

Committee	PLANNING COMMITTEE B	
Report Title	Church Grove Project – Land at Church Grove, London SE13 7UU	
Ward	Lewisham Central	
Contributors	Holly Lucas	
Class	PART 1	7 <sup>th</sup> June 2018

Reg. Nos. (A) DC/17/104264

Application dated 27.10.2017

Applicant RUSS (Rural Urban Synthesis Society) c/- Mr Neil Goldsmith of Lichfields

Proposal The construction of a part three/part four storey building incorporating balconies and a roof garden on vacant land at Church Grove SE13 7UU comprising thirty-three (33) self-build dwellings (13 x 1 bed flats, 10 x 2 bed flats, 2 x 3 bed flats, 5 x 3 bed houses, 3 x 4 bed houses), together with community facilities, shared landscaping space, car parking, secure cycle and refuse storage, alterations to the access and other associated works.

Applicant's Plan Nos. Ground Floor Plan (PL101-REV P1); First Floor Plan (PL102-REV P1); Second Floor Plan (PL103-REV P1); Third Floor Plan (PL104-REV P1); Roof Plan (PL105-REV P1); West Elevation (PL603-REV P1); South Elevation (PL602-REV P1); East Elevation (PL601-REV P1); North Elevation (PL600-REV P1); Existing Context Sections (PL820-REV P1); Existing Site Block Plan (PL002-REV P2); Existing Site Location Plan (PL001-REV P2); Proposed Context Sections (PL821-REV P1); Proposed Site Block Plan (PL004-REV P2); Proposed Site Location Plan (PL003-REV P2); Section AA (PL800-REV P1); Section BB (PL801-REV P1); Section CC (PL802-REV P1); Section DD (PL803-REV P1); Section EE (PL804-REV P1); Landscape Central Deck Section 1 (RF-058-005); Landscape Central Deck Section 2 (RF-058-006); Landscape Edible Zone Section (RF-058-007); Landscape Playable Space Section (RF-058-008); Rain Garden (RF-058-009); Boundary Treatment Plan (RF-058-010); External Lighting Plan (V[-]000-REV A); Planting Plan 1 (RF-058-200); Planting Plan 2 (RF-058-201); Landscape General Arrangement 1 (RF-058-001-REV F); Landscape General Arrangement 2 (RF-058-002-REV C); Landscape General Arrangement 3 (RF-058-003-REV C); Landscape General Arrangement 4 (RF-058-004-REV C).

Arboricultural Report (including Arboricultural Assessment & Tree Survey & Tree Location Plan & Tree Constraints Plan & Tree Protection Plan) (GRS

Arboricultural Consultant); Air Quality Assessment (WYG); Archaeological Desk Based Assessment (Thames Valley Archaeological Services Ltd); Ground Investigation (AP Geotechnicals Ltd); Daylight, Sunlight & Shadow Assessment (Lichfields); Design and Access Statement (Architype); Energy Assessment (Richie + Daffin); Flood Risk Assessment (Price & Myers); Heritage Impact Assessment (Lichfields); Noise and Vibration Assessment (WYG); Planning Statement (Lichfields); Preliminary Ecological Appraisal (Middlemarch Environment); Reptile Survey (Middlemarch Environmental); Transport Statement (WYG); Travel Plan (WYG); Unexploded Ordnance Desk Study (MACC International Limited); PERS Audit (WYG); Construction Logistics Plan (WYG); Internal Layout and Vehicle Movement Strategy (WYG); Parking Demand Survey (WYG).

#### Background Papers

- (1) Case File LE/684/12/TP
- (2) Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)

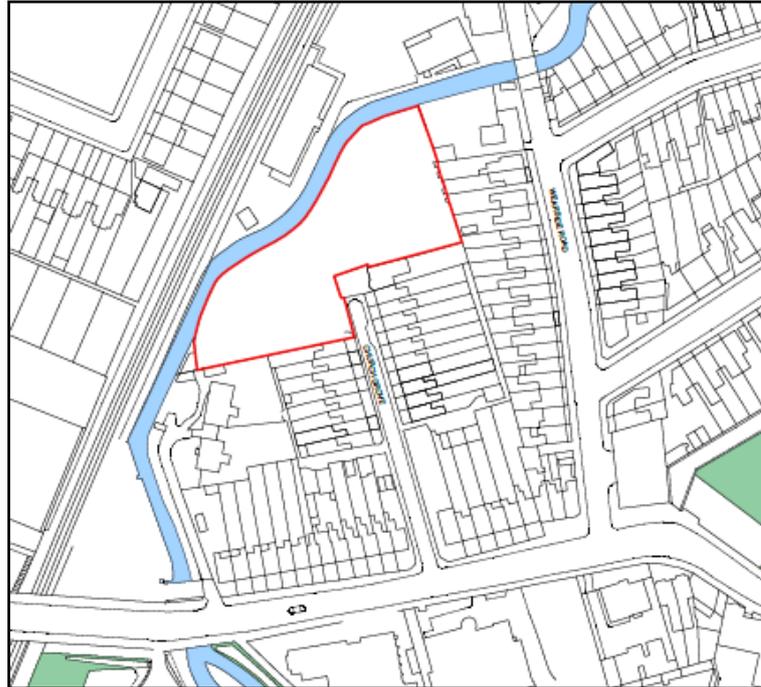
#### Designation

PTAL 5  
Flood Risk Zone 3  
St Mary's Conservation Area (adjoining)  
Area of Archaeological Priority  
Local Open Space Deficiency  
Major District Centre  
Not a Listed Building

### **1.0 Property/Site Description**

- 1.1 This is an application by Lichfields on behalf of RUSS (Rural Urban Synthesis Society) for the construction of a part three/part four storey building incorporating balconies and a roof garden on vacant land at Church Grove comprising thirty-three (33) self-build dwellings (13 x 1 bed units, 10 x 2 bed units, 2 x 3 bed units, 5 x 3 bed houses, 3 x 4 bed houses), together with community facilities, shared landscaping space, car parking, secure cycle and refuse storage, alterations to the access and other associated works.
- 1.2 The site is a 0.33 hectare site located on vacant land at Church Grove, a residential cul-de-sac off Ladywell Road within the Lewisham Central Ward and Lewisham Town Centre Boundary. It is an irregular shaped parcel of land bound by the River Ravensbourne to the north-west with rail and industrial uses beyond (Lewisham Council Depot). Two (2) storey existing residential developments are located along Wearside Road to the east, which is separated by a mature green belt and Church Grove and St Mary's Conservation Area to the south. The site is identified within Flood Zone 3.
- 1.3 The site is generally flat and is currently vacant, however due to being vacant for an extended period of time it is overgrown.
- 1.4 Church Grove consists of two (2) storey Victorian terraced residential houses.

**Figure 1: Proposed Site Plan**



- 1.5 Ladywell Fields is a twenty-two (22) hectare recreation ground located south-west of the development site, being the largest existing area of open space within one (1) mile of the subject site. Hilly Fields Park, Lewisham Park, Brockley Cemetery and Ladywell Cemetery are also located within close proximity to the site.
- 1.6 The site does not lie within a protected viewing corridor and does not contain any statutory listed buildings on or within close proximity to the site. It is not located within a conservation area, however it is directly adjoining St Mary's Conservation area.
- 1.7 The site and surrounding area has a Public Transport Accessibility Level (PTAL) rating of 5, where 0 is worst and 6b is best. It is less than 5 minutes walk to Ladywell Station and is serviced by a number of frequent bus services along Ladywell Road. It is therefore considered to be well connected to surrounding public transport routes.

## **2.0 Planning History**

- 2.1 The site is currently vacant following the demolition of the Watergate School, which was relocated to Bellingham in 2003.
- 2.2 An application was subsequently lodged to the London Borough of Lewisham on 30 November 2007 (Council Ref: DC/07/067610) for a travellers site (5 pitches), which was granted a three (3) year permission on 3 April 2008, however this was not implemented and subsequently lapsed in 2011.
- 2.3 The site contains a number of scattered trees, which are protected by a Tree Preservation Order (TPO). This was confirmed with modifications on 12 August 2008 (Council Ref: DC/17/103111).
- 2.4 On 24 October 2012, Mayor and Cabinet agreed that London Borough of Lewisham Officers should explore the proposals for a community led self-build scheme on the site and work with Lewisham Homes on the selection of a local organisation or community group to work on the proposal.

- 2.5 A report to the Housing Select Committee on 3 February 2014 set out the key issues for consideration and differing approaches for a self-build scheme. As a result it was concluded that the procurement of a community-led consortium or organisation to act as 'enabling' developer would be the most appropriate way of balancing financial, delivery, and legal issues whilst creating the opportunity to achieve new affordable housing within an innovative and community-led project.
- 2.6 On 11 November 2014, another report to Housing Select Committee set out how, in principle, such a development could work and outlined a proposal to take the potential development forward.
- 2.7 On 4 March 2015, Mayor and Cabinet agreed to the initiation of an EU compliant competitive dialogue process to select a not-for-profit community led organisation or consortium to act as the development partner to the Council for the site. It was agreed the organisation will bring together and organise residents to self-build a range of housing. This process allows the Council to balance the opportunity of an innovative community-led development whilst mitigating the potential risks to the Council by maintaining some form of control until completion of the project.
- 2.8 On 30 September 2015, Mayor and Cabinet (Contracts) were recommended to approve the selection of the Rural Urban Synthesis Society (RUSS) Community Land Trust (CLT) as the winning bidder for a community led self-build scheme on the Church Grove site. It further outlined that the Council will enter into a Development Agreement and Lease with RUSS on the basis of the key principles outlined in the report.

### **3.0 Background**

- 3.1 The site is owned by London Borough of Lewisham and RUSS holds a Development Agreement over the site, which is linked to a 250 year lease agreement.
- 3.2 In 2012 the Council agreed its New Homes, Better Places programme to deliver 2,000 new affordable homes for Lewisham residents in housing need, including 500 new Council homes at social rent.
- 3.3 This programme responds to the on-going housing crisis in London that is felt most acutely by those with the lowest incomes and the least resource to access market products. Within Lewisham this is expressed most clearly in the fact that 1,900 Lewisham households are homeless and housed in temporary housing of varying kinds. This number has doubled since 2010/11 and has been driven principally by the withdrawal of Government capital funding for new affordable homes, leading to a drop in supply and fewer homes for the Council to use to meet its duties to homeless households.
- 3.4 This application is one of the schemes that contribute to this programme, and if approved will contribute thirty-three (33) new homes as part of the 500 Council home target.
- 3.5 In order to be eligible to apply for a dwelling within the Church Grove scheme, RUSS members must have a local connection to Lewisham by having lived there for at least two (2) of the last five (5) years, or currently work or study in the borough. For social rented dwellings, applicants must be on the Lewisham Council waiting list. Applicants must also be a member of RUSS at the time of the ballot and must be unable to afford to purchase a suitable home on the open market.

### **4.0 Current Planning Application**

## The Proposal

Planning permission is sought for the development of vacant land at Church Grove for residential and community purposes. The proposal comprises thirty-three (33), 100% affordable residential dwellings, within two (2) buildings, which will form part three/part four storeys in height and will be connected via an elevated walkway. In addition to the proposed residential dwellings, planning permission is sought for a community hub and shared facilities, three (3) disabled car parking spaces and one (1) car club space, secure cycle storage including the provision of sixty-two (62) cycle spaces, high quality landscaping, refuse storage and alterations to the existing access arrangement.

- 4.1 The proposal comprises 13 x 1 bed units, 10 x 2 bed units, 2 x 3 bed units, 5 x 3 bed houses and 3 x 4 bed houses all of which will be 100% affordable. Five (5) of the proposed dwellings will be provided at social rent, two (2) at affordable rent (less than 80% of market rent) and the remaining twenty-six (26) will be provided at shared ownership (between 25%-80% equity sold and remaining retained by RUSS).
- 4.2 The two (2) blocks will comprise a mix of dwellings including one (1), two (2), and three (3) bedroom units and three (3) and four (4) bedroom houses. All proposed dwellings will be dual or triple aspect for views, light and cross-ventilation and the walkway will run along the extent of the building to provide access to all units via individual private amenity decks.
- 4.3 Of the thirty-three (33) proposed dwellings, 10% (three (3) dwellings) will be wheelchair accessible and the remaining 90% (30 dwellings) will be accessible and adaptable. The wheelchair user dwellings include two (2) one bedroom units (Unit 5 and 13) and one (1) four bedroom house (Unit 10), which will be developed in accordance with the Building Regulation requirement M4(3).
- 4.4 The proposal includes a community hub and associated shared facilities. The community hub (66m<sup>2</sup>) will be provided at ground floor within the eastern block and associated shared facilities will be provided within the western block, including a laundry and post room (19m<sup>2</sup>), RUSS administration office and shared workspace at first floor (27m<sup>2</sup>) and a guestroom at second floor (18m<sup>2</sup>).
- 4.5 The development will be a community-led, self-build scheme and will provide training opportunities for future residents on a professionally managed basis. The construction will be carried out by a general contractor with RUSS members contracting to self-build defined packages of work. It will be professionally managed by an experienced main contractor and self-build manager at all times who will work with the residents on appropriate and safe elements of the build. The specifics of the Construction Delivery Strategy are outlined within three main stages, which are identified in the table below.

**Table 1: Construction Delivery Strategy**

<b>Stage</b>	<b>Scope of Works</b>	<b>Roles &amp; Responsibilities</b>
STAGE A1	Mobilisation, groundworks, substructure including site clearance, floor defences and substructure	Main contractor and sub-contractors  No resident/volunteer input
STAGE A2	Superstructure, weathertight/airtight shell and communal fit out including upper floors, stairs, walls/windows/doors/roof, drainage and electrics	Main contractor and sub-contractors  Small number of residents/volunteers to be employed as full time trainee labourers

STAGE B1	Dwelling fit out including internal stairs, walls, doors, floor, ceiling and fittings	Construction manager (employed by RUSS) and sub-contractors  Residents/volunteers to assist with group self-build internally, supervised by construction manager
STAGE B2	Cladding, communal finishes, external structures, hard landscaping, community hub fit out and finishes including roofs, walls, ceilings and fences	Construction manager (employed by RUSS) and sub-contractors  Residents/volunteers to assist with group self-build internally, supervised by construction manager
STAGE C1	Dwelling finishes including walls (decorating), floor finishes (dwellings) and ceiling finishes (decoration)	Individual residents/volunteers
STAGE C2	Soft landscaping including planters, plants and grass	Residents/volunteers collectively

### Building

- 4.6 Two (2) separate buildings are proposed as part three/part four storeys in height, which will stagger to the edge of the River Ravensbourne and will be connected via an elevated walkway addressing the head of Church Grove.
- 4.7 The proposed building will be constructed using predominately timber in an effort to tie in with the natural characteristics and setting of the site and to reflect the sustainable design intention. Generally, it will comprise elements of solid timber, timber louvres, timber infill cladding with timber reveal, timber glulam columns and timber fins for screening. A small amount of steel is proposed for elements of metal cladding and mesh balustrading to private gardens and external walkways.
- 4.8 Future residents have been involved throughout the design process of the scheme and individually customised the internal layout of their chosen dwellings. Residents are able to customise their dwelling internally including the layout (open plan or separate rooms), layout/design of the kitchen, internal finishes and fittings and finishes to the walls, ceilings and floors. Externally they are able to customise their dwelling by choosing window reveal colours, cladding sizes, cladding and pattern cutting.
- 4.9 The south and east elevations indicate zones for customisation including main entrance facades, however the uniformity of the walkways, planting, window sizes, and circulation cores are set, which will help to tie the scheme together.
- 4.10 All proposed dwellings will meet or exceed the minimum Gross Internal Area (GIA) and amenity area requirement stipulated within the London Plan & SPG as identified in Table 2 below.

**Table 2: Amenity Area Compliance with The London Plan & SPG**

<b>Dwelling</b>	<b>No of Beds/Persons</b>	<b>GIA (m2)</b>	<b>London Plan Min GIA (m2)</b>	<b>Amenity Area Proposed (m2)</b>	<b>Housing SPG Minimum (m2)</b>
<b>1</b>	3bed/5person	102	93	14.2	8
<b>2</b>	3bed/5person	102	93	8.7	8
<b>3</b>	3bed/3person <i>SHARED</i>	77	NA	15	10
<b>4</b>	3bed/3person <i>SHARED</i>	77	NA	15	10
<b>5</b>	1bed/2person <i>WCH – M(3)</i>	55	50	10	5
<b>6</b>	3bed/5person	102	93	19.4	8
<b>7</b>	3bed/5person	102	93	15.9	8
<b>8</b>	3bed/5person	102	93	8.7	8
<b>9</b>	4bed/6person	117	106	22.45	9
<b>10</b>	4bed/6person <i>WCH – M(3)</i>	117	106	15	9
<b>11</b>	2bed/4person	77	70	7	7
<b>12</b>	2bed/4person	77	70	7	7
<b>13</b>	1bed/2person <i>WCH – M(3)</i>	55	50	5.5	5
<b>14</b>	1bed/2person	55	50	5.4	5
<b>15</b>	1bed/2person	55	50	6.7	5
<b>16</b>	2bed/4person	77	70	7	7
<b>17</b>	2bed/4person	77	70	7	7
<b>18</b>	1bed/2person	55	50	5.5	5
<b>19</b>	4bed/6person	134	106	10.5	9
<b>20</b>	1bed/2person	55	50	6.9	5
<b>21</b>	1bed/2person	55	50	6.9	5
<b>22</b>	1bed/2person	55	50	5	5
<b>23</b>	2bed/3person	67	61	6.5	6
<b>24</b>	2bed/3person	67	61	6.5	6

<b>25</b>	1bed/2person	55	50	6.5	5
<b>26</b>	2bed/3person	67	61	11	6
<b>27</b>	2bed/3person	67	61	11	6
<b>28</b>	1bed/2person	55	50	5.5	5
<b>29</b>	1bed/2person	55	50	6.9	5
<b>30</b>	1bed/2person	55	50	6.9	5
<b>31</b>	1bed/2person	55	50	5	5
<b>32</b>	2bed/3person	67	61	6.5	6
<b>33</b>	2bed/3person	67	61	6.5	6

- 4.11 The proposal is for a car free development with the exception of three (3) car parking spaces for the purpose of disabled parking and one (1) car club space. The proposed parking spaces are located to the south of the site and will gain access from the proposed site access from Church Grove via the designated drop off area.
- 4.12 A total of sixty-two (62) cycle spaces are proposed, which will be contained within the main bike store area along the southern boundary adjoining 11 Church Grove and the visitor bike storage area stemming from the designated drop off area.
- 4.13 There are three (3) main stair access points into the proposed buildings including the south-western corner of the development, the western side of the elevated walkway and the north-western corner of the development. There is also one lift core located within the western building, which will service all proposed dwellings. The proposed walkway will run along the extent of the building and provide access to all dwellings via individual private amenity decks.

#### Landscape and Courtyard

- 4.14 Boundary treatments are proposed along all boundaries of the site. Existing boundaries will be retained in most instances, however the rear of the proposed cycle store will be open (accessible) to allow for maintenance to the wall of the adjoining property and a 3m high instant green screen on galvanised steel support with FSC hardwood timber posts is proposed to the southern corner where the site frames 11 Church Grove. The river wall treatment is subject to stipulation from the Environment Agency.
- 4.15 There are a number of mature trees located on the subject site, which form part of its character including Lombardy poplar, Tree of Heaven, Common Oak, Silver birch, Himalayan birch, Wild cherry, Ash, Norway maple, Broad-Leafed Lime and Crack willow species. A total of nineteen (19) trees and one (1) group of trees of significance have been identified on the site, one (1) of which is required to be removed (T8) to facilitate the development of the scheme. T8 is a Wild Cherry tree (Category B), which is 12m in height and has a moderate landscape value. Nine (9) of the identified trees of significance that exist on the site are covered by a TPO (Tree Preservation Order); however none of these will be affected by the proposed development.
- 4.16 The proposed landscape strategy for the site includes planting zones, passive food growing planters, rain gardens (bio retention zone), seating elements, raised vegetable beds for

active food growing, compost area, playable landscape with natural and informal play elements, a garden room, embellishment to the entrance (drop off area), cycle store, refuse store and garden storage.

- 4.17 Various recycled and sustainably sourced hardscape materials are proposed, which will improve drainage attenuation and minimise run off. Proposed hardscape materials will include recycled LDPE grid, permeable parking and path zones, robust clay block pavers to entrance space, permeable resin bound gravel surface and permeable bound play bark surface.
- 4.18 Rain gardens are also proposed to address on site drainage.
- 4.19 The central courtyard will be highly landscaped and framed with climbing planters for instant green screening. The central courtyard will lead to pockets of landscape and tree planting providing a fully accessible route to the central deck space, main entrances to the buildings, shared community buildings and the river bank. The eastern and southern elevations including the elevated walkway also incorporate box and climbing planters to soften and naturalise the view from Church Grove.
- 4.20 The refuse store, cycle store, garden store and bin store will incorporate a green roof in addition to the large green roof proposed on the main buildings under PV panels, which supports sustainability requirements such as water attenuation and SUDS.

## **5.0 Supporting Documents**

### ***Design and Access Statement – Prepared by Architype (October 2017)***

- 5.1 This statement provides a comprehensive description of the subject site. It outlines the background to the project, tenure, site context, consultation and design development, building layout, scale, appearance, landscape design, movement and access, sustainability, safety and security and river impact study. The statement is supported by massing information, indicative visualisation images and Computer Generated Images (CGI) of the completed development within the context of the existing surrounds.

### ***Planning Statement – Prepared by Lichfields (October 2017)***

- 5.2 This statement outlines the proposal, which intends to contribute to housing targets by providing thirty-three (33), 100% affordable dwellings, comprised of five (5) for social rent, two (2) for affordable rent and twenty-six (26) for shared ownership.

### ***Air Quality Assessment – Prepared by WYG (October 2017)***

- 5.3 WYG have undertaken an Air Quality Assessment for the proposed residential development. The potential effects during the construction phase include fugitive dust emissions from site activities, such as demolition, earthworks, construction and trackout. During the construction phase, it is anticipated that dust sensitive receptors may experience increased levels, however these are predicted to be short term, temporary impacts. The identified potential impacts will be managed through site specific mitigation measures to ensure the effects from the construction phase are not significant.
- 5.4 The assessment of the significance of the effects associated with both the committed and proposed developments were assessed and identify the annual average exposure to NO<sub>2</sub> at all existing residential receptors will be negligible.

### ***Arboricultural Report (including Arboricultural Impact Assessment, Tree Survey, Tree Local Plan, Tree Constraints Plan and Tree Protection Plan) – Prepared by GRS Arboricultural Consultant (October 2017)***

- 5.5 The Arboricultural Report provides an analysis and evaluation of the proposed development on trees located on the site including tree loss and root impact of trees to be retained.
- 5.6 A total of nineteen (19) trees and one (1) group of trees of significance have been identified on the site, of which, one (1) tree is required to be removed (T8) to facilitate the development of the scheme. T8 is a Wild Cherry tree (Category B) which is 12m in height and has a moderate landscape value.
- 5.7 There are nine (9) trees on the site that exist under a TPO (Tree Preservation Order), none of which will be affected by the proposed development.
- 5.8 The proposed location of the buildings will result in an incursion into the RPA (Root Protection Area) affecting T9 (on-site) and T3 (off-site). The extent of the incursion has been calculated as 0.6% for T9 and 4.4% for T3. Piling foundations are proposed to ensure there is no harm to their roots.
- 5.9 Where development impacts upon the rooting environment of retained trees, an assessment has been undertaken and the relevant measures have been identified to ensure they will not be affected and are successfully integrated into the proposed layout.

***Archaeological Desk Based Assessment – Prepared by Thames Valley Archaeological Services Ltd (May 2017)***

- 5.10 The Archaeological Desk Based Assessment confirms there are no heritage assets on the subject site or in position to be affected by the proposed development. The study area contains limited evidence for prehistoric and Roman activity but substantial evidence for medieval and post-medieval occupation. The site has undergone a number of phases of development since the mid 19<sup>th</sup> century and it is therefore unlikely that any archaeological deposits would remain.
- 5.11 The site lies within the Lewisham and Catford/Rushey Green Archaeological Priority Area and it is considered that further information from field observation may be required to establish the archaeological potential of the proposed site, which would be achieved by an appropriately worded condition.

***Preliminary Ecological Appraisal – Prepared by Middlemarch Environmental (June 2017)***

- 5.12 The Preliminary Ecological Appraisal identified the site is not located within 10 km of a statutory site designated for bats and therefore no adverse impacts upon these sites is anticipated. The study summarised the species considered to be of relevance to the proposed development as follows:
- Bats: due to loss of suitable foraging habitat, habitat fragmentation and disturbance through increases in lighting;
  - Badger and Hedgehog: due to loss of suitable foraging habitat and direct harm or injury; and
  - Reptiles: due to loss of suitable habitat, direct harm or injury and habitat fragmentation.

***Daylight and Sunlight Assessment Report – Prepared by Lichfields (October 2017)***

- 5.13 This report considers the levels of daylight and sunlight received by the existing neighbouring residential properties on Church Grove, Ladywell Road, Marsala Road and Wearside Road as well as the levels of sunlight and shadow received by their private

amenity spaces. It also considers the levels of natural light within the proposed residential units and their associated amenity spaces.

- 5.14 Specifically, it focuses on the effect of development on existing residential accommodation within Nos. 7-11 and 13-14 Church Grove, No. 57 Ladywell Road, Nos. 135-143 (odd) Marsala Road and Nos. 28-32 (even), 36, 38A and 38B-C Wearside Road. Other buildings near the site are non-residential or are situated a sufficient distance from the site to be unaffected in daylight and sunlight terms.

***Energy Assessment – Prepared by Ritchie + Daffin (October 2017)***

- 5.15 The Energy Assessment outlines a design approach to improve the thermal performance of the building fabric to reduce heating requirements and supply heating & hot water demands using individual gas-fired combi boilers in each dwelling. Solar Photovoltaics (PV) mounted on the roof will achieve an annual reduction in carbon emissions of 12.35 tonnes. Remaining emissions are to be off-set with a payment to the local authority.

***Flood Risk Assessment – Prepared by Price & Myers (November 2017)***

- 5.16 The site falls within Flood Zone 3 in an area that is at “high” risk of flooding, however the site has been identified by the Local Authority as suitable for development.
- 5.17 The ground floor finished floor level of the building will be raised to a minimum of 11.60m AOD, 360mm above the 1 in 100 year + climate change flood level and the building will be raised on under floor voids to prevent the loss of floodplain storage, in accordance with Environment Agency’s advice.
- 5.18 The site is at low risk of groundwater and reservoir flooding, however is located in an area susceptible to surface water flooding, which is addressed by raising the building above existing ground level.
- 5.19 Preliminary calculations show that an attenuation volume of 35m<sup>3</sup> is required to attenuate 5l/sec for the site for the 1 in 100 year +20% (climate change) storm event, which will be provided by a below ground storage tank.

***Heritage Impact Assessment – Prepared by Architype (October 2017)***

- 5.20 The site is not located within a conservation area and does not contain any heritage assets, however the southern boundary adjoins the St Mary’s Conservation Area and the Ladywell Conservation Area is located to the north-west. The Grade II Listed Old Swimming Baths are located within the vicinity of the site along Ladywell Road and 55 and 47 Ladywell Road are also locally listed.
- 5.21 Given the site is currently vacant and overgrown, the Heritage Impact Assessment considers that in all cases the proposed development would enhance and preserve the setting of identified heritage assets by introducing a high quality modern development and improving views along Church Grove from the Old Swimming Baths through screening of the depot building currently visible in these views.
- 5.22 The proposed materials and vegetation are appropriate.

***Noise and Vibration Assessment – Prepared by WYG (October 2017)***

- 5.23 The proposed development is not expected to have an ‘adverse impact’ on health or quality of life.

- 5.24 The recommended internal noise levels are generally met across the site at all times, assuming a windows-closed scenario and noise levels in proposed private external amenity area (gardens) are not predicted to exceed 55 dB, which is considered to be in accordance with the requirements of the NPPF. Ventilation and internal ambient noise level requirements in all proposed residential bedroom and living spaces are predicted to be below the Lowest Observable Adverse Effect Level criteria.
- 5.25 An assessment of vibration from the adjacent railway line has shown that there is predicted to be unlikely to be any building damage, and a low probability of adverse comment associated with vibration from the adjacent railway.

***Reptile Survey – Prepared by Middlemarch Environmental***

- 5.26 The Reptile Survey undertaken acknowledges that while the proposed development will result in the loss of suitable reptile basking, foraging, and refuge habitats, no reptiles were recorded during the survey visits so such losses are not believed to impact reptiles on site.

***Transport Statement & Travel Plan – Prepared by WYG (October 2017)***

- 5.27 The site is conveniently located to a number of local bus services, connecting to other parts of London and various public transport interchanges (including Lewisham Station and Greenwich Station), which is reflected by a PTAL rating of 5, indicating a 'good' level of public transport accessibility.
- 5.28 The development proposes a 'car free' development, with the exception of three (3) disabled parking bays and one (1) car club space. The proposal includes sixty-two (62) cycle parking spaces, which exceeds the requirements of the London Plan.

***Unexploded Ordnance Desk Study – Prepared by MACC International Limited***

- 5.29 The UXO Desk Study identifies the site has undergone significant post-war development including the Watergate School which has since been demolished. Records of the site history also indicate the site was narrowly missed by airdropped munitions and the UXO risk on site is therefore considered to be low.

***Outline Construction Logistics Plan – Prepared by WYG (February 2018)***

- 5.30 The total enabling and construction period for the Proposed Development is estimated to take up to 24 months and will comprise the stages of work outlined in Table 1 herein. It is anticipated that the vast majority of vehicles servicing the site will be of sufficient size to travel the length of Church Grove without requiring extensive suspension of residents parking bays.
- 5.31 During early works and Stage A1 phases (outlined in Table 1 herein), it may be necessary to enable large scale plant and equipment to be delivered to site by low loaders, which will be too large to enter Church Grove. It is proposed that the large equipment would be off loaded on Ladywell Road, which would then drive the length of Church Grove to access the site. This equipment would include a large excavator, mobile piling rig and its ancillaries and would require parking suspensions, however this would be required for a maximum of six (6) times throughout the construction phase.
- 5.32 Lewisham Council owned land (Refuse Depot) directly adjacent to the site is being explored as an alternative delivery method.
- 5.33 An appointed Construction Logistics Manager will be in charge of implementing the a detailed CLP (to be conditioned) on behalf of the Contractor.

### ***Parking Demand Assessment – Prepared by WYG (February 2018)***

- 5.34 A parking survey was undertaken between Tuesday 23rd and Wednesday 24th January 2018 by Benchmark Data Collection Ltd, in order to identify on street parking capacity within 200m of the development site. The survey was undertaken in accordance with the Lambeth Council Parking Survey Guidance Note methodology, and included three counts (0300, 0730, 1830) on Tuesday and one count on Wednesday (0300).
- 5.35 At all surveyed times, the results identified 100% capacity along Church Grove, Wearside Road and Whitburn Road, however low to moderate occupancy along Ladywell Road, Algernon Road, Railway Terrace, Mercy Terrace and Marsala Road.

### ***PERS-Style Audit – Prepared by WYG (February 2018)***

- 5.36 The audit identifies that pedestrian links within the study area are generally considered to be appropriate, however further consideration should be given to improving the footway provision for pedestrian facilities along Church Grove.

### ***Internal Layout and Vehicle Movement Strategy – Prepared by WYG (February 2018)***

- 5.37 The strategy illustrates access and circulation for a range of vehicles including:
- Large car (5.079m x 1.872m)
    - No conflicts
  - 7.5t box van (8.010m x 2.100m)
    - No conflicts
  - Waste collection vehicle (10.815m x 2.450m)
    - Conflicts with the existing bollards on Church Grove (existing practice - reversing)
    - No conflict (forward gear)
  - Waste collection vehicle (11.200m x 2.530m)
    - No conflict entering
    - Vehicle encroaches into parking bay on exit, however it is understood the refuse truck currently reverses down Church Grove for ease and will continue to do so
  - Fire engine (7.700m x 2.430m)
    - Conflicts with existing bollards on exit
  - Fire engine (7.900m x 2.500m)
    - Conflicts with the existing bollards on Church Grove
  - Ambulance (5.461m x 2.020m)
    - No conflict

### ***Fire Statement Strategy – Prepared by Architype (March 2018)***

- 5.38 The Fire Strategy has been prepared in response to representations received in relation to the scheme and addresses fire vehicle access points, fire hydrants, hose locations, routes and pull lengths, escape routes, sprinkler systems and building material fire performance.

## **6.0 Consultation**

- 6.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

### ***Pre Application Consultation***

- 6.2 The submission of this application follows six (6) formal and informal pre application discussions held between the applicant and London Borough of Lewisham Officers in 2016/2017.

### ***Planning Application Consultation***

- 6.3 In December 2017 our (4) site notices were displayed and letters were sent to one-hundred and forty (140) residents and businesses in the surrounding area (approximate 50m radius). The relevant Lewisham Councillors, Environment Agency, St Mary's Conservation, Areas of Archaeological Priority, Met Police (Designing Out Crime), London Fire and Emergency Authority, Ladywell Society, Ladywell Fields User Group, Historic England and Thames Water were also consulted.
- 6.4 London Borough of Lewisham's Urban Design, Highways, Housing, Section 106, CIL, Legal Services, Environmental Health, Policy, Drainage, Economic Development and Tree Officer were also consulted.
- 6.5 Twenty-one (21) letters of objection and twenty (20) letters of support were received, which therefore triggered the requirement for a Local Meeting to be held in accordance with the London Borough of Lewisham Statement of Community Involvement.
- 6.6 The common issues are summarised below:
- Parking and access (including emergency access)
  - Construction impacts
  - Increased traffic
  - Fire safety
  - Width of the street and footpath are not capable of supporting the development
  - Height and density
  - Tree removal
  - Consultation process
  - Overdevelopment
  - Conservation and appearance
  - RUSS deceptions
  - Policy compliance
  - Refuse location
  - Impacts on infrastructure and public services
  - Public transport capacity
  - Overshadowing, loss of privacy
- 6.7 A boundary wall/land dispute has been raised by the adjoining property (11 Church Grove), which is not a planning consideration, however, it has been investigated by Lewisham Strategic Housing Team. In the opinion of Lewisham Council, the boundary as shown on the proposed plans is correct. Housing have advised the owners of the property to engage a private surveyor. Lewisham Council are not aware this has been done.
- 6.8 The Local Meeting was held on 25<sup>th</sup> January 2018 and was chaired by Councillor Stella Jeffrey. Council Planning and Housing Officers were in attendance, along with the development team and RUSS. Eighteen (18) local residents attended and raised their concerns with regard to the proposed development (Refer to Appendix A for Meeting Minutes).
- 6.9 In February 2018, further highways information was submitted to Lewisham Council as requested by Highways Officers and Lewisham Council re-consulted with all previous objectors, Local Meeting attendees and Lewisham Central Ward Councillors.

### ***Applicant Consultation***

- 6.10 The applicant has undertaken community engagement including co-design engagement with RUSS residents and public consultation. Consultation was undertaken with key

stakeholders and the local community in accordance with the National Planning Policy Framework (NPPF) (2012), Department for Communities and Local Government (CLG) Planning Practice Guidance and the London Borough of Lewisham's Statement of Community Involvement (SCI).

- 6.11 Seven (7) co-design events were held with RUSS residents on 10 May 2016, 18 May 2016, 1 June 2016, 13 June 2016, 30 June 2016, 24 July 2016 and 8 August 2016 and three (3) public consultation events were held on 15 August 2016, 21 April 2016 and 22 April 2016.
- 6.12 Concerns and issues raised by the community have been addressed through design reiterations and clarification of such has been provided in the planning submission (Design and Access Statement).
- 6.13 Comments received from statutory agencies are summarised below.

#### Environment Agency

- 6.14 The Environment Agency do not object to the proposals subject to planning conditions in relation to finished floor level heights, flood water storage and land remediation.

#### Highways and Transportation

- 6.15 London Borough of Lewisham Highways Officers previously originally objected against the proposed development at Church Grove. However, since the applicant submitted further requested information including a PERS Audit, Parking Survey, Internal Layout and Vehicle Movement Strategy and Construction Logistics Plan, Highways have removed their objection and confirm further particulars can be appropriately dealt with via Condition.

#### Ecology

- 6.16 Ecology consider the application unobjectionable. They support the rain garden approach and commend the thorough Ecological Assessment undertaken, however wish to ensure that all the recommendations contained therein are considered and implemented.

#### Environmental Health

- 6.17 Environmental Health consider the application unobjectionable and compliant with the transport benchmarks and air quality requirements.

#### Conservation

- 6.18 London Borough of Lewisham Conservation Officers have had significant input in the design of the scheme and consider it unobjectionable.

#### Urban Design

- 6.19 London Borough of Lewisham Urban Design Officers have had significant input in the design of the scheme and consider it unobjectionable.

#### Environmental Protection

- 6.20 Environmental Protection consider the application unobjectionable; however request a Phase 1 report to be secured via Condition.

#### Housing

- 6.21 Lewisham Council's Housing Strategy and Programmes Team strongly support RUSS, a Community Land Trust, and their proposed development of 33 affordable homes, including 5 for social rent on the Church Grove site.
- 6.22 The self-build development forms part of Lewisham Council's New Homes Programme 100% of the new homes provided at Church Grove will be affordable and the scheme has been designed to provide high quality housing that is larger than minimum standards and will achieve a high level of sustainability, making them more affordable to run in the long term. Part of the development also includes a Community Hub to promote self-build and community led developments across the UK.
- 6.23 Lewisham Council's Housing Strategy and Programmes Team support this community led development that will provide affordable homes in perpetuity for Lewisham residents.

#### Thames Water

- 6.24 Thames Water have no objection to the proposed development, however have provided informatives relating to waste and water to be attached to the Decision Notice, should the development be approved.

#### Historic England

- 6.25 Historic England have no objection to the proposed development; however have provided informatives to be attached to the Decision Notice, should the development be approved.

#### Metropolitan Police

- 6.26 Metropolitan Police have no objection to the proposed development.

### **7.0 Policy Context**

#### Introduction

- 7.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
  - (b) any local finance considerations, so far as material to the application, and
  - (c) any other material considerations.
- 7.2 A local finance consideration means:
- (a) 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
  - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)
- 7.3 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

## National Planning Policy Framework

- 7.4 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 7.5 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

## Other National Guidance

- 7.6 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

## London Plan (March 2016)

- 7.7 The London Plan was updated on 14 March 2016 to incorporate the Housing Standards and Parking Standards Minor Alterations to the London Plan (2015). The new, draft London Plan was published by the Mayor of London for public consultation on 29 November 2017 (until 2 March 2018). However, given the very early stage in this process, this document has very limited weight as a material consideration when determining planning applications, does not warrant a departure from the existing policies of the development plan in this instance and is therefore not referred to further in this report. The policies in the current adopted London Plan (2016) relevant to this application therefore are:

Policy 2.9 Inner London

Policy 2.13 Opportunity areas and intensification areas

Policy 2.14 Areas for regeneration

Policy 2.15 Town centres

Policy 3.1 Ensuring equal life chances for all

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.8 Housing choice

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.13 Affordable housing thresholds

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.21 Contaminated land

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.12 Road network capacity  
Policy 6.13 Parking  
Policy 7.1 Lifetime neighbourhoods  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.13 Safety, security and resilience to emergency  
Policy 7.14 Improving air quality  
Policy 7.19 Biodiversity and access to nature  
Policy 7.21 Trees and woodlands  
Policy 7.22 Land for food  
Policy 7.30 London's canals and other rivers and waterspaces  
Policy 8.3 Community infrastructure levy  
Policy 8.4 Monitoring and review for London

#### London Plan Supplementary Planning Guidance (SPG)

7.8 The London Plan SPG's relevant to this application are:

Affordable Housing & Viability (August 2017)

Housing (March 2016)

Accessible London: Achieving an Inclusive Environment (October 2014)

Town Centres (July 2014)

Sustainable Design and Construction (April 2014)

#### Core Strategy

7.9 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy

Spatial Policy 2 Regeneration and Growth Areas

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 9 Improving local air quality

Core Strategy Policy 10 Managing and reducing the risk of flooding

Core Strategy Policy 11 River and waterways network

Core Strategy Policy 12 Open space and environmental assets

Core Strategy Policy 13 Addressing Lewisham's waste management requirements

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

#### Development Management Local Plan

7.10 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

7.11 The following policies are considered to be relevant to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 7	Affordable rented housing
DM Policy 22	Sustainable design and construction
DM Policy 23	Air quality
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 41	Innovative community facility provision

#### Lewisham Town Centre Local Plan

7.12 The Council adopted the Lewisham Town Centre Local Plan (LTCLP) on the 26<sup>th</sup> February 2014. The LTCLP, together with the Core Strategy, the Site Allocations Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan.

7.13 The following policies are considered to be relevant to this application:

Policy LTCP0	Presumption in favour of sustainable development
Policy LTCP1	Plan boundaries
Policy LTC2	Town centre boundary
Policy LTC18	Public realm
Policy LTC20	Public and shopper parking spaces
Policy LTC21	Sustainable transport

#### Residential Standards Supplementary Planning Document (August 2006)

7.14 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

#### Planning Obligations Supplementary Planning Document (2015)

7.15 This document sets out guidance and standards relating to the provision of affordable housing within the Borough and provides detailed guidance on the likely type and quantum of financial obligations necessary to mitigate the impacts of different types of development.

## **8.0 Planning Considerations**

8.1 The main issues to be considered in respect of this application are:

- a) Principle of Development
- b) Design
- c) Housing
- d) Highways and Traffic Issues
- e) Impact on Adjoining Properties
- f) Sustainability and Energy
- g) Ecology and Landscaping
- h) Environment

### **Principle of Development**

- 8.2 The development site is currently vacant and planning permission is sought for thirty-three (33), 100% affordable residential dwellings, within two (2) buildings, which will form part three/part four storeys in height, connected via an elevated walkway. In addition to the proposed residential dwellings, planning permission is sought for a community hub and shared facilities, three (3) disabled car parking spaces and one (1) car club space, cycle storage for sixty-two (62) cycle spaces, high quality landscaping, refuse storage and alterations to the existing access arrangement.
- 8.3 The London Plan, London Plan Supplementary Planning Guidance (SPG), Core Strategy, Development Management Local Plan, Residential Standards Supplementary Planning Document and other national planning guidance emphasise the importance of high quality design that complements the existing development and establishes suitable character. The proposal will be assessed in relation to housing and accommodation standards in the following sections of this report.
- 8.4 Of the thirty-three (33) proposed dwellings, five (5) will be provided at social rent, two (2) at affordable rent (less than 80% of market rent) and the remaining twenty-six (26) will be provided at affordable rent for equity/shared ownership (between 25%-80% equity sold and remaining retained by RUSS).
- 8.5 Providing housing, particularly affordable housing, is a priority in the Borough and wider London. It is considered that this site will make a valuable contribution towards meeting housing needs as identified in the London Plan Policies 3.3 and 3.4 to increase housing supply and optimising housing potential. Furthermore, the London Plan Policy 3.8 identifies the need for Londoners to have a genuine choice of high quality affordable housing, which is considered to be in line with this proposal. The proposal will make use of previously developed vacant land and Officers therefore do not raise an objection to the principle of development, subject to securing a development of the highest quality.
- 8.6 London Plan Policy 2.13 identifies Lewisham, Catford and New Cross as opportunity areas and intensification areas and is further supported by the London Plan Policy 2.14 and Spatial Policy 1, which identifies Lewisham as a regeneration and growth area.

### **Design**

8.7 Urban design is a key consideration for new developments. National and regional policies place emphasis on high quality, sustainable design of the built environment. DM Policy 30, Core Strategy 15, London Plan Policy 3.5 and 5.3 identify that all new development should

achieve a high standard of internal and external design, while also protecting and enhancing the surrounding environment and being sensitive to the local context and character as outlined in London Plan Policy 7.4.

#### *Scale and layout*

- 8.8 Planning permission is sought for the development of vacant land at Church Grove for residential and community purposes. The proposal allows for the development of two (2) separate part three/part four storey buildings married together via an elevated walkway.
- 8.9 The two (2) buildings have been designed to mirror the shape of the site and stagger to the edge of the River Ravensbourne, creating a shared landscaped area around the buildings. The shape and design of the building has been influenced by RUSS residents, the public consultation process and design stipulation by the Environment Agency to maintain the buffer zone and follow the line of the River Ravensbourne.
- 8.10 The proposed layout creates an open view down Church Grove, in an effort to reflect the sense of openness currently experienced from Church Grove, leading into a large central landscaped hub and the bank of the River Ravensbourne to be shared by residents and the wider community.
- 8.11 The two (2) proposed buildings will form a part three/part four storeys ranging in height from 10.80m to 13.85m, respectively. In addition, the ground floor finished level of the proposed development will be raised to a minimum of 11.90m AOD, 300mm above the 1 in 100 year + climate change flood level as a flood mitigation measure. As requested by the Environment Agency the building will also be raised on piles with under floor voids to prevent the loss of floodplain storage.
- 8.12 The scale, massing and articulation of the proposed buildings have been the subject of extensive discussion between officers and the applicant during pre-application stage and are considered to successfully transition between the neighbouring properties as the established building line had been maintained.
- 8.13 The applicant has engaged with MPS Crime Prevention and TP Capability to ensure a safe and secure design. Secure boundaries have been incorporated into the masterplan to create a distinction between private and public elements of the scheme. The landscape strategy also integrates defensible planting along the western and northern facades for privacy and security, external lighting and passive surveillance of the entrance and garden spaces. The bin and bike stores are also enclosed to reduce anti-social behaviour and theft.
- 8.14 The proposal is therefore in accordance with London Plan Policies 7.3 and 7.6, DM Policy 32 and 41, Core Strategy 15, Core Strategy 19 and fear of crime also identified within paragraph 58 of the NPPF.

#### *Architecture and Landscaping*

- 8.15 The proposed building will be constructed using predominately timber in an effort to tie in with the characteristics of the site and to reflect the sustainable design intention. It will comprise elements of solid timber, louvres, timber infill cladding with timber reveal, timber glulam column and timber fins for screening. A small amount of steel is proposed for elements of metal cladding and mesh balustrading to private gardens and external walkways. The overall appearance is contemporary and robust, officers consider this to be an acceptable response for the position of the site against the River Ravensbourne, and would not attempt to be a pastiche copy of the adjacent Victorian terraces on Church Grove. The overall scheme is considered a high quality design solution which is supported.

8.16 The scheme has been designed to allow for an element of customisation as part of the self-build process. This has been explored by the applicants architect within the Design and Access Statement. Officers support the addition of personalisation into this unique scheme, which would reflect its community spirit and self-build nature. The customisation is limited to the bay facades of each dwelling with the main frame of the building, elevated walkways and staircore having a consistent appearance. As this element of the design progresses, it is recommended that a future Design Code is secured by condition. This would ensure that the high quality design proposed it maintained throughout the build process.

## **Housing**

### *a) Size and Tenure of Residential Accommodation*

8.17 The provision of housing has been identified by the Lewisham Mayor as a key priority and for London and the borough. Policy 1 of the Core Strategy seeks to provide a mix of dwellings and provide affordable housing.

**Table 3: Residential Tenure and Size Mix**

	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed +</b>	<b>Total</b>
<b>Social Rent</b>	4 (2)	0 (0)	0 (0)	1 (1)	5 (3)
<b>Affordable Rent</b>	0 (0)	0 (0)	2 (0)	0 (0)	2 (0)
<b>Shared Ownership</b>	9 (0)	10 (0)	5 (0)	2 (0)	26 (0)
<b>Total</b>	13 (2)	10 (0)	7 (0)	3 (1)	33 (3)

\*Wheelchair accessible units shown in ( )

8.18 The proposal includes thirty-three (33) new dwellings, 100% of which are for affordable rent (refer to Table 2). The dwellings will be comprised of 13 x 1 bed units, 10 x 2 bed units, 2 x 3 bed units, 5 x 3 bed houses and 3 x 4 bed houses, equating to a total provision of approximately 39% 1 bed dwellings, 30% 2 bed dwellings and 30% family dwellings.

8.19 Of the thirty-three (33) proposed dwellings, 10% (3 dwellings) will be wheelchair accessible and the remaining 90% (30 dwellings) will be accessible and adaptable, which is in accordance with the Core Strategy Policy 1 requirement. The wheelchair user dwellings include two (2) one bedroom units (Unit 5 and 13) and one (1) four bedroom house (Unit 10), which will be developed in accordance with the Building Regulation requirement (M4(3)(2)(b)).

8.20 Three (3) of the four (4) proposed car parks will be designated for the purpose of wheelchair accessible car parking bays.

### *b) Standard of Residential Accommodation*

8.21 The Technical Housing Standards (2015), London Plan's Housing Supplementary Planning Guidance (SPG) and London Plan Policy 3.1 of the London Plan set out the minimum space standards required for dwelling types and amenity space. Policy 3.1 refers to the garden and amenity space required for residential dwellings.

8.22 All proposed dwellings exceed the appropriate recreation space identified in the London Plan as identified below in Table 2 herein. All dwellings are either double or triple aspect.

- 8.23 All proposed dwellings exceed the appropriate recreation space identified in the London Plan and all residents will have access to the communal central courtyard and children's play space, which is considered to be in accordance with the London Plan Policy 3.6 and LTCP 18.
- 8.24 The proposals meet, and exceed in places, the minimum internal housing standards as set out in the National Standards, London Plan, Core Strategy and DM Policy 32 and are therefore considered acceptable in this regard.
- 8.25 The proposal is 100% affordable housing in accordance with DM Policy 7 and 32, and London Plan Policies 3.10, 3.11 and 3.13. The development will provide a mix of homes (including accessible and adaptable) and meet the needs of the community by creating inclusive environments and communities.

#### Highways and Traffic Issues

##### a) Access

- 8.26 Church Grove is a narrow (4.60m wide) residential, two-way cul-de-sac. It has single yellow line markings on both sides of the carriageway at the northern end of the street towards the junction of Ladywell Road and Church Grove and on-street parking along the eastern side of the street.
- 8.27 At present Church Grove is serviced by a 10.8m Refuse Vehicle, however due to the width of the road it is unable to turn around once it enters the street. Currently, refuse vehicles are therefore entering Church Grove in reverse to allow exit in a forward motion while collecting the bins. It is considered that refuse collection would continue as existing, with the vehicle reversing into Church Grove. The proposed site layout shows that the bin store is located adjacent to the site access, allowing refuse vehicles to reverse down Church Grove as per the existing situation and stop outside the site to collect bins.
- 8.28 Access to the site during construction will be from Church Grove for all medium and small sized construction vehicles. The construction site will be surrounded by 2.5m high hoarding and will have gated access for vehicles. Construction vehicles will be able to access the site from Church Grove and turn on-site.
- 8.29 During construction, waste will be collected on-site and collected by a small lorry. Large deliveries, such as scaffolding and steel beams may not fit comfortably down Church Grove. Several options will therefore be considered as part of the construction strategy for the site. One of the possible arrangements is that these deliveries could be hoisted into the site from the north side of the Ravensbourne River using a mobile crane on Wearside Service Centre land. Alternatively, temporary suspension of on-street parking along Church Grove during scheduled large deliveries at key points within the construction programme, to accommodate the largest vehicles may be explored.
- 8.30 The proposed singular access point into the site will be in line with the existing arrangement, stemming from the existing cul-de-sac at the head of Church Grove. It will be a shared access arrangement between pedestrians, vehicles and bicycles, however has been designed to prioritise pedestrians.
- 8.31 The proposed drop off area will allow for a turning circle on site, which is proposed to be used by fire engines, refuse trucks and other vehicles on site.
- 8.32 The site and surrounding area has a Public Transport Accessibility Level (PTAL) rating of 5, where 0 is worst and 6b is best. It is less than 5 minutes walk to Ladywell Station and is serviced by a number of frequent bus services along Ladywell Road. It is therefore considered to be well connected to surrounding public transport routes.

8.33 The proposed development is not considered to adversely affect the safety of the surrounding transport network and is therefore considered to be in accordance with the London Plan Policy 6.3.

*b) Servicing*

8.34 Currently large servicing vehicles can access the site; some enter and exit Church Grove in forward gear and others reverse down to enable forward gear exit. It has been noted that large vehicles use the crossover servicing 11 Church Grove to perform a three point turn to facilitate a forward gear exit.

8.35 Refuse vehicles currently reverse into Church Grove from Ladywell Road to collect waste, however the proposed development will improve this compromised arrangement by allowing service vehicles to access and egress in a forward gear. The proposed bin store is located conveniently within the drop off area, which will allow informal turning area and allow for ease of access for refuse vehicles.

8.36 The proposed residential development is not considered to generate a large number of service vehicle trips. Majority of the servicing for the site will be carried out by smaller, transit-sized vehicles which will be able to turn around within the proposed drop off area.

8.37 Due to the inclusion of the drop off area in the proposal, the access arrangement, specifically for service vehicles is considered to be an improvement of the current access arrangement.

In accordance with Core Strategy Policy 13, the servicing arrangement and Site Waste Management Plan is considered to be appropriate.

*c) Cycle Parking*

8.38 London Plan standards and DM Policy 29 require secure cycle parking provision at the rate of 1 cycle space per 1 bed unit and 2 spaces for all other dwellings. The required provision for this scheme would therefore be fifty-three (53) spaces.

8.39 A total of sixty-two (62) cycle spaces are proposed for the houses and flats, which will be contained within the main bike store area along the southern boundary adjoining 11 Church Grove and the visitor bike storage area stemming from the designated drop off area.

8.40 There is adequate cycle parking proposed in accordance with the London Plan Policy 6.9 and DM Policy 29.

*d) Car Parking*

8.41 The proposal is for a car free development with the exception of three (3) car parking spaces for the purpose of disabled parking and one (1) car club space. The proposed parking spaces are located to the south of the site and will gain access from the singular access point from Church Grove. The proposed car-free development is supported by due to its high accessibility to public transport and reinforced by The London Plan Policy.

8.42 The existing parking arrangement and capacity provision within an area of 200m around the site has been reviewed and is outlined in section 5.0 of this report. It identified that despite there being some capacity on the surrounding road network, parking on Church Grove was at a maximum capacity at all recorded times.

8.43 The parking strategy is considered to be in accordance with Core Strategy 14, DM Policy 29, London Plan Policy 6.12 and 6.13.

### Impact on Adjoining Properties

8.44 The impact of the proposal on adjoining properties considers the siting, bulk and height with consideration to Core Strategy 15, which states that adverse impact on neighbouring amenity need to be addressed. The Council's Residential Development Standards, also outlines the expectation of developers in an effort to mitigate impact on adjoining properties.

#### *a) Privacy*

8.45 The proposed development takes into account the surrounding properties and has been carefully designed and positioned to consider them. The Council's Residential Development Standards SPD requires a flexible, minimum separation distance of 21 metres between directly facing habitable room windows on main rear elevations. The proposed dwellings are appropriately setback by a minimum of 20.50m to the east from the properties along Wearside Road and will also be separated by the existing boundary fencing to be retained.

8.46 The south-western separation will be a minimum of 18.90m from the closest adjoining property on Church Grove; however no windows for habitable rooms are located along the flank of 11 Church Grove and this is therefore considered to be acceptable in the urban, developed context of the surrounding area.

8.47 The two (2) proposed buildings will form part three/part four storeys ranging in height from 10.80m to 13.85m, respectively. The ground floor finished level of the proposed development will be raised to a minimum of 11.90m AOD, 300mm above the 1 in 100 year + climate change flood level as a flood mitigation measure. Additionally, as requested by the Environment Agency the building will also be raised on piles with under floor voids to prevent the loss of floodplain storage. The scale of the building, is considered to be acceptable in the location and although larger than the terraces on Church Grove, is a high quality development and meets the affordable housing need. The position of the dwelling set back into the site is not considered to result in any adverse loss of privacy to surrounding occupiers given walkway screening.

8.48 The site is framed by the River Ravensbourne and therefore does not impact properties to the north or west.

8.49 The living green roof is provided for the purpose of sustainability and ecology and will only be accessed for the purpose of maintenance. It will also add visual appeal to the skyline as it matures, which will improve the outlook for the adjoining residents. It will not form a roof terrace or raised amenity deck.

8.50 A portion of the roof is proposed as roof garden and will allow resident access only, the remaining roof area will be used as a PV zone and access will be for maintenance and of the roof and PV's only. The roof access stair will incorporate louvre cladding and timber railings will be installed on the roof as screening and prevention of overlooking. The location of the roof garden has been chosen as it is furthest away from the existing neighbours on Church Grove and reduces the opportunity for overlooking.

8.51 The proposed development is considered to be in accordance with Core Strategy Policy 7 and London Town Centre Policy LTC25.

#### *b) Daylight and Sunlight Assessment*

8.52 The applicant has prepared a Daylight and Sunlight Assessment Report, which considers the levels of daylight and sunlight received by the existing neighbouring residential properties on Church Grove, Ladywell Road, Marsala Road and Wearside Road as well as the levels of sunlight and shadow received by their private amenity spaces. It also

considers the levels of natural light within the proposed residential units and their associated amenity spaces.

- 8.53 Specifically, it focuses on the development's effects on existing residential accommodation within Nos. 7-11 and 13-14 Church Grove, No. 57 Ladywell Road, Nos. 135-143 (odd) Marsala Road and Nos. 28-32 (even), 36, 38A and 38B-C Wearside Road. Other buildings near the site are non-residential or are situated a sufficient distance from the site to be unaffected in daylight and sunlight terms.

#### Daylight

- 8.54 The impact on daylight received by adjoining properties is considered to be acceptable. The two properties directly adjacent to the site (11 Church Grove and 13 Church Grove) will experience Vertical Sky Component (VSC) reductions of 28.6% and 42.9%, respectively below BRE but on balance will retain good internal daylight levels given their northern orientation, these dwellings would retain their primary aspect east and west. The Annual Daylight Factor (ADF) results at 13 Church Grove identify that one (1) room (Living Room) will receive daylight levels below BRE compliance, however the room is served only by a small window which is already compromised by its own extension.
- 8.55 The daylight results for the proposed units identify that a vast majority of rooms tested will fully comply with the BRE guidelines for internal daylight assessment. A total of 96.3% of rooms tested will comply with the BRE guidelines for Daylight Distribution (DD) and 95.3% of rooms will comply with the BRE guideline for ADF, however 62.1% of windows assessed will fall below the BRE guideline for VSC. This is acceptable given that internal daylight assessment (DD and ADF) methodologies are a more accurate representation of daylight received.

#### Sunlight

- 8.56 The results for the sunlight assessment identify that all seventy-six (76) windows within the identified adjoining properties are BRE compliant, except one (1) window located at 13 Church Grove, which will receive Annual Probable Sunlight hours 20% lower than BRE compliance. All tested windows will meet BRE guidelines for winter sunlight. The proposed development will therefore have a negligible impact on sunlight levels received by the neighbouring properties.
- 8.57 The results of the Annual Probable Sunlight Hours received by the proposed units demonstrate that of the one-hundred and forty (140) windows tested, 30.7% will comply with the BRE guide and 56.4% will receive above BRE guide for Winter Sunlight. As identified, the internal daylight levels and all main habitable rooms are dual or triple aspect and will receive good daylight levels.

#### Overshadowing

- 8.58 The rear gardens at properties 141 and 143 Marsala Road, located north-west of the site have been tested for overshadowing impact and will experience a 2% and 4% reduction in lit area, respectively. The proposed lit areas will exceed BRE compliance.
- 8.59 The shadow analysis for all proposed amenity spaces comply with the BRE guide levels for overshadowing.

#### Sustainability and Energy

##### *a) Renewable Energy*

8.60 The Energy Assessment outlines a design approach to improve the thermal performance of the building fabric to reduce heating requirements and supply heating & hot water demands using individual gas-fired combi boilers in each dwelling. Solar Photovoltaics (PV) mounted on the roof will achieve an annual reduction in carbon emissions of 12.35 tonnes. Remaining emissions are to be off-set with a payment to the local authority.

8.61 Overall the development will reduce regulated CO2 emissions by lowering the schemes energy consumption, which is in line with requirements of Core Strategy Policy 8, DM Policy 1 and 22, Sustainable Design and Construction SPG and London Plan Policy 5.2.

*b) Living Roofs*

8.62 In accordance with DM Policy 24 the borough requires all new development to take account, and minimise impacts on biodiversity. Living roofs are also required to be designed in accordance with London Plan Policy 5.10 and 5.11 and are essential for sustainable design. London Plan Policy 7.19 states that, where possible, developments should make a positive contribution to the protection, enhancement, creation and management of biodiversity.

8.63 A total area of 465m<sup>2</sup> of living roof are proposed on areas under PV panels, on the tool and storage sheds, cycle store and refuse store. An active food garden is proposed on the main roof. The living roofs will be biodiverse extensive roofs and will contribute to air and water quality, lower carbon emissions, stormwater attenuation, wildlife habitat and extended membrane life.

8.64 The raised beds for active food growing will be built up to a slab and drainage system to include lightweight soil over medium course washed sand and compost in accordance with London Plan Policy 7.22. They will include fruit trees and perennial herbs such as wild cherry plum, josta berry, thyme, chives, chokeberry, plum and gage, rosemary and sweet cicely.

8.65 The biodiverse roof will also be built up to a slab and drainage system and include lightweight roof soil.

**Table 4: Living Roof Provision**

Type of Living Roof/Wall	Size of Living Roof/Wall (m <sup>2</sup> )	Size of Living Roof (as % of total roof space)
Roof garden (Accessible)	108m <sup>2</sup>	61%
Living Roof (Non accessible living roof)	72m <sup>2</sup>	
Living Roof (Under PV)	237m <sup>2</sup>	
Cycle Store (Living Roof)	25m <sup>2</sup>	100%
Refuse Store (Living Roof)	23m <sup>2</sup>	100%
<b>Total</b>	<b>465m<sup>2</sup></b>	-

*c) Sustainable Urban Drainage Systems*

- 8.66 The site is located in a Critical Drainage Area and as such is susceptible to surface water flooding.
- 8.67 Sustainable Urban Drainage Systems, such as living roof, roof gardens and rain gardens will be used to aid in alleviating local flood risk, manage water quality and enhance biodiversity. Porous surfaces, such as permeable landscaping and rain garden will be used to contribute to infiltration.
- 8.68 Additionally, all landscape zones and surface treatments will use permeable pavement treatments such as gravel, compact aggregates, permeable block paving and resin bound gravel, which is considered to be in accordance with London Plan Policies 5.12, 5.13 and Core Strategy Policy 10.

#### Ecology and Landscaping

- 8.69 The Arboricultural Report provides an analysis and evaluation of the proposed development on trees located on the site including tree loss and root impact of trees to be retained.
- 8.70 A total of nineteen (19) trees and one (1) group of trees of significance have been identified on the site, of which, one (1) tree is required to be removed (T8) to facilitate the development of the scheme. T8 is a Wild Cherry tree (Category B) which is 12m in height and has a moderate landscape value.
- 8.71 There are nine (9) trees on the site that exist under TPO (Tree Preservation Order), none of which will be affected by the proposed development.
- 8.72 The proposed location of the buildings will result in an incursion into the RPA (Root Protection Area) affecting T9 (on-site) and T3 (off-site). The extent of the incursion has been calculated as 0.6% for T9 and 4.4% for T3. Piling foundations are proposed to ensure there is no harm to their roots.
- 8.73 Where development impacts upon the rooting environment of retained trees, an assessment has been undertaken and the relevant measures have been identified to ensure they will not be affected and are successfully integrated into the proposed layout.
- 8.74 The proposed landscaping approach will include:
- Biodiverse understorey planting, 70% wildflower meadow mixture, 30% native willow, dogwood and hazel whip planting.
  - Dynamic perennial and grasses with occasional evergreen shrub planting. Drought tolerant.
  - Robust biodiverse shrub planting.
  - Robust evergreen perennial and shrub planting. Drought tolerant.
  - Shade tolerant groundcovers with understorey shrub planting e.g. hazel to provide screening
  - Robust evergreen grasses and shade tolerant perennials
  - Foragable low maintenance edible species
  - Shade tolerant grasses and perennials adapted to variable wet and dry conditions.
- 8.75 The proposed landscaping strategy for the communal courtyard area will include a combination of paved areas, lawn (to be retained), seating, children play space and low level planting, which is also proposed to provide a privacy buffer and is considered to be an appropriate response for this residential development.
- 8.76 External lighting is proposed within the landscape to enhance passive surveillance and reduce opportunities for crime to take place in accordance with DM Policy 27.

- 8.77 A Land Contamination Assessment and UXO Risk Assessment were submitted as part of the development application. The proposed development will not result in a change to the land contaminates and therefore there will be no impact on ecology and wildlife, in accordance with London Plan Policy 5.21 and DM Policy 28.
- 8.78 The proposal is considered to be in line with London Plan Policies 7.19 and 7.21, DM Policy 25 and Core Strategy 12.

#### Environment

- 8.79 The applicant has undertaken an Air Quality Assessment for the proposed residential development. During the construction phase, it is anticipated that dust sensitive receptors may experience increased levels, however these are predicted to be short term, temporary impacts. The identified potential impacts will be managed through site specific mitigation measures to ensure the effects from the construction phase are not significant.
- 8.80 The assessment of the significance of the effects associated with both the committed and proposed developments were assessed and identify the annual average exposure to NO<sub>2</sub> at all existing residential receptors will be negligible, which is considered to be in line with London Plan Policy 7.14, DM Policy 23 and Core Strategy Policy 9.

#### Local Finance Considerations

- 8.81 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) 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
  - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 8.82 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 8.83 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

### **9.0 Community Infrastructure Levy**

- 9.1 On 1st April 2015 the Council introduced its Local CIL to be implemented along with the existing Mayoral CIL. The charge will replace a number of financial contributions currently required through Section 106 Agreements.
- 9.2 CIL is chargeable on the net additional floorspace (gross internal area) of all new development.
- 9.3 Under the CIL charging schedule, the amount of CIL payable for the SE13 postcode for new residential development is £100 per sqm. The Mayor CIL is charged at £35 per sqm of new development.
- 9.4 It is the Local Planning Authority's responsibility to collect CIL payments from new development.
- 9.5 Under Part 2 and Part 6 of the Community Infrastructure Levy Regulations 2010 (as amended) affordable housing is exempt from CIL. However, it should be noted that the applicant is required to apply for the exemption.

## **10.0 Equalities Considerations**

### Removal of certain permitted development rights

- 10.1 Officers recommend that if this application is approved conditions are imposed to remove certain permitted development rights in respect of the site. Paragraph 017 of that part of the Planning Practice Guidance that is concerned with the use of planning conditions states that “conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances”. Officers in this case consider that exceptional circumstances exist to justify the limited removal of certain permitted development rights as set out in proposed conditions for the reasons stated therein.

### Prevention of crime and disorder

- 10.2 S.17 of the Crime and Disorder Act 1998 provides that it shall be the duty of the Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment).
- 10.3 Officer's do not consider the layout would give rise to crime based on its open layout and natural surveillance.

### Human Rights Act

- 10.4 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 10.5 The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### Equalities Considerations

- 10.6 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.7 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
  - (c) foster good relations between people who share a protected characteristic and persons who do not share it.
- 10.8 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.

10.9 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: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

10.10 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

10.11 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: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

10.12 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

## **11.0 Planning Obligations**

11.1 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. The NPPF 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 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 reasonable related in scale and kind to the development

11.2 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis. A planning obligation cannot be a reason for granting planning permission, unless it satisfies the tests set out in Regulation 122.

11.3 Officers have been in negotiations with the Applicant regarding the Section 106 requirements arising from the redevelopment proposals. In this case, as well as securing the various elements required to deliver the project (such as highway infrastructure works) and commitments made in the application itself (such as affordable housing and the community facility), a range of other contributions and obligations are considered necessary to make the development acceptable in planning terms.

11.4 The obligations secured need to be considered in the context the infrastructure payments covered by the Community Infrastructure Levy CIL). The matters covered by CIL are set out in the Council's Regulation 123 List and include the following:

- State education facilities
- Public health care facilities
- Strategic transport enhancements (excluding site-specific, highways and public transport matters)
- Publicly accessible open space, allotments and biodiversity
- Strategic flood management infrastructure
- Publicly owned leisure facilities
- Local community facilities including community but excluding places of worship)
- Public Emergency Services (this is intended to apply to physical projects by the police, fire or ambulance services)

The following S106 requirements have been identified in respect of the scheme:

#### Affordable Housing

100% of all units to be affordable (5 x social rent, 2 x affordable rent, 25 x shared ownership).

#### Local Labour and Business

Financial payment of £17,490 as contribution to Local Labour and Business

#### Carbon off-set

Payment of £62,026.00, payable on commencement of development.

#### Controlled Parking Zone (CPZ) Review

Financial payment of £30,000 for a review of the existing Controlled Parking Zone (CPZ) (as requested by London Borough of Lewisham Highways).

#### Miscellaneous

Monitoring, legal and other professional fees for completion and monitoring of the legal agreement.

## s278 agreement

The s106 will obligate the applicant to enter into a s278 agreement for highways works.

### **12.0 Conclusion**

- 12.1 This application has been considered in the light of policies set out in the London Plan, core strategies, development plan and other material considerations.
- 12.2 The thirty-three (33) proposed units will meet a defined need, contributing to addressing the shortage of affordable housing in the borough.
- 12.3 The proposed development is considered to be satisfactory in principle and subject to the imposition of suitable conditions regarding the matters set out below, it is recommended that permission is granted.

### **RECOMMENDATION A**

To authorise offices to negotiate and complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters including other such amendments as considered appropriate to ensure the acceptable implementation of the development:

The following s106 requirements have been identified in respect of the scheme:

- Affordable housing
- Financial payment towards carbon off-set
- Financial payment towards local labour and business
- Financial payment towards controlled parking zone review
- Obligation to enter into a s278 highways agreement

### **RECOMMENDATION B**

Subject to the completion of a satisfactory legal agreement, authorised the Head of Planning to **GRANT PERMISSION** subject to the following conditions, including those set out below and with such amendments as are considered appropriate to ensure the acceptable implementation of the development:

#### **1. Full Planning Permission Time Limit**

The development to which this permission relates must be begun not later than the expiration of three (3) 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. Develop in Accordance with Approved Plan**

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

Ground Floor Plan (PL101-REV P1); First Floor Plan (PL102-REV P1); Second Floor Plan (PL103-REV P1); Third Floor Plan (PL104-REV P1); Roof Plan (PL105-REV P1); West Elevation (PL603-REV P1); South Elevation (PL602-REV P1); East Elevation (PL601-REV P1); North Elevation (PL600-REV P1); Existing Context Sections (PL820-REV P1); Existing Site Block Plan (PL002-REV P2); Existing Site Location Plan (PL001-REV P2); Proposed Context Sections (PL821-REV P1); Proposed Site Block Plan (PL004-REV P2); Proposed Site Location Plan (PL003-REV P2); Section AA (PL800-REV P1); Section BB

(PL801-REV P1); Section CC (PL802-REV P1); Section DD (PL803-REV P1); Section EE (PL804-REV P1); Landscape Central Deck Section 1 (RF-058-005); Landscape Central Deck Section 2 (RF-058-006); Landscape Edible Zone Section (RF-058-007); Landscape Playable Space Section (RF-058-008); Rain Garden (RF-058-009); Boundary Treatment Plan (RF-058-010); External Lighting Plan (V[--]000-REV A); Planting Plan 1 (RF-058-200); Planting Plan 2 (RF-058-201); Landscape General Arrangement 1 (RF-058-001-REV F); Landscape General Arrangement 2 (RF-058-002-REV C); Landscape General Arrangement 3 (RF-058-003-REV C); Landscape General Arrangement 4 (RF-058-004-REV C).

Arboricultural Report (including Arboricultural Assessment & Tree Survey & Tree Location Plan & Tree Constraints Plan & Tree Protection Plan) (GRS Arboricultural Consultant); Air Quality Assessment (WYG); Archaeological Desk Based Assessment (Thames Valley Archaeological Services Ltd); Ground Investigation (AP Geotechnicals Ltd); Daylight, Sunlight & Shadow Assessment (Lichfields); Design and Access Statement (Architype); Energy Assessment (Richie + Daffin); Flood Risk Assessment (Price & Myers); Heritage Impact Assessment (Lichfields); Noise and Vibration Assessment (WYG); Planning Statement (Lichfields); Preliminary Ecological Appraisal (Middlemarch Environment); Reptile Survey (Middlemarch Environmental); Transport Statement (WYG); Travel Plan (WYG); Unexploded Ordnance Desk Study (MACC International Limited); PERS Audit (WYG); Construction Logistics Plan (WYG); Internal Layout and Vehicle Movement Strategy (WYG); Parking Demand Survey (WYG).

**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. Hard Landscaping

a) No development above ground level shall commence on site until such time as drawings showing hard landscaping or any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted to and approved in writing by the Local Planning Authority.

b) No occupation shall occur until such time as all hard landscaping works which form part of the approved scheme under part (a) shall be completed.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood Risk Management and 5.13 Sustainable Drainage in the London Plan (2015), 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.

### 4. Cycle Parking Provision

a) A minimum of sixty-two (62) cycle parking spaces shall be provided within the development as indicated on the plans hereby approved (Plan nos. PL101 (REV P1)).

b) No development above ground level shall commence on site until such time as the full details of the cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority.

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

**Reason:** In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

## 5. Contaminated Land

a) No development or phase of development (including demolition of existing buildings and structures, except where prior agreement with the Council for site investigation enabling works has been received) shall commence until :-

- (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
- (ii) A site investigation report 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) has been submitted, (including subsequent correspondences as being necessary or desirable for the remediation of the site) 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 or phase of development shall not be occupied until a closure report for the development or phase has been submitted to and approved in writing by the Council.

d) 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.

e) 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 Saved Policy ENV.PRO 10 Contaminated Land in the Unitary Development Plan (July 2004).

## 6. Phase 1 Report

No development or phase of development shall commence until such time as a Phase 1 Report is submitted to and approved in writing by the Local Planning Authority.

**Reason:** In order that the Local Planning Authority may be satisfied with the details of the proposal.

## 7. Archaeological Programme of Work

No development shall commence on site until such time as the developer has secured the implementation of a programme of archaeological work in accordance with a written

scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority.

**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 7.8 of the London Plan (July 2011).

## **8. Tree Protection Plan**

a) No development shall commence on site until such time as a Tree Protection Plan (TPP) has been submitted to and in writing by the Local Planning Authority.

b) The development must comply with part a) and 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 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).

## **9. Construction Logistics Plan (Revised)**

a) No development shall commence on site until such time as the Outline Construction Logistics Management Plan submitted has been revised, submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate engagement with London Borough of Lewisham to explore the potential use of the Wearside Depot and crane materials over the River Ravensbourne to the subject site. This should also address the occurrence of use of the depot and the proposed management strategy.

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

**Reason:** In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

## **10. Elevated Walkway Noise Mitigation**

a) Notwithstanding the approved details, no development shall commence on site until further design details of the ground cover materials to be installed to mitigate noise and vibration on the elevated walkway are submitted to and approved in writing by the Local Planning Authority to ensure noise and vibration levels are restricted.

b) The scheme shall be carried out in full accordance with those details, as approved.

**Reason:** To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core

Strategy (June 2011) and Development Management Local Plan (November 2014) Policies DM 30 Urban design and local character and DM 32 Housing design, layout and space standards.

## 11. Flood Water Storage

Before the development commences, a scheme for the flood water storage/conveyance void structures below the buildings and the soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

- Detail extent and type of new planting (NB planting to be of native species)
- Details of treatment of site boundaries (including all walls, gates and fencing) and buffers around water bodies
- Maintenance plan
- Tree root containment where close to the river wall
- Details of the bars/grilles to control access to the void areas
- Calculations and hydraulic flood modelling to demonstrate that the void structures and landscaping have been optimised to minimise flood risk to the existing built environment at risk of flooding that could be affected by changes to the floodplain on the site.

**Reason:** To maintain operational access to the river and the river wall, to prevent damage to the river wall, to prevent an increased risk of flooding, to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with the national planning policy.

## 12. Management Plan

The development hereby permitted shall not commence until such time as a management plan detailing responsibilities for managing the void areas and the bars/grilles to control access to the void areas over the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The plan should cover general maintenance as well as maintenance after a flood event. The approved management plan will then be implemented in full throughout the lifetime of the development.

**Reason:** To prevent flooding elsewhere by ensuring that flood flow conveyance/storage is maintained/provided.

## 13. Remediation Strategy

No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
  - a. All previous uses;
  - b. Potential contaminants associated with those uses;
  - c. A conceptual model of the site indicating sources, pathways and receptors;
  - d. Potentially unacceptable risks arising from contamination of the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete

and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

**Reason:** To ensure any remediation works are carried out in accordance with the approved details and in line with the aims of the National Planning Policy Framework to protect groundwater in the underlying principal aquifer.

#### **14. Verification Report**

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

**Reason:** To ensure any remediation works are carried out in accordance with approved details and in line with the aims of the National Planning Policy Framework to protect groundwater in the underlying principal aquifer.

#### **15. External Lighting**

a) Prior to first occupation full details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details should be fitted prior to first occupation and thereafter maintained and retained.

b) The Lighting Assessment to demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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

#### **16. Window Reveals**

All window and door openings shall be high quality material to ensure that the building and its external appearance is sympathetic to the adjoining conservation area. No development shall commence on site until such time as window and door reveal plans have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building 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).

#### **17. Design Code**

No development shall commence until such time as a site-wide Design Code has been submitted to and approved in writing by the Local Planning Authority. The Design Code

shall be prepared in accordance with the approved plans in this permission and having regard to the Design and Access Statement. The Design Code shall include the following:

- a) The material palette to better understand the quality, size, colour and pattern of the building materials.
- b) Consideration to aging and maintenance of materials.
- c) The fixed and flexible elements of the design and materials.

**Reason:** To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 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.

## **18. Wheelchair Homes**

- a) The three (3) wheelchair dwellings (Unit 5, Unit 10 and Unit 13) hereby approved shall be constructed as Wheelchair user (adaptable) in accordance with the required standard of the Approved Document M (Part M4(3)(2)(a)) of the Building Regulations (2015).
- b) No development above ground shall commence until written confirmation from the appointed Building Control Body has been submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with Part 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).

## **19. Electric Vehicle Charging Points**

- a) No development above ground shall commence until such time as details of the number and/or location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the Local Planning Authority.
- b) No occupation shall occur until such time as the electric vehicle charging points as approved have been installed and shall thereafter be retained and maintained in accordance with the details approved under a).

**Reason:** To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (July 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

## **20. Soft Landscaping**

- a) No development above ground shall commence until such time as a scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years have been submitted to and approved in writing by the Local Planning Authority.

b) No trees shown as being retained on the permitted plans shall be lopped or felled without prior written consent of the Local Planning Authority.

c) 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).

## **21. Bat/Bird Boxes**

a) No development above ground shall commence until such time as details of the number and location of the bird/bat boxes to be provided as part of the development have been submitted to and approved in writing by the Local Planning Authority.

b) Bat/bird boxes as approved shall be installed prior to first occupation and maintained in perpetuity thereafter.

**Reason:** To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

## **22. Boundary Treatments**

a) The approved boundary treatments shall be implemented prior to first 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).

## **23. Living Roofs**

a) The development shall be constructed with a (465m<sup>2</sup>) living roof laid out in accordance with the Roof Plan (Plan no. PL 105 (REV P2)) here by approved and maintained thereafter.

b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever.

c) A Living Roof section (to scale), access and watering provision arrangements for the proposed green roof along with details for management/establishment guarantees for a minimum of two growing seasons shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved and maintained in perpetuity.

d) Evidence that the roof has been installed in accordance with a) shall be submitted to the Local Planning Authority for its approval in writing prior to the first occupation of the development hereby approved and thereafter maintained in perpetuity.

**Reason:** To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015), 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).

## **24. Refuse Storage**

a) The storage of refuse and recycling facilities as approved shall be provided in full prior to first occupation of the development in accordance with (Plan nos. PL101 (REV P1)) and shall thereafter be permanently retained and maintained.

b) No occupation shall occur until the applicant has submitted further details (elevations) of the proposed sheltered timber storage housing for the refuse and recycling bins.

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

## **25. Car Club**

One (1) car club space as identified within the Transport Statement hereby approved shall be provided and made available for use prior to first occupation. Thereafter the space shall be retained and used only for parking cars associated with the Car Club.

**Reason:** To limit car ownership/use and encourage sustainable modes of transport in accordance with Policies Objective 9: Transport and accessibility and Core Strategy Policy 14: Sustainable movement and transport (June 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

## **26. Delivery and Servicing Plan**

a) A Delivery and Servicing Plan must be submitted to and approved in writing by the Local Planning Authority prior to first occupation.

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 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. Plumbing or Pipes**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces 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).

## **28. Construction Deliveries and Hours**

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

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

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 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).

## **29. Materials/Design Quality**

a) The development shall be constructed in those materials as submitted namely: solid timber, timber louvres, timber infill cladding with timber reveal, timber glulam columns and timber fins for screening, metal cladding and mesh balustrading.

b) The scheme shall be carried out in full accordance with those details, as approved.

**Reason:** To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 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.

## **30. Piling Operations**

a) No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority in consultation with Thames Water.

b) Details of any such operations (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential damage to subsurface sewerage infrastructure, and the programme for the works) must be submitted to and approved in writing by the local planning authority prior to commencement of development on site and shall be accompanied by details of the relevant penetrative methods.

c) Any such work shall be carried out only in accordance with the details approved under part b).

**Reason:** To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and Waterways Network and Development Management Local Plan (November 2014) DM Policy 28 Contaminated Land.

## **31. Opening Hours**

The community centre hereby approved shall only be open between the hours of:  
Monday - Friday: 8am - 9pm  
Saturday: 9am - 9pm  
Sunday: 10am - 5pm

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 32 Housing design, layout and space standards and the Development Management Local Plan (November 2014).

### **32. Finished Flood Levels**

Finished floor levels of residential accommodation are set no lower than 11.70m AOD.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants.

### **33. Building**

No part of the buildings shall extend closer than 6 metres from the landward extent of the river wall, except that overhanging balconies from the second floor up may extend no closer than 5 metres from the landward extent of the river wall.

**Reason:** To ensure operational access to the river and river wall and prevent an increased risk of flooding.

### **34. River Wall**

A method statement and maximum loading plan for works within 8 metres of the river wall will be submitted to the local planning authority and approved in writing before work commences within 8 metres of the river wall. The development will then only proceed in accordance with the approved method statement and loading plan.

**Reason:** To prevent the river wall from being subjected to excessive loading and prevent an increased risk of flooding.

### **35. Surface Water**

No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**Reason:** To protect groundwater in the underlying principal aquifer (within Source Protection Zone 1 of a public water supply) in accordance with the principles of the National Planning Policy Framework.

## **INFORMATIVES**

### **1. Environment Agency**

Please be aware that the River Ravensbourne is a designated 'main river' and under the jurisdiction of the Environment Agency for its land drainage functions. Under the Environmental Permitting (England and Wales) Regulations 2016 any works in, over, under or within 8 metres of the top of bank or river wall, where one exists, may require a permit from ourselves. Please be aware that we will not usually approve works, which obstruct access to the watercourse. To apply for a flood risk activity permit the applicant should contact our Flood and Coastal Risk Management team.

## **2. Positive and Proactive Statement**

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

## **3. Thames Water**

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

Legal changes under the Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.

'We would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "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 they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

Thames Water recommend the following informative be attached to this planning permission. 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.

## **4. Secured by Design**

Where possible the development should meet secure by design standards in accordance with those outlined in section 12 of the Design and Access Statement.

## **5. CIL – Community Infrastructure Levy**

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>

## **Appendix A - Church Grove – Local Meeting (Minutes)**

### **Information:**

Date: 25 January 2018

Time: 19:00 – 20:35

Location: St Mary's Centre Lewisham Central

Chair: Councillor Stella Jeffrey (Lewisham Central Ward)

### **Attendees:**

Councillor Stella Jeffrey (**CSJ**) (Chair & Lewisham Central Councillor)  
Michael Forrester (**MF**) (London Borough of Lewisham – Town Planner)  
Holly Lucas (**HL**) (London Borough of Lewisham – Town Planner)  
Osama Shoush (**OS**) (London Borough of Lewisham – Housing)  
Chris Carthy (**CC**) (Church Grove – Project Manager)  
Neil Wisher (**NW**) (WYG - Traffic Consultant)  
Sarah Ernst (**SE**) (Architype)  
James Todd (**JT**) (Architype)  
Kareem Dayes (**KD**) RUSS Chair  
Carol Reid (**CR**) RUSS Secretary

Eighteen (18) Local Residents (**RES**)

### **Summary:**

1. Vehicle Access/Traffic
2. Fire
3. Visual aspect
4. Parking/CPZ (Controlled Parking Zone)
5. Refuse
6. Bike Store
7. Boundary and Party Wall Agreement

- Declaration: CSJ made a declaration that she paid £1 to join RUSS and become a member as she is interested in the progression of the scheme and formation of the community group.
- CSJ, HL, MF, OS, CC, NW, SE, JT, KD & CR introduced themselves.
- CSJ advised this is not the last opportunity to express concern with the scheme as it will be going to Committee.
- CC introduced the scheme and agenda for the meeting.
- CR and KD introduced RUSS.
  - o RUSS is a community led group and the financial model is tight. Height and density are driven by the viability and allow the scheme to remain 100% affordable. Reducing the density would mean the scheme is no longer viable.
    - RES support the ethos of the scheme but size and scale are an issue.
- SE and JT explained the design and how it has transformed. It has been shaped by its context, sustainability, community feedback, RUSS members and Council (Planner/Urban Design/Conservation) specification.
  - o RES – The walkway is an obstruction to the view of the street and residents would prefer it was not there (or down lower) so the view down Church Grove is not obscured.
    - Architects advised there is only one lift core and the elevated walkway connects the two buildings, allowing all dwellings to have lift access.

- RES raised concerns regarding traffic/CPZ/car free development
  - o NW advised a parking survey has been undertaken and the results will be available imminently.
  - o LBL Highways and NW have been in correspondence – to address highways and access issues.
  - o RES advised they are very concerned about parking as it is already an issue within Church Grove.
  - o Vehicle and pedestrian movement are an existing issue within Church Grove and the pavement needs improvement. The scheme needs to explore shared space.
    - Lewisham Council to look into securing improvements.
    - HL advised that highways are still looking at the scheme but we can condition these issues such as s278 or temporary parking restriction (during construction).
  - o RES stated parking and access are already a problem and becoming increasingly worse with all of the proposed development within the Town Centre (including the cinema)
    - SE and JT advised this is an urban context with a PTAL 5 and car-free is therefore acceptable.
- RES expressed concerns with the proposed location of the cycle store and refuse, which they want relocated further from the boundary.
- RES expressed frustration with the boundary line constantly being shown incorrectly on the plans which have been raised to RUSS a number of times and nothing has been done about it.
  - o SE and JT advised the boundary information has been derived from the Title.
  - o OS advised Housing will look into the discrepancy.
- RES advised the demolition of the school caused their damage to their house (fence and garage door), which were not fixed by Council after many requests by the residents.
  - o OS advised Housing will look into the history of this.
- RES raised concern regarding the history of the site. It is understood by Residents that the Mayor rejected development of the site due to the access.
  - o JW advised the relevant planning history was addressed in the Planning Statement and is correct. The Travellers site lapsed, it wasn't rejected by Mayor and Cabinet.
  - o HL advised there has been a more recent Mayor and Cabinet Report, which agreed to bring the site forward for development and that London Borough of Lewisham Officers should explore the proposals for a community led self-build scheme on the site and work with Lewisham Homes on the selection of a local organisation or community group to work on the proposal. Residents can find a copy of these reports on the Lewisham Council website.
- RES concerned about construction hours
  - o HL advised we (Lewisham Council) can condition the house of self-build.
- RES concerned that RUSS is going against their ethos as a community and while RUSS are forming their own community, they fail to acknowledge the existing Church Grove community.
  - o KD advised RUSS does acknowledge the existing Church Grove community. KD advised they are about people and while RUSS acknowledge there are outstanding issues to be addressed within the scheme, there is great demand for affordable housing and RUSS are working for the people. RUSS are not making money for themselves.
- RES with circa 100 residents moving in, regularly ordering food delivery/grocery delivery/guests etc the traffic situation is going to get much worse.

- HL advised while Council can't condition people to be able to have a CPZ permit, we can condition residents against gaining a CPZ permit, which will secure the existing carparks for the existing CPZ permit holders.
  - KD advised when residents signed up to the scheme they were aware that it would be car-free.
- RES Emergency vehicles already have problems accessing the site. Planners should take this seriously because emergency vehicles will not be able to get through.
- The existing pavements are not capable of supporting the proposed scheme.
  - NW advised there is no scope to re-design the street.
- RES believes Right to Light has been breached.
  - JW advised this is not a planning issue.
- RES wanting clarification about if the scheme has considered the strain on emergency services, schools, hospitals etc.
  - CSJ and MF advised this is dealt with under CIL/s106.
  - Bakerloo Line extension will also improve the current transport stress.
- RES wanted to know why RUSS didn't have their members at the meeting in support of the scheme.
  - HL advised Local Meeting is the forum to discuss issues, not support for the scheme.
- RES believe the building is too large and were initially advised by RUSS there would be 10-12 houses on the site, which residents were OK with.
  - SE and JT advised the density is appropriate (and in line with London Plan) given the urban context of the site.
  - CR reiterated the density has been driven by viability.
- RES believe the proposed dwellings are too close to the existing houses on Church Grove.
  - CC confirmed the location of the buildings were stipulated by the EA and can't be any closer to the river.
- RES seeking confirmation of construction time
  - RUSS advised 18-24 months estimated.
- RES seeking confirmation about who owns the land.
  - CC advised London Borough of Lewisham own the land and will continue to do so. RUSS hold a long-term lease over the site.
- RES raised concern regarding the building safety and fire. Is the cladding flammable?
  - HL advised the fire agency were consulted but have not yet responded.
  - SE and JT advised they aren't sure exactly of the cladding material specifics, however they will be in accordance with Building Regulations. There are also sprinklers built into the scheme and three (3) stairwells for fire escape.
    - RES requesting writing confirmation that the cladding isn't flammable.
- RES queried the cost of the dwellings
  - RUSS advised they do not know at this stage but they will be 100% affordable and there are five (5) flats for social rent (London Borough of Lewisham will maintain rights for).
    - RES concerned about the stability of the social/affordable rent as they consider 'quick rent' to be a problem.
      - RUSS have a large waitlist for the dwellings and residents will be long term.
      - The thirty-three (33) proposed flats were balloted on.
- RES queried party wall agreement
  - CC advised this is not a planning issue and will be dealt with by RUSS.
- RES queried Waterlink Way and if it was being pursued. CSJ advised it is on the opposite side of the river and no information re: Waterlink Way had been released recently.

Information can be found in this link <https://www.lewisham.gov.uk/inmyarea/sport/get-active/walking/Documents/WaterlinkWayMap.pdf>