enclosure and no significant loss of outlook to neighbouring dwellings.
- 183 Whilst not directly applicable as the site has an area of 0.28 ha, the Small Site SPD in subsection 12.3 provides guidance in respect of separation distances.

##### *Discussion*

- 184 Neighbours have raised concerns with the impact the scheme would have on their sense of enclosure and outlook. These concerns are addressed below.

##### ***Farmstead Road***

- 185 The main properties on Farmstead Road on which the impacts need to be considered on are the properties that adjoin the site, Nos. 54 and 62 Farmstead Road and the properties directly opposite, Nos. 49 and 51. These properties are shown in Figure 6 below.

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**Figure 5 Site Plan showing neighbouring properties**

- 186 No.54 is an end of terrace property that benefits from a sizeable rear garden. The gatehouse closest to the shared boundary with No.54 would be set in a minimum of 1.5m from the shared boundary. The set-in of No.54 from the shared boundary is 2m at its narrowest and 4.5m at its widest. Considering the separation distance between the property at No.54, the siting of the proposed gate house and the size of the rear garden at No. 54, the proposed gatehouse is not considered to result in an unacceptable impact on No. 54 in terms of an increased sense of enclosure or an unacceptable loss of outlook.
- 187 The proposed Butterfly block would be situated 25m from rear elevation of No.54 and as such would not have an unacceptable impact in terms of an increased sense of enclosure or an unacceptable loss of outlook.
- 188 No. 62 is an end of terrace property that benefits from a sizeable rear garden. In the rear garden of No.62 a garage is situated on the shared boundary with the application site. The gate house closest to No. 62 would be set in a minimum of 1.5 from the shared boundary. The set in of No. 62 from the shared boundary is 1.3m at its narrowest and 3.5m at its widest. Considering the separation distance between the property at No. 62, the siting of the proposed gate house and the size of the rear garden at No. 62, the proposed gatehouse is not considered to result in an unacceptable impact on No.62 in terms of an increased sense of enclosure or an unacceptable loss of outlook.
- 189 A store housing a bike store, bin store and substation is proposed to be situated on the shared boundary with No. 62. The store would have a flat roof with a height of 2.88m. Considering the siting of No. 62 and that the store would be set approximately 11m from

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the rear elevation of No.62, the store building is not considered to result in an increased sense of enclosure or loss of outlook.

190 The proposed Butterfly block would be situated over 25m from the rear elevation of No.62 and as such would not have an unacceptable impact in terms of an increased sense of enclosure or loss of outlook.

191 No. 49 is a semi-detached property and No. 51 is an end of terrace property. Both properties are situated opposite the application site. The separation distance from the front elevations of the gatehouses to the front elevations of Nos. 49 and 51 is over 21m and as such the proposed development would not have an unacceptable impact on Nos. 49 and 51 in terms of an increased sense of enclosure or loss of outlook.

### ***Brookehowse Road***

192 The main properties on Brookehowse Road on which the impacts need to be considered on are the properties that adjoin the site, Nos. 273 and Nos. 275-289.

193 There is a parcel of land adjacent to No.273, this parcel of land hosts a garage to the rear; the Council's records show this as being separate from No.273 but it is unclear whose ownership it is in.

194 Due to the stepped layout of the Butterfly block it would be situated a minimum of 4.4m from the parcel of land adjoining No. 273 and approximately 12m from the garden boundary of No. 273. The part of the proposed Butterfly block that closest to the dwellinghouse at No. 273 is set approximately 18m from the side elevation of No.273. Considering the siting of No. 273 and the proposed Butterfly block, together with the separation distance, the proposed Butterfly block is not considered to have an unacceptable impact on No. 273 in terms of an increased sense of enclosure or loss of outlook.

195 The proposed gatehouse would be situated approximately 13m from the rear garden boundary of No.273 and approximately 27m from the rear elevation of the dwellinghouse. Considering the separation distance, the proposed gatehouse would not have an unacceptable impact on No. 273 in terms of an increased sense of enclosure or loss of outlook.

196 Nos. 275-289 are outlined in black in Figure 6. Nos. 275-289 are a two storey flatted development. Due to the siting of the gatehouses, they would not have an impact on Nos. 275-289.

197 The Butterfly block would be situated a minimum of 4.2m from the shared boundary with Nos. 275-289 and 11m from the rear elevation. Considering the siting of Nos. 275-289 and the siting of the proposed Butterfly block, combined with the separation distance, the proposed Butterfly block is not considered to have an unacceptable impact on Nos. 275-289 in terms of an increased sense of enclosure or loss of outlook.

## **6.5.2 Privacy**

### *Policy*

198 Privacy are distances between directly facing windows and the habitable windows and from shared boundaries where overlooking of an amenity space might arise.

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- 199 DM Policy 32 states that adequate privacy is an essential element in ensuring a high level of residential amenity. Unless it can be demonstrated that privacy can be maintained through design, there should be a minimum of separation distance of 21m between directly facing habitable windows on main rear elevations. This separation distance will be maintained as a general rule but will be applied flexibly dependent on the context of the development.
- 200 The Small Sites SPD sets out in section 12.4 that in general times the privacy of the first 10m of a rear garden (defined as the area of the rear garden extending 10 beyond the furthest part of the rear dwelling, for main width of the dwelling) should be protected from direct overlooking from habitable windows of new dwellings. To protect these areas, conventional windows (vertically aligned with clear glass) should be located more than 6m from the rear edge of the 10m privacy area. It is noted that the site is not considered a small site as it has a site area of 0.28ha whereas small sites are 0.25ha or below, however the guidance is still useful in this instance.

#### *Discussion*

- 201 Neighbours have raised concerns with the impact the scheme would have on their privacy. These concerns are addressed below.

#### ***Farmstead Road***

- 202 The windows at ground floor level in the side and rear elevations of the gatehouses and all ground floor windows in the Butterfly block would face within the site and onto boundary treatment between the application site and neighbouring properties, therefore would not have an unacceptable impact in terms of neighbouring amenity.
- 203 The windows and balconies on the front elevation of the gatehouses would be situated over 21m from the properties opposite and would therefore have an acceptable impact in terms of privacy.
- 204 At first floor, two windows are proposed to the side elevation of both gatehouses; one would be a secondary window serving a kitchen/living/dining area and the other would serve a bathroom (which is not a habitable room). It would be secured by condition that the bathroom windows are obscure glazed and fitted with an opening restrictor (of 20cm). It will also be secured by condition that an opening restrictor should be fitted to the kitchen/living/ dining window. This is so that there is an acceptable impact in term of overlooking and privacy.
- 205 At second floor level, only a bathroom window is proposed. There are no windows in the side elevation of No. 54. Considering the siting of No. 54 and the proposed gatehouse and the siting of the window, it is not considered to result in any unacceptable impacts in terms of overlooking or loss of privacy to the occupiers of No. 54. The side elevation of No. 62 incorporates one window opening which is obscure glazed. It would be secured by condition that the bathroom windows are obscure glazed. Considering the siting of No. 62 and the proposed gatehouse, the siting of the window and that it would be obscure glazed, it is not considered to result in any unacceptable impacts in terms of overlooking or privacy.
- 206 The windows on the rear elevation and other side elevations of the proposed gatehouses face into the site and therefore do not have an impact on properties on Farmstead Road in terms of overlooking or privacy.

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- 207 Turning to the Butterfly block, none of the first and second floor directly face onto the No.54 Farmstead Road, this is due to the windows being side on elevations angled away No.54. Further to this, a number of mature trees along the boundary which would limit overlooking from any oblique views. As such, the windows in the proposed Butterfly block would not have an unacceptable impact in terms of overlooking and privacy.
- 208 The balconies on front elevation of the southern wing of the Butterfly block would have oblique views into the rear garden of No.54. The balconies would be sited 12m from the closet point of the 10m privacy zone. Taking into account the siting of the balconies, distance from the 10m privacy zone and the screening provided by trees on the boundary, the balconies are not considered to result in an unacceptable impact in terms of overlooking or loss of privacy.
- 209 Turning to No. 62, six windows are proposed on the northern wing of the proposed Butterfly block, all of which would be secondary windows serving living/kitchen/dining areas facing towards No. 62. Four of the windows would be at first floor level and two of the windows would be at second floor level. Two of the windows would be set in 3.6m from the shared boundary and four would be set in 4.8m from the shared boundary. All of the windows would be situated greater than 6m from the 10m privacy. Given the set in of the windows from the boundary and that the windows would be sited greater than 6m from the 10m privacy zone, the proposed windows in the side elevation are not considered to have an unacceptable impact in terms of overlooking or loss of privacy to No. 62 Farmstead Road.
- 210 Two balconies are proposed on the front elevation and two are proposed on the rear elevation of the northern wing of the proposed Butterfly Block. The balconies on the front elevation would be set 6.7m from the shared boundary and the balconies on the rear elevation would be set 4.8m from the shared boundary with No. 62. All of the balconies would be situated greater than 6m from the 10m privacy zone. Given the set in of the balconies from the shared boundary and that the balconies would be situated greater than 6m from the 10m privacy zone, the proposed balconies are not considered to have an unacceptable impact in terms of overlooking or loss of privacy to No. 62 Farmstead Road.

### ***Brookehowse Road***

- 211 Only the impacts of the windows and balconies on the southern wing of the proposed Butterfly Block need to be considered in terms of impact on the properties on Brookehowse Road.
- 212 All of the windows at ground floor level would face within the site and onto boundary treatment between the application site and neighbouring properties, therefore would not have an unacceptable impact in terms of overlooking and loss of privacy.
- 213 On the elevations facing towards No. 273 Farmstead Road, four window openings are proposed. Three of these would be at first floor level and would be set a minimum of 11.6m from the side garden boundary of No.273 (the parcel of land situated between the application site and No. 273 forms a buffer). The closer two windows are secondary windows to a kitchen/living/dining room, while the farther one is the primary outlook (a double door) from a kitchen/living/dining room, opening onto a balcony. At second floor, the farther door is repeated above while the two closer windows are omitted. The distances are such that the 10m privacy zone of No 273 would not be impinged. It is also noted that trees would be retained along the boundary, which would offer some additional screening. There are a number of window openings in the side elevation of No. 273. The two farther openings (the double doors, one at first and one at second floor

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level) would be approximately 22m from the side of No. 273, with the edge of the balconies approximately 20m distant, both comfortably above the 16m expected in the SPD.

- 214 There would be no harmful impacts to the privacy of No. 273 either in terms of its amenity space or its interior. It is noted that trees would be retained along the boundary. On balance, given the set in of windows from the site boundary, the parcel of land situated between the application site and No. 273, and screening provided from trees, the proposed windows that face towards the side elevation of No.273 are not considered to have an unacceptable impact in terms of overlooking or loss of privacy. The arrangement is such that it would also not sterilize the use of the parcel of land.
- 215 On the elevations facing towards Nos.275-289, 10 window openings are proposed; with five at each level. Two are set well back, some 12.2m from the shared boundary, and thus merit no further consideration. The remaining eight window openings would be 4.1m from the shared boundary. None of those openings would look directly towards the properties nor the 10m privacy zone of their amenity space. To prevent oblique views towards the privacy zone, privacy screens are proposed to these windows. A condition is recommended to secure further details of the screens and ensure these are installed prior to the occupation of the development and retained for its lifetime. On balance, subject to the provision of privacy screens, the proposed windows are considered to result in an acceptable impact in terms of privacy.
- 216 The two balconies proposed on this element of the building would be sited over 22m from the rear elevations of Nos. 275-289 and would be sited greater than 6m from the 10m privacy zones of the gardens. Given the above, the proposed balconies are not considered to have an unacceptable impact in terms of overlooking and loss of privacy.

### **6.5.3 Daylight and Sunlight and Overshadowing**

#### *Policy*

- 217 London Plan Policy 6 states that the design of new development should provide sufficient daylight and sunlight to surrounding housing appropriate to its context. DMP 32 is in line with this.
- 218 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards, however, this is not formal planning guidance and should be applied flexibly according to context.

#### *Discussion*

- 219 The nature of the development and its relationship with neighbouring properties is such that Officers are satisfied, in their professional judgement, there is not likely to be any harmful impact on the provision of daylight and sunlight to the habitable rooms of neighbouring properties. Nevertheless, a letter has been prepared by Delva Patman Redler Chartered Surveyors.
- 220 In the first instance, BRE guidance states that if any part of the new development, the angle from the centre of the lowest affected window to the head of the new development is more than 25-degree, then a more detailed check is needed to find the loss of the skylight to the existing buildings.

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- 221 The submitted letter states that five properties were assessed in respect of the 25-degree rule. Nos. 273 and 275-281 Brookehowse Road and 49 Farmstead Road comply with the 25-degree rule so no further assessment is needed.
- 222 The letter sets out that the adjacent properties Nos. 54 and 62 Farmstead Road do not comply with the 25-degree rule so some modest further analysis is required. The letter sets out that whilst there are no ground floor flank windows facing the application site, the first floor windows have been tested due to the proximity to the proposed gatehouses. The letter sets out that it is believed that the windows tested served dual aspect bedrooms and goes on to state that the provision of a second window within the room helps to mitigate reduction in daylight caused by the development and that the actual impact to these properties is deemed to be negligible and that no further analysis is required. The letter concludes that the proposed development is considered to meet the BRE guidelines in daylight and sunlight terms.
- 223 Turning to overshadowing of neighbouring amenity space, an overshadowing study is included within the submitted Design and Access Statement.
- 224 The BRE Guidance suggest that sun hours on ground assessments should be undertaken on the equinox (21st March or 21st September). It is recommended that at least half of a garden or an amenity area should receive at least two hours of sunlight on 21st March, or that the area which receives two hours of direct sunlight should not be reduced to less than 0.8 times its former value (i.e. there should be no more than a 20% reduction).
- 225 The overshadowing assessment shows that overshadowing caused by the proposal is only to the property to the north; No. 62 Farmstead Road. The study shows that for the 21st March the level of overshadowing complies with the BRE guidance. Officers do note that there is greater overshadowing for the 21st December, however, in line with BRE guidance the key date is the 21st March.
- 226 The proposed development is considered to be acceptable in terms of overshadowing impacts.

#### **6.5.4 Noise and disturbance**

##### *Policy*

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

##### *Discussion*

- 228 Neighbours have raised concerns that the increase in dwellings on the site would result in harmful levels of noise and disturbance from comings and goings of residents. The proposed 24 residential units would generate a higher level of comings and goings and general residential activity compared to the four existing residential units. However, as this proposal is a well-designed residential proposal of a suitable density, the levels of domestic noise generated are unlikely to be harmful to neighbouring amenity.
- 229 A substation is proposed on site in one of the ancillary buildings and Air Source Heat Pumps are proposed for the Gatehouse buildings. The rating level of the fixed noise will be secured by condition.

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### 6.5.5 Impact on neighbours conclusion

230 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' amenity.

## 6.6 SUSTAINABLE DEVELOPMENT

### *General Policy*

231 Paragraph 153 of the NPPF requires local planning authorities to take a proactive approach to mitigating and adapting to climate change, taking into account the long term implications of flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies and decisions should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change measures.

232 CS objective 5 reflects the principles of the NPPF and sets out Lewisham's approach to climate change and adapting to its effects. CSP 7, CSP 8 and DM Policy 22 support this.

### 6.6.1 Energy and carbon emissions reduction

#### *Policy*

233 London Plan Policy SI 2 states that major developments should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following hierarchy: (1) be lean; use less energy and manage demand during operation; (2) be clean; exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly; (3) be green; maximise opportunities for renewable energy by producing, storing and using renewable energy.

234 CSP 8 seeks to minimise carbon dioxide (CO<sub>2</sub>) emissions of all new development and encourages sustainable design and construction to meet the highest feasible environmental standards.

235 DMP22 requires all development to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy

#### *Discussion*

236 The application has been accompanied by an Energy and Sustainability Statement Rev B (prepared by Etude, dated October 2021). As set out in Section 4.3, the Council's Sustainability Manager raises no objection to the proposals. The measures proposed with the Energy and Sustainability Statement are set out below. Overall, the measures within the statement, the proposal would result in an 89% improvement over Part L1A 2012, which is excess of the 35% requirement.

#### ***Be Lean***

237 The statement sets out that the proposed fabric specification ensures that the development will exceed the minimum requirements of Part L through energy efficiency

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and passive design measures, achieving a 35% improvement over Part L (SAP 10) from energy efficiency.

### ***Be Clean***

- 238 The statement sets out that for the units in the Butterfly Block individual direct electric room heaters with electric immersion water tanks are proposed to provide space heating, hot water and cooling to each dwelling. In respect of the Gatehouses, Air Source Heat Pumps with hot water tanks are proposed to provide space heating, hot water and cooling to each unit.

### ***Be Green***

- 239 Solar panels are proposed on the roof of the northern wing of the Butterfly Block. The panels are estimated to provide 3.3% of the developments energy requirements. The details of the solar panels would be secured by condition.

### ***Be Seen***

- 240 The applicant's submitted Energy and Sustainability Statement does not include any 'Be Seen' measures. London Plan Policy SI 2 requires energy performance to be monitored, verified and reported.
- 241 The London Plan 'Be Seen' energy monitoring guidance (September 2021) guidance document sets out the process that needs to be followed to comply with the 'be seen' monitoring requirement of Policy SI 2. A condition is proposed that requires the 'be seen' energy monitoring to be undertaken in accordance with the London Plan guidance.

### ***Carbon Offset***

- 242 In accordance with the Council's Planning Obligations SPD, the applicant is required to make a payment of £21,528 towards carbon offsetting. This obligation will be secured by way of a S106 agreement.

## **6.6.2 Overheating**

### ***Policy***

- 243 LPP SI 4 requires development proposals to demonstrate through an energy strategy, how they will reduce the potential for internal overheating and reliance on air-conditioning systems in accordance with the following cooling hierarchy. DMP 22 reflects the London Plan.
- 244 The Chartered Institution of Building Services Engineers (CIBSE) has produced TM 59 guidance on assessing and mitigating overheating risks in new developments.
- 245 To meet the GLA Energy Planning Guidance the CIBSE compliance criteria must be met for Design Summer Year (DSY) 1 and additional testing must be undertaken for the more extreme DSY 2 and DSY 3.

### ***Discussion***

- 246 The submitted Energy and Sustainability Statement Rev B (prepared by Etude, dated October 2021) includes an overheating risk assessment against TM59. The assessment has been carried out on a sample of 5 dwellings. As per the assessment, all rooms are

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expected to achieve compliance with TM59 with the following measures: internal blinds (or curtains), a highly insulated DHW cylinder and extracting 3l/s from the DHW cupboard.

247 It is noted that when tested against DSY 2 and DSY 3, when criterion 1 is tested (Hours exceeding Comfort Range) only the living rooms of Flat 5 fails against DSY 3. When criterion 2 is tested (Night Hours exceeding 26°C for bedrooms) no bedrooms comply when tested against DSY 2 and DSY 3.

### 6.6.3 Urban Greening

#### *Policy*

248 LPP G5 requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high quality landscaping (including trees), green roofs, green walls and nature-based urban drainage.

249 In LPP G5 the Mayor recommends an Urban Greening Factor (UGF) target score of 0.4 for developments that are predominately residential. It is noted that existing green cover that is retained counts towards the UGF score.

#### **Urban greening factor**

250 Section 7.9 of the submitted Design and Access Statement is in respect of UGF and it details that the proposed development would achieve an UGF of 0.56, which is 0.16 above the target score in the London Plan. The UGF of 0.56 will be secured by way of conditions. Components of the proposal that contribute to the UGF score are biodiverse green roofs, tree planting, flower rich perennial planting, hedges, groundcover planting, amenity grassland and permeable paving.

251 As set out in Section 6.3.2 of this report, full details of soft landscaping would be secured by condition.

#### **Living roofs**

252 Intensive biodiverse green roofs with a substrate minimum settled depth of 150mm are proposed on all of the roofs with the sizes set out in Table 6. Full details of the biodiverse green roofs will be secured by condition. The ancillary buildings are not currently proposed with green roofs, details of green roofs for the ancillary buildings would be secured by condition.

**Table 6: Living Roof Provision**

Type of Living Roof/Wall	Size of Living Roof/Wall (m <sup>2</sup> )
Biodiverse Green Roof – Northern Gatehouse	49
Biodiverse Green Roof- Southern Gatehouse	49
Biodiverse Green Roof- Northern wing Butterfly Block	32.1
Biodiverse Green Roof- Northern wing Butterfly Block	95.6
Biodiverse Green Roof – Southern wing Butterfly Block	32.1

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Biodiverse Green Roof- Northern wing Butterfly Block	95.6
<b>Total</b>	<b>353.4</b>

#### 6.6.4 Flood Risk

*Policy*

253 LPP SI 12 requires development proposals to ensure that flood risk is minimised and mitigated.

*Discussion*

254 The Environment Agency Flood Risk map shows that the application site is within Flood Risk Zone 1 in respect of flooding from rivers and is at low risk from surface water flooding.

255 As set out in Section 4.4 the Environment Agency raises no objection to the proposed development in respect of flood risk.

#### 6.6.5 Sustainable Urban Drainage

*Policy*

256 Policy G4 of the London Plan requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy's drainage hierarchy. The supporting text to the policy recognises the contribution that green roofs can make to SUDS. The hierarchy within the policy establishes that development proposals should include green roofs.

*Discussion*

257 The application has been reviewed by the Council's Flood Risk Manager subject to the submitted drainage strategy being secured by condition. The strategy include the provision of green roofs that will help to intercept low levels of rainfall, with overflow from the green roofs draining to the Thames Water surface water sewers via an attenuation tank. Rain falling within the soft landscaped areas will continue to infiltrate into the permeable sub-soils, in the same way as the exiting garden areas do. New hard surfacing is proposed to be permeable except for the vehicular access route. To reduce the runoff from the vehicular access route, the road adjacent to the parking bays will be arranged so that water runs off into the permeable paving.

#### 6.6.6 Sustainable Infrastructure conclusion

258 The proposed development is considered to be acceptable in terms of sustainable development subject to the imposition of conditions and a financial contribution secured via a S106 agreement.

### 6.7 NATURAL ENVIRONMENT

*General Policy*

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- 259 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle of planning.
- 260 The NPPF and NPPG promote the conservation and enhancement of the natural environment (Chapter 15) and set out several principles to support those objectives.
- 261 The NPPF at paragraph 185 states that decisions should ensure that new development is appropriate for its location taking 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 that could arise from the development.
- 262 LPP G1 sets out the Mayor of London's vision for Green Infrastructure as a multi-functional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

### **6.7.1 Ecology and biodiversity**

#### *Policy*

- 263 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.
- 264 NPPF para 14 states that 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. NPPF para 180 sets out the principles which LPAs should apply when determining applications in respect of biodiversity. Paras 174 and 180 seek biodiversity net gain.
- 265 CSP 12 seeks to preserve or enhance local biodiversity.
- 266 DMP 24 requires all new development to take full account of biodiversity in development, design, ensuring the delivery of benefits and minimising the impacts on biodiversity.

#### *Discussion*

- 267 Neighbours have raised concerns with the impact the scheme would have on wildlife.
- 268 The application has been accompanied by the following documents: (1) Preliminary Ecological Appraisal; (2) Badger Survey; (3) Ecological Impact Assessment; (4) Reptile Mitigation Strategy; (5) Ecological Walk Over Survey and; (6) Bat Surveys.
- 269 These documents were reviewed by the Councils Ecological Regeneration Manager who raised no objection subject to conditions in respect of:
- Green roofs
  - Sensitive Lighting
  - CEMP
  - Biodiversity Enhancement and LEMP

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- Time limit of the validity of surveys

270 In respect of the concerns raised by neighbours in respect of the loss of wildlife, the condition in respect of Biodiversity and LEMP will ensure that the proposal would result in Biodiversity Net Gain and the further to this the UGF score and soft landscape will mitigate the impacts of the proposed development.

## 6.7.2 Green spaces and trees

### *Policy*

271 Section 197 of the Town and Country Planning Act 1990 gives LPAs specific duties in respect of trees.

272 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. Planning policies and decisions should ensure that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure long term maintenance of newly planted trees, and that existing trees are retained where possible. Applicants and local planning authorities should work with highways and tree officers to ensure the right trees are planted in the right places and solutions are found that are compatible with highways standards and needs of different users.

273 LPP G7 expects development proposals to ensure that, wherever possible, existing trees of value are retained. Where it is necessary to remove trees, adequate replacement is expected based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or other appropriate valuation system.

274 CSP 12 seeks to protect trees and prevent the loss of trees of amenity value, with replacements where loss does occur.

275 DMP 25 states that development schemes should not result in an unacceptable loss of trees, especially those that make a significant contribution to the character or appearance of an area, unless they are considered dangerous to the public by an approved Arboricultural Survey

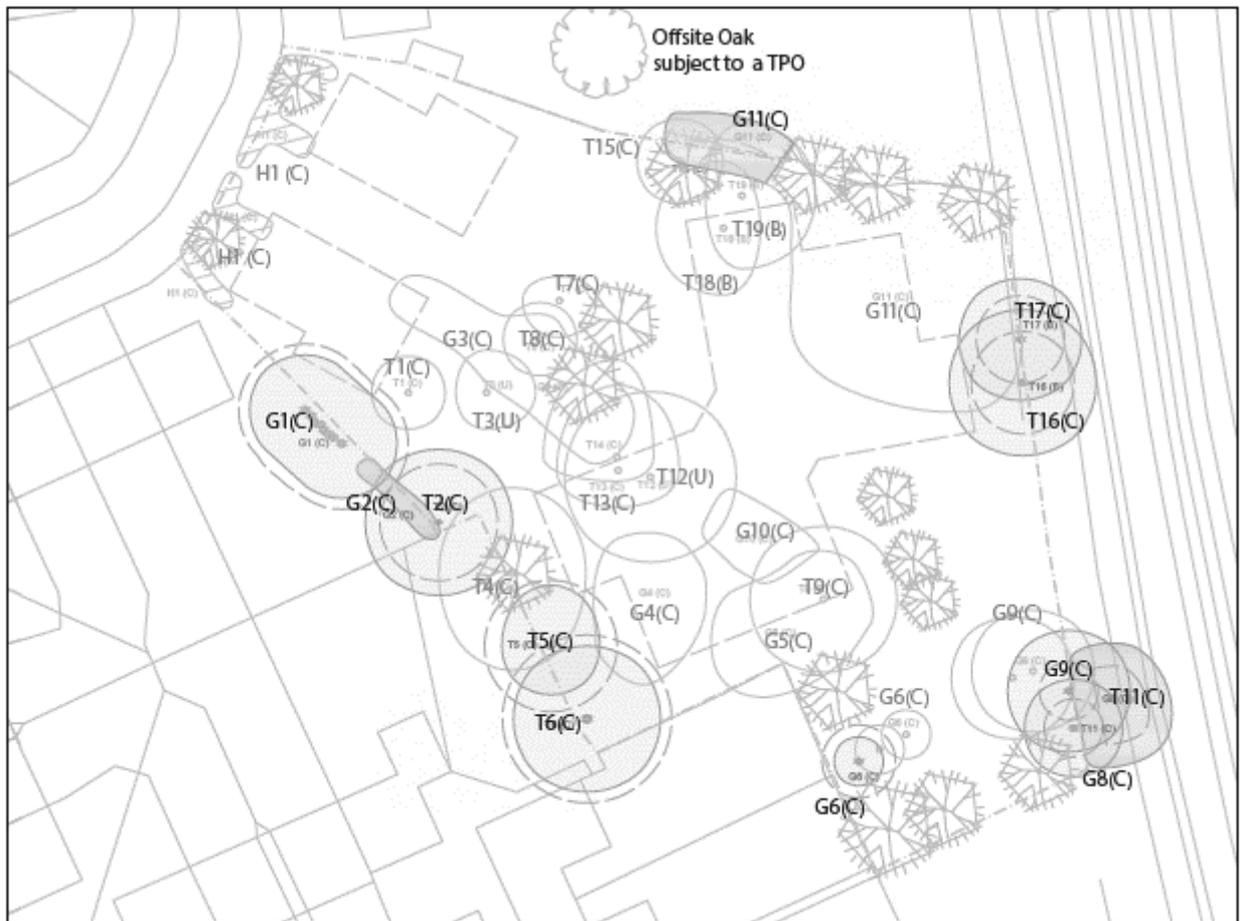
### *Discussion*

276 The application site currently hosts the grassed rear gardens of empty residential properties and a number of trees within the site. To accommodate the development, a number of trees would be removed. The application is accompanied by an Arboricultural Impact Assessment which states that 20 trees, groups and hedges are proposed to be removed. All of the proposed removals are either category C or U and are required to be removed as they are within the footprint of the development. 12 Trees and Groups are proposed to be retained on site as well as new trees being planted. Figure 7 demonstrates what is proposed to be removed, retained and the planting of new trees.

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-  Existing trees to be retained. Dashed line indicates Root Protection Area.
-  Existing trees to be removed
-  Existing hedge To be removed
-  Proposed trees
-  Proposed trees

**Figure 6 Tree Plan**

277 It is noted that none of the trees within the application site are subject to a TPO.

278 The Council's Tree Officer has stated that it is regrettable the number of trees that are proposed to be removed as they contribute significantly to the area of urban greening to the urban forest canopy providing rear amenity, environmental and wildlife benefits. The Tree Officer has raised objection to the siting of the Butterfly Block as it is too close to two category B oak trees (T16 and T17), and this would lead to a requirement for excessive crown reduction. To mitigate the impact on the retained trees, a condition is proposed in respect of crown reduction and works to retain trees so that the

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methodology can be approved and that the works are carried out under the supervision of a suitability qualified arboriculturalist.

- 279 16 trees are proposed to be planted on site as part of the soft landscaping scheme. Officers do note that this is less than the number of trees that are proposed to be removed. Notwithstanding this, the trees are proposed as part of wider soft landscaping proposals, which is considered to be a high quality landscaping scheme, of which the final details would be secured by condition.
- 280 Whilst officers acknowledge that 20 trees, groups and hedges are proposed to be removed and pressures place on retained trees T16 and T17, officers need to consider the wider benefits of the proposal. The scheme would provide 24 affordable residential units and on balance, the loss of low value trees and potential pressure on two retained trees (which are not subject to a TPO) are considered, on balance to be acceptable.
- 281 A Tree Protection Plan would be secured by condition as to protect the retained trees on site and trees within neighbouring properties; particularly the oak tree in the rear garden of No. 62 Farmstead Road which is subject to a TPO.
- 282 The Tree Officer has also raised concern in respect of the siting of the cycle store along the rear boundary of the site and that this should be relocated to realise the landscape along the rail side boundary. Whilst officers note this request, the location requested by the Tree Officer would be within the on-site provision off play space for children and as such it is not considered appropriate to re-locate the bike store.

### **6.7.3 Ground pollution**

#### *Policy*

- 283 The NPPF at para 174 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil pollution. Development should help to improve local environmental conditions.
- 284 DMP 28 advises the Council will use appropriate measures to ensure that contaminated land is fully investigated.

#### *Discussion*

- 285 The application is accompanied by a Phase 1 Desk Top Study report. This report was reviewed by Environmental Protection Officers, who stated that the findings of the initial assessment are acceptable and that investigation reports should be secured by condition.

### **6.7.4 Air pollution**

#### *Policy*

- 286 NPPF para 174 states that decisions should among other things prevent new and existing development from contributing to, being put at an unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality. Proposals should be designed and built to improve local air quality and reduce the extent

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to which the public are exposed to poor air quality. Poor air quality affects people's living conditions in terms of health and well-being.

#### *Discussion*

287 The proposed development would not be air quality neutral with regards to transport emissions. As such Environmental Protection Officers have requested that an obligation be made towards the management of air quality, this would be secured via the S106 agreement.

288 It is noted that Environmental Protection Officers requested a condition in respect of air quality mitigation, considering the size of the scheme and a contribution will be secured by way of the S106 agreement, a condition is not required.

### **6.7.5 Natural Environment conclusion**

289 The impact on ecology and biodiversity on the site is considered to be acceptable subject to the imposition of conditions.

290 On balance, whilst the loss of lower value trees and future pressures on two category B trees is regrettable, this is mitigated by the proposed replanting, and the UGF of 0.56 (which will be secured by condition) and considering the wider benefits of the proposal, namely, its contribution to the Council's housing targets by providing 24 affordable units.

## **6.8 PUBLIC HEALTH, WELL-BEING AND SAFETY**

#### *General Policy*

291 The NPPF and NPPG promote healthy communities. Decisions should take into account and support the health and well-being of all sections of the community. The NPPG recognises the built and natural environments are major determinants of health and wellbeing. Further links to planning and health are found throughout the whole of the NPPF. Key areas include the core planning principles (para 15) and the policies on transport (chapter 9), high quality homes (chapter 5), good design (chapter 12), climate change (chapter 14) and the natural environment (chapter 15).

292 The NPPG sets out a range of issues that could in respect of health and healthcare infrastructure, include how development proposals can support strong, vibrant and healthy communities. Development, where appropriate, should encourage active healthy lifestyles that are made easy through the pattern of development, good urban design, good access to local services and facilities; green open space and safe places for active play and food growing and is accessible by walking and cycling and public transport. The creation of healthy living environments for people of all ages can support social interaction.

293 Para 127 Good design create places that are safe, inclusive and accessible and which promote health and well-being, with a standard of amenity for existing and future users and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience.

294 Chapter 1 of the London Plan (Good Growth) seeks to ensure development is designed, constructed and managed in ways that improve health and promote healthy lifestyles to help reduce inequalities.

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- 295 London Plan policy D11 states development should include measures to design out crime taking into account the principles of the Secured by Design scheme. Development should maintain a safe and secure environment and reduce the fear of crime.
- 296 Policy D12 of the London Plan states that in the interests of fire safety and to ensure the fire safety, all development proposals must achieve the highest standards of fire safety. Part B of this policy goes onto state that all major development should be submitted with a Fire Statement, which is produced by a third party, suitably qualified assessor.
- 297 CSP 15 requires development to minimise crime and the fear of crime.
- 298 Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.

#### *Discussion*

- 299 The proposal has been assessed by the Metropolitan Police Designing Out Crime Officer who has stated that there are many positives to the proposal and that no objection is raised. An informative will be added in respect of Secure by Design.
- 300 A Fire Safety Statement will be secured by condition. Officers note that one has not been provided with this application, the planning statement sets out that this has not been provided at this stage due a shortage in the availability of fire consultants accredited by the Instituter of Fire Engineers.

## **7 LOCAL FINANCE CONSIDERATIONS**

- 301 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
  - sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 302 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 303 The CIL is therefore a material consideration.
- 304 The application is CIL liable, 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. Having said that, the development is eligible for full relief from CIL as it is 100% affordable housing, so the likely CIL receipt would be zero.

## **8 EQUALITIES CONSIDERATIONS**

- 305 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,

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gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

306 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.

307 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.

308 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>

309 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

310 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>

311 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 on equality.

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## 9 HUMAN RIGHTS IMPLICATIONS

312 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

313 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.

314 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.

315 This application has the legitimate aim of providing 24 residential units. The rights potentially engaged by this application, including respect for your private and family life, home and correspondence and the freedom to enjoy one's home are not considered unlawfully interfered with by this proposal.

## 10 LEGAL AGREEMENT

316 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

317 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.

318 It is recommended that the following items are secured by a legal agreement:

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## *Housing*

- A minimum 18 Units at London Affordable Rent with the following unit mix

Unit Mix	No. of London Affordable Rent
2B3P	2
2B4P	11
3B5P	6

- Not more than 6 Units at Shared Ownership with the following unit mix

Unit Mix	No. of Shared Ownership
2B3P	2
2B4P	2
3B5P	2

### *Carbon Offset Payment*

- Financial contribution of £21,528

### *Air Quality Monitoring*

- Financial contribution of £2,400

### *Transport and Public Realm*

- Enter into Section 278 agreement for off-site highways works, the cost of which will be covered by the applicant, such works to include:
  - The proposed new access and all associated works
  - The installation of a dropped kerb with tactile paving on both sides of Dunfield Road (north of the row of shops on the eastern footpath of Dunfield Road)

### *Offsite Play Space*

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- Financial contribution of £17,400

*Monitoring and Costs*

- Meeting the Council's reasonable costs in preparing and monitoring the legal obligations

319 Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

## 11 CONCLUSION

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

321 The principle of the proposed development is supported as it would provide 24 residential units all of which would be affordable units on an underutilised site. All of the dwellings are considered to provide a good standard of residential accommodation to future occupiers. Substantial weight is given to these planning matters.

322 In urban design terms, the proposed development is considered to be high quality design. The modest increase in density would represent the optimal use of the land. It is of an appropriate height and scale and would use suitable materials. The development is considered to have an acceptable impact on the character and appearance of the area.

323 The application proposal would not result in any unacceptable impacts in terms of sustainable development subject to the imposition of conditions.

324 The impacts to the local transport network including parking capacity in the surrounding streets have been assessed and are considered to be acceptable.

325 No adverse impacts have been identified to the living conditions of the neighbouring properties.

326 The officer assessment has identified that four of the proposed units would only be M4(1) compliant and would comply with London Plan Policy D7. Four units not complying with M4(2) or M4(3) is a weakness of the scheme. However, officers consider in respect of the scheme being 100% affordable and the high design quality proposed, this non-compliance is considered to be acceptable in this instance.

327 The officer assessment has also identified that 20 trees, groups and hedges are proposed to be removed to accommodate the development and that the building would result in pressures on two retained trees. The proposed removals are all poor quality, being category C or U. Subject to the final soft landscaping being secured by condition which includes the planting of 16 replacement trees, the harm caused by the loss of the trees and the pressure on two retained trees (which are not subject to a TPO) would be outweighed by the significant planning benefits of the proposal.

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328 Given the acceptability of the proposed used and policy compliance, taking a balance of the planning merits of the scheme against the level of harm identified, the proposal is considered to be in accordance with the development plan as a whole.

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

## 12 RECOMMENDATION

330 That the Committee resolve to **GRANT** planning permission subject to a S106 Legal Agreement that secures the obligations set out in Paragraph 10 of this report and to the following conditions and informatives:

### 12.1 CONDITIONS

#### 1) FULL PLANNING PERMISSION TIME LIMIT

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

#### 2) APPROVED PLANS

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

1827 P 101 100 Rev P01; 1827 P 101 101 Rev P01; 1827 P 101 102 Rev P01; 1827 P 101 103 Rev P01; 1827 P 101 104 Rev P01; 1827 P 102 000 Rev P01; 1827 P 102 100 Rev P01; 1827 P 102 103 Rev P01; 1827 P 103 000 Rev P01; 1827 P 103 100 P01; 1827 P 103 101 Rev P01; 1827 P 103 101 Rev P01; 1827 P 103 102 Rev P01; 1827 P 106 100 Rev P01; 1827 P 106 101 Rev P01; 1827 P 106 102 Rev P01; 1827 P 211 100 Rev P01; 1827 P 622 100 Rev P01; 1827 SK 102 101 Rev P01; 1827 SK 102 102 Rev P01; 10761-LD-PLN-001 Rev P02; 1827 P 623 100 Rev P01; 1827 P 623 101 Rev P01; 1827 P 623 102 Rev P01; 1827 P 623 103 Rev P01

**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) QUANTAM OF DEVELOPMENT

The development shall be implemented in accordance with the following approved details:

- 24 residential units (Use Class C3);
- 3no. buildings: Three storeys in height

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**Reason:** To ensure the development is implemented as approved and is acceptable to the local planning authority.

#### 4) **CAR PARKING**

The car parking shall be implemented in accordance with the following approved details:

- 5No. car parking bays of which 2no. are disabled bays
- 2No. EV charging points

**Reason:** To ensure the development is implemented as approved and is acceptable to the local planning authority.

#### 5) **CONSTRUCTION MANAGEMENT PLAN**

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

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

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

#### 6) **SITE CONTAMINATION**

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(a) No development including demolition of existing buildings and structures, except enabling works where essential for site investigation to comply with this condition shall commence until a site investigation report (based on the findings of the Phase 1 Desk Study by RSK dated January 2020) to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not); a model of the site indicating sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site has been submitted to and approved in writing by the Council.

(b) If during any works on the site, contamination is encountered which has not previously been identified ("the new contamination") the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.

(c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

This shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

## 7) **ARCAEOLOGY WRITTEN SCHEME OF INVESTIGATION**

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included

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within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

**Reason:** To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy HC1 Heritage conservation and growth of the London Plan (March 2021)

## 8) **DRAINAGE SYSTEMS – ENVIRONMENT AGENCY**

No drainage systems for the infiltration of surface water drainage in to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants, in line with the National Planning Policy Framework (NPPF) (Paragraph 174); the site is situated over a Secondary Aquifer within Source Protection Zone 2 of a public water supply.

## 9) **MATERIALS**

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

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

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## 10) ARCHITECTURAL DETAILS

- (a) Notwithstanding the details hereby approved, no development **above ground level** shall commence until detailed plans at a scale of 1:5 and 1:10 showing architectural details including **windows, doors, balconies and entrances reveals, junctions of different materials and decorative brickworks** have been submitted to and approved in writing by the local planning authority
- (b) The development shall be carried out in accordance with the approved details.

**Reason:** In order that the local planning authority may be satisfied as to the detailed treatment of the proposal 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.

## 11) REVISED CYCLE PARKING

- (a) **Prior to above ground development**, full details of the revised cycle parking facilities shall be submitted to and approved in writing by the local planning authority. Such details shall include provision for 48 long-term including 3 special-sized and 2 short-term secure sized secure and covered cycle storage and shall demonstrate compliance with the relevant London Cycling Design Standards.
- (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 for family sized units in an area with a low PTAL 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).

## 12) REFUSE STORAGE

- (a) Details for the on-site storage, disposal and collection of refuse and recycling facilities shall be submitted to and approved in writing by the local planning authority prior the **completion of above ground works** of each phase of development hereby approved. Such details shall include the volumes of storage to be provided for dry recycling, general waste, food waste and garden waste.
- (b) The approved details shall be carried out in full prior to occupation of each phase of development and retained thereafter.

**Reason:** In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal, storage and collection, in the

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interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

### 13) GREEN ROOFS

(a) Details of intensive green roofs with a minimum substrate settles depth of 150mm to the Gatehouses, Butterfly Block and all ancillary buildings shall be submitted and approved in writing by the Local Planning Authority and maintained thereafter.

(b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

(c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

**Reason:** To comply with Policy G5 Urban greening in the London Plan (2021), Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

### 14) FIRE SAFETY STRATEGY

(a) No works whatsoever shall commence until a Planning Fire Safety Strategy has been submitted to and approved in writing by the local planning authority. The Planning Fire Safety Strategy should include:

- Details on space provisions for fire appliances and assembly points
- Details of passive and active safety measures
- Details of means of escape and evacuation
- Details of access and equipment for firefighting

(b) The development must be carried out in accordance with the provisions of the Planning Fire Safety Strategy and retained as such for the lifetime of the development.

**Reason:** To ensure that the development incorporates the necessary fire safety measures in accordance with Policy D12 of the London Plan (2021) and the provisions of the Small Sites SPD in light of the access arrangements from the public highway.

### 15) PLUMBING AND PIPES

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that

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Order), no plumbing or pipes, including than rainwater pipes, shall be fixed on the external faces of the building(s).

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

#### 16) **SATELLITE DISHES AND ANTENNA**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the elevations or the roof of the building.

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

#### 17) **HARD LANDSCAPING**

(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. Such details shall include reference to compliance with SUDs objectives.

(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.

#### 18) **SOFT LANDSCAPING**

(a) A revised 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

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approved in writing by the local planning authority prior to construction of the above ground works. Such details shall include:

- (i) Plants to secure privacy to the ground floor units of the gatehouses and those units facing onto the communal space
  - (ii) Biodiverse planting which is drought-tolerant
  - (iii) Demonstrate the scheme achieves a UGF of 0.56 in accordance with the provisions of page 103 of the Design and Access Statement as defined in the Urban Greening Factor (UGF) guidance (September 2021)
- (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).

#### 19) **BOUNDARY TREATMENTS**

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

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

#### 20) **TREE PROTECTION PLAN**

No development whatsoever including works of site clearance shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council. The TPP should follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of

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protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

**Reason:** To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets 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).

## 21) CONSTRUCTION HOURS

No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 9 am and 5 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 avoid peak school hour 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).

## 22) WHEELCHAIR UNITS

(a) Two (2) M4(3) Wheelchair accessible dwellings and eighteen (18) M4(2) accessible and adaptable dwellings shall be provided within the approved scheme.

(b) Prior to commencement of above ground works, written confirmation from the appointed Building Control Body shall be submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with (a).

(c) The development shall be carried out in accordance with the approved details under part (b).

**Reason:** To ensure that there is an adequate supply of wheelchair accessible housing in the Borough in accordance with Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

## 23) RETENTION OF AMENITY SPACE

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The whole of the communal and private amenity space (including balconies) as shown on drawings 1827 P 101 100 Rev P01; 1827 P 101 101 Rev P01; 1827 P 101 102 Rev P01; 1827 P 101 103 Rev P01; 1827 P 101 104 Rev P01 hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

**Reason:** In order that the local planning authority may be satisfied as to the amenity space provision in the scheme 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 of the Development Management Local Plan (November 2014)

#### 24) **SCREENING TO FRONT GARDENS**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no screening whatsoever shall be installed to the front gardens of the gatehouses at any time.

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

#### 26) **DELIVERY AND SERVICING PLAN**

(a) Prior to commencement a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.

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

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

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

#### 27) **CAR PARKING MANAGEMENT PLAN**

(a) Prior to first occupation, a car parking management plan shall be submitted for approval in writing by the Local Planning Authority. The plan shall include details of the allocation and enforcement of off street parking provision, allocated EV enabled parking bays and should include a strategy for enforcing informal parking within the hard landscaped areas.

(b) The parking should be managed in accordance with the approved plan.

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**Reason:** To ensure suitable arrangements for car parking as part of the development in accordance with Policy T6.1: Residential Parking of the London Plan (March 2021), Policy 14: Sustainable movement and transport of the Core Strategy (June 2011).

28) **PRIVACY SCREENS**

(a) Full details of the window screens shown on drawings 1827 P 101 102 Rev P01; 1827 P 101 103 Rev P01 shall be submitted to and approved in writing by the local planning authority prior to their installation.

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

**Reason:** To avoid the direct overlooking of the approved dwellings and adjoining properties and consequent loss of privacy thereto and to comply with DMP 31 Alterations and extensions to existing buildings including residential extensions, DMP 32 Housing design, layout and space standards, DMP 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

29) **FIXED PLANT NOISE CONTROL**

(a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.

(b) **No development above ground level** shall commence until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.

(c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

30) **SURFACE WATER MANAGEMENT**

The development shall not be occupied until the works have been carried out in accordance with SuDS Report for Planning (prepared by Alan Baxter, dated September 2021); and thereafter the approved scheme is to be retained in accordance with the details approved.

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**Reason:** To prevent the increased risk of flooding and to improve water quality in accordance with Policies SI 12 Flood Risk Management and SI 13 Sustainable Drainage of the London Plan (2021) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

### 31) **SOLAR PANELS**

(a) Details of proposed PV panels shall be submitted to and approved in writing by the LPA prior to first installation.

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

**Reason:** In order to comply with the Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

### 32) **TRAVEL PLAN**

(a) No part of the development hereby approved shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

(b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives. The Travel Plan should include details of a Car Club Strategy.

(c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

**Reason:** In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

### 33) **WASTE MANAGEMENT PLAN**

(a) No above ground works shall commence until a waste management plan has been submitted for the residential accommodation and approved in writing by the Local Planning Authority. The Plan shall include details of how the proposal will ensure how maximum drag distances are not exceeded for residents and waste operatives.

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(b) The waste management plan under part (a) shall be provided and implemented prior to the occupation of the development and shall thereafter be maintained.

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

#### 34) **Construction Environmental Management Plan**

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall cover the recommendations of the Preliminary Ecological Appraisal (RT-MME-130726-02 Rev A) and Ecological Impact Assessment (RT-MME-150130-04) and include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

**Reason:** To comply with Policy G6 Biodiversity and access to nature of the London Plan (2021) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014)

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### 35) BIODIVERSITY METHOD STATEMENT

No development shall take place (including any demolition, ground works, site clearance) until a method statement for biodiversity enhancements has been submitted to and approved in writing by the local planning authority. The content of the method statement shall cover the recommendations of the Preliminary Ecological Appraisal (RT-MME-130726-02 Rev A), Ecological Impact Assessment (RT-MME-150130-04) and include the following:

- a) purpose and objectives for the proposed works including but not limited to the installation of 6 integrated swift bricks, 4 bat bricks and 4 insect hotels; and inclusion of hedgehog passes, deadwood habitat and hibernacula in soft landscaping;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

**Reason:** To comply with Policy G6 Biodiversity and access to nature of the London Plan (2021) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

### 36) LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN (LEMP)

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development.

The LEMP shall comply with the Biodiversity Method Statement Condition above and cover the recommendations of the Preliminary Ecological Appraisal (RT-MME-130726-02 Rev A) and Ecological Impact Assessment (RT-MME-150130-04) and include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.

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- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

**Reason:** To comply with Policy G6 Biodiversity and access to nature of the London Plan (2021) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014)

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37) **TIME LIMIT ON SURVEY VALIDITY**

If the development hereby approved does not commence within 18 months from the date of the planning consent, the approved ecological measures secured through Conditions above shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to

i) establish if there have been any changes in the presence and/or abundance of protected/notable species and habitats.

ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

**Reason:** To comply with Policy G6 Biodiversity and access to nature of the London Plan (2021) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014)

38) **EXTERNAL LIGHTING**

(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 in an appropriate and sensitive manner given the biodiversity onsite in order to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

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39)

### **PLAY EQUIPMENT**

(a) Prior to occupation details of the play equipment shall be submitted to and approved in writing by the Local Planning Authority.

(b) The play equipment approved under part (a) shall be maintained and retained in perpetuity.

**Reason:** In order that the local planning authority may be satisfied with the quality of the play equipment and to comply with Policy S4 Play and informal recreation of the London Plan (2021).

40)

### **OVERHEATING MITIGATION**

The mitigation measures set on page 45 of the submitted Energy and Sustainability Statement Rev B (prepared by Etude, dated October 2021) shall be installed prior to occupation and retained in perpetuity.

**Reason:** As to ensure that the residential units do not experience overheating and to comply with Policy SI 4 Managing heat risk of the London Plan (2021).

41)

### **PROVISIONS OF ENERGY AND SUSTAINABILITY STATEMENT**

The proposed development shall be constructed, operated and maintained in accordance with the recommendations within the submitted Energy and Sustainability Statement Rev B (prepared by Etude, dated October 2021).

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

42)

### **WORKS TO RETAINED TREES**

No works shall take place to any trees retained on site until full details of proposed works including any crown reductions have been submitted to and approved in writing by the Local Planning Authority. Approved works are required to be carried out under the supervisions of a suitably qualified arboriculturalist.

**Reason:** To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets 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).

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43) **OBSCURE GLAZING**

The windows serving bathrooms at first and second floors the side elevations of the Gatehouses shall be fitted as obscure glazed to a minimum Level of 3 on the Pilkington Scale and retained in perpetuity.

**Reason:** To avoid 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, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

44) **Window Opening Restrictors**

The windows serving the bathrooms at first and second floor and the windows serving the kitchen/living dining areas at first floor in the side elevations of the gates houses shall be fitted with 20cm opening restrictors and retained in perpetuity.

**Reason:** To avoid 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, and Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

45) **Be Seen Measures**

The 'Be Seen' energy monitoring for the development hereby approved shall be undertaken in accordance with the measures set out in the London Plan 'Be Seen' energy monitoring guidance document (September 2021).

**Reason:** As to ensure that monitoring is done in accordance with the London Plan 'Be Seen' energy monitoring guidance document (September 2021) and to comply with Policy SI 2 Minimising greenhouse gas emissions of the London Plan (2021).

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## 12.2 INFORMATIVES

- 1) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. As the proposal was in accordance with these discussions and was in accordance with the Development Plan, no contact was made with the applicant prior to determination.
- 2) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An 'assumption of liability form' must be completed and before development commences you must submit a 'CIL Commencement Notice form' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- 3) You are advised that the approved development is subject to a Section 106 agreement. Please ensure that the obligations under the Section 106 agreement are addressed in accordance with the details and timeframes set out in the agreement. If you have any questions regarding the agreement or how to make a payment or submission required under the agreement, please contact the S106/CIL team on [CII@lewisham.gov.uk](mailto:CII@lewisham.gov.uk).
- 4) 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.
- 5) 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.
- 6) Thames Water advises the following:

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [https://urldefense.com/v3/\\_http://www.thameswater.co.uk\\_!!CVb4j\\_0G!AQBcGg\\_zDnAxkKFFWyYOyoUveaSheVGHlcrVm3tu47PcsdjSqRzBXLuEf-8s5uuYsZ6Wh\\_Q\\$](https://urldefense.com/v3/_http://www.thameswater.co.uk_!!CVb4j_0G!AQBcGg_zDnAxkKFFWyYOyoUveaSheVGHlcrVm3tu47PcsdjSqRzBXLuEf-8s5uuYsZ6Wh_Q$) . Please refer to the Wholesale; Business customers; Groundwater discharges section.

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Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

[https://urldefense.com/v3/\\_\\_https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services\\_\\_!!CVb4j\\_0G!AQBcGgzDnAxkKFFWyYOyoUveaSheVGHlcrVm3tu47PcsdjSqRzBXLuEf-8s5uuu94IMRkA\\$](https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services__!!CVb4j_0G!AQBcGgzDnAxkKFFWyYOyoUveaSheVGHlcrVm3tu47PcsdjSqRzBXLuEf-8s5uuu94IMRkA$) .

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

[https://urldefense.com/v3/\\_\\_https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes\\_\\_!!CVb4j\\_0G!AQBcGgzDnAxkKFFWyYOyoUveaSheVGHlcrVm3tu47PcsdjSqRzBXLuEf-8s5uuZ-YkDG6A\\$](https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes__!!CVb4j_0G!AQBcGgzDnAxkKFFWyYOyoUveaSheVGHlcrVm3tu47PcsdjSqRzBXLuEf-8s5uuZ-YkDG6A$)

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.[https://urldefense.com/v3/\\_\\_https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes\\_\\_!!CVb4j\\_0G!AQBcGgzDnAxkKFFWyYOyoUveaSheVGHlcrVm3tu47PcsdjSqRzBXLuEf-8s5uuZ-YkDG6A\\$](https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes__!!CVb4j_0G!AQBcGgzDnAxkKFFWyYOyoUveaSheVGHlcrVm3tu47PcsdjSqRzBXLuEf-8s5uuZ-YkDG6A$) . Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

7) Highways Officers advise that the Construction Management Plan will need to confirm the following:

- Deliveries will be made outside peak hours (i.e. 8-9am and 5-6pm) and deliveries will avoid school pick up and off periods.
- They will need to provide a heavy duty crossover constructed into the site where the proposed crossover will be located this must be in place prior to demolition.
- At no time must there be any waiting vehicles in borough roads
- If and when pedestrians are asked to cross the road pedestrian ramps must be provided to aid vulnerable users. Any parking prohibitions must take account of any such pedestrian routes.

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- The remaining footway width must be a minimum of 1.2 metres wide if hoarding is erected adjacent to the public highway. Any proposed hoarding line must be adjusted to suit this requirement.

- 8) The Metropolitan Police advise that the scheme comply with the Secure by Design Principles.
- 9) As there is Network Rail land to the rear of the site, the applicant should be aware that they need to engage with Network Rail's Asset Protection and Optimisation (ASPRO) team via [AssetProtectionLondonSouthEast@networkrail.co.uk](mailto:AssetProtectionLondonSouthEast@networkrail.co.uk) prior to works commencing. This will allow the ASPRO team to review any details of the proposal to ensure that the works can be completed without any risk to the operational railway.

The applicant/developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can be obtained from here:  
<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

## 13 BACKGROUND PAPERS

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

## 14 REPORT AUTHOR AND CONTACT

Georgia McBirney, [Georgia.McBirney@Lewisham.gov.uk](mailto:Georgia.McBirney@Lewisham.gov.uk); 020 8315 7118

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