

OFFICER REPORT -

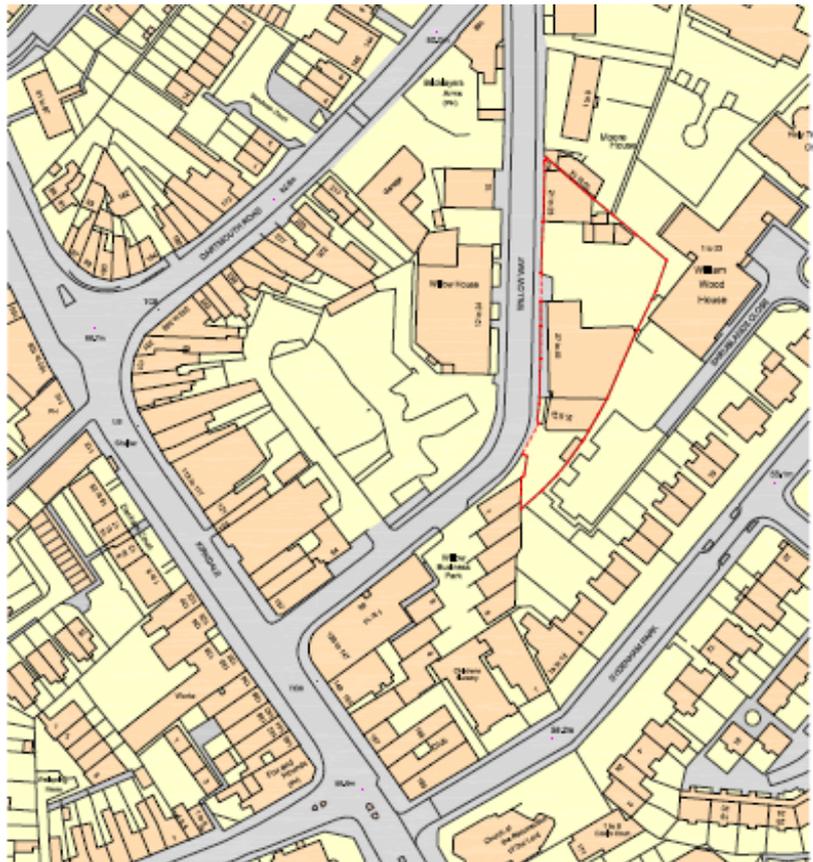
RECOMMENDATION

- 1 To **REFUSE** planning permission.

SITE AND CONTEXT

Site description, current use, character of area and designations

- 2 The planning application relates to a c 0.725 hectare site on the eastern side of Willow Way, Sydenham. The site currently comprises 2 storey buildings with associated yard space that accommodate mixed use employment space. The submitted application forms set out that the site currently hosts: Delta Motor Garage, a vehicle repairs shop to the north of the site; Hallmark Catering Equipment and Furniture Hire, positioned centrally within the site and; Beeline Services, a drinks machine manufacturers, repairs and servicing business to the south of the site. Shipping containers are positioned to the south of the site and are used for storage and parking. There is also a single residential unit to the north of the site which has its own access from ground floor level on Willow Way leading up to the main accommodation at first floor level.



- 3 The site, along with parcels B-E in the plan below form part of the Willow Way Local Employment Land allocation within the adopted Site Allocations Local Plan (2013). Within the Lewisham Local Plan Proposed Submission (Regulation 19 version January 2023- being consulted upon at the time of writing this report – the status of which is considered further in the ‘Relevant Policy’ section), it is proposed that the Willow Way

Employment Location is reallocated to a Locally Significant Industrial Location which would allow for re-provision of enhanced employment space alongside intensified mixed use redevelopment of the site subject to a number of design and development considerations including amongst other things, comprehensive redevelopment of the site and landowners working in partnership and in accordance with a masterplan to: 'ensure the appropriate co-ordination, phasing and balance of uses across the site, in line with Policy DM3 (Masterplans and comprehensive development).'

- 4 The wider masterplan area has a complex land ownership with the applicant having an option on plots A and C; the council owning plot B and; plots D and E being in third party land ownership (see plan below).
- 5 The land at Plot C, like the application site, accommodates two storey buildings in mixed employment use with associated external yard spaces. Plot B is vacant and largely cleared.
- 6 Plot D comprises a single storey building operating as a vehicle repair and MOT service centre together with areas of hardstanding. Plot E comprises a series of two storey purpose built light industrial buildings set around a central parking court, which is known as Willow Business Park.
- 7 The proposal site lies to the east of Kirkdale Local Centre which comprises a range of ground floor retail, food and drink, and associated commercial uses focused along Kirkdale and extending on to Dartmouth Road.
- 8 With the exception of Kirkdale Local Centre and its associated uses, the surrounding area is predominantly residential in nature. William Wood House, a residential care home, directly adjoins Plot A to the south and east, and beyond this lie residential properties within the Sydenham Park Conservation Area. There are residential properties within Kirkdale Local Centre at both ground and upper floor levels. The surrounding area is characterised by a range of residential accommodation types, including dwelling houses, apartments and forms of supported accommodation.
- 9 There are a series of designated and non-designated heritage assets within the vicinity of the proposal site. These include Sydenham Park Conservation Area which directly adjoins the proposal site to the south and east, the Halifax Street Conservation Area which lies to the west of Kirkdale, the Jews Walk and Cobbs Corner Conservation Areas which lie beyond to the south, and the Sydenham Hill Conservation Area which lies beyond to the north west. There are a number of listed and locally listed buildings within the vicinity of the proposal site, including The Bricklayers Arms public house which lies to the north east of the proposal site at the junction of Dartmouth Road and Willow Way, directly adjacent to Plot D.
- 10 The Public Transport Accessibility Location (PTAL) has a rating of 4 out of 6 so is considered to be well connected, with 10 minute walking distances to both Sydenham and Forest Hill Overground Line Stations. Several bus routes also run from Kirkdale and Dartmouth Road. Despite the good connectivity, it is noted from the applicant's site photos and visiting the site that cars are parked on the kerbside along the majority of the street pavement on the relatively narrow street of Willow Way.
- 11 The site lies within flood zone 1 according to the Environment Agency mapping data and does not lie within an air quality management area. The site is not within a contaminated area but is likely to have contaminated land that needs remediation due to the historic uses on the site.
- 12 The site is located within a growth corridor associated with the New Cross/ Lewisham/ Catford Opportunity Area and Bakerloo Line extension within the London Plan. The site is also identified as an area of open space deficiency, falls within the Kirkdale area of

special local character and is within a critical drainage area within the emerging draft Local plan.

RELEVANT PLANNING HISTORY

- 13 No relevant planning history.

THE PROPOSALS

- 14 The proposal seeks to provide 1401sqm of flexible use class E (g)(i)(ii)(iii) space and 60 residential units within buildings ranging from 4-6 storeys which with a double height ground floor to create buildings up to 19.82m in height .
- 15 The flexible use class E (g)(i)(ii)(iii) space refers respectively to: (i) office use to carry out operational or administrative functions; (ii) use for the research and development of products / services and; (iii) use for any industrial process being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- 16 The commercial space is proposed over ground and mezzanine levels with 3 units at 244sqm, 364sqm and 795sqm. The employment and marketing strategy sets out that the units would be fit out to shell and core and that the floor to ceiling heights would be 5.3m (double height space); 2.4m (under mezzanine) and; 2.2m (at mezzanine level) as space has already been accounted for all other servicing, ducting, and space needed. The plans appear to show that the mezzanine floors could have their own independent access which would allow for 7 units ranging from 49sqm- 428sqm in size. The ground floor space is accessed via Willow Way and two of the units have access to open space at the rear of the site. 8 visitor cycle spaces are located on Willow Way and 6 cycle spaces for the commercial uses are positioned to the rear of the buildings. Commercial refuse stores front Willow Way.
- 17 Floors 1-5 accommodate 60 residential dwellings of which 50% would be affordable. The private housing would be accessed via the north core, and the affordable housing would be accessed via the south core and the proposed housing tenure/ sizes are summarised in the table below:

	Studio	1-bed	2-bed	3-bed	TOTAL
Social Rent	0	9	5	7	21 (70% of total affordable units)
Shared Ownership	1	4	3	1	9 (30% of total affordable units)
Private	3	7	17	3	30
Total	4	20	25	11	60

- 18 Both the north and south (private and affordable respectively) cores have their own cycle storage at ground floor and residential refuse storage located in a bin store adjacent to the access core. Both cores benefit from parcel lockers and 2 lifts.
- 19 Two wheelchair accessible parking spaces are provided at the rear of the site and the plans show where 3 more wheelchair accessible spaces at the rear and one more space on the public highway on Willow Way could be incorporated if need be. A single loading bay serving the development is positioned on the public highway on Willow Way.
- 20 Three outdoor amenity and play areas are located at the fourth floor level; the amenity space to the north would be accessible to the private tenure only, the centrally located amenity would be accessible for all residents and the southern amenity space would be accessible for the affordable units only. . At ground floor level amenity space is

positioned at the rear of the property adjacent to the wheelchair accessible parking spaces and boundary treatment adjoining William Wood House.

- 21 There are 4 trees proposed to the rear of the site and one in the southern corner set back from Willow Way. The plans demonstrate planting at the fourth floor amenity space.
- 22 The residential units are orientated to be facing east-west with 60% being dual aspect and all units having access to a private balcony. Each access core serves a maximum of 8 units per core and the corridors run between the east/ west facing units and at Levels 1, 2 and 3 are book ended by accommodation to the north and south meaning that they do not benefit from natural light and ventilation.

CONSULTATION

PRE-APPLICATION ENGAGEMENT

- 23 Council officers had two preliminary pre-application meetings with the applicant's team in January 2020 and November 2020 to discuss the principle of mixed-use redevelopment incorporating employment and residential uses. At these meetings, Council officers advised that in the context of the emerging Local Plan site allocation (which proposes redesignation of the site from a Local Employment Location to a Locally Significant Industrial Site allowing for mixed use redevelopment), whilst the principle of future redevelopment would be welcomed, given that no weight could be afforded to the emerging plan at this stage, it was advised that any application would be premature until the Local Plan had been sufficiently progressed. Ahead of this, any application would need to be assessed in the context of the adopted development plan which affords very strong protection to the site for employment purposes.
- 24 In September 2022, a further pre-application meeting was held between the applicant's team and Council officers. At this meeting, the applicant presented an emerging scheme proposing comprehensive redevelopment of Plots A, B & C, comprising employment floorspace at ground floor with residential apartments above. The pre-application scheme presented comprised c. 2,061sqm of employment floorspace together with c. 203 residential units at upper levels, in blocks rising between four and nine storeys. Council officers had a number of concerns with the proposed scheme including the following:
- the quantum and quality of the employment floorspace being proposed
 - the height, scale and massing of the scheme
 - the impact on the amenity of surrounding properties
 - the impact on the setting of surrounding conservation areas and other heritage assets
 - the quality of residential accommodation that would be created
 - the detailed design and appearance of the scheme
- 25 The applicant explained that for land ownership reasons, they were required to submit a detailed planning application for plot A (the current application boundary) by 31 December 2022. The applicant wanted to engage in pre-application discussions with Council officers regarding the application for Plot A ahead of the application's submission, and then continue to engage with Council officers in pre-application

discussions in relation to Plots B & C ahead of submission of a planning application for these plots in summer 2023.

- 26 In this context, officers considered that the applicant's timeframe for submitting a planning application for Plot A by 31 December 2022 (which required a design freeze by October 2022) simply would not allow sufficient time for the proper evolution of the scheme through the pre-application process, including a series of pre-application meetings with officers, the scheme's presentation to Lewisham's Design Review Panel, and meaningful pre-application community engagement. On this basis, officers advised the applicant that they did not consider the proposed programme to be workable, and that the Council was not prepared to enter in to a Planning Performance Agreement.

Applicants Public Consultation

- 27 The submitted Statement of Community Involvement (SCI) informs that the applicants team carried out their own public consultation in December 2022. The consultation being carried out 2 weeks before submission with a design freeze in October, reiterates officers concerns that there has not been sufficient time for public engagement or a pre-application and design development process. In that time it is not possible to develop the proposals and meaningfully consider the views of relevant stakeholders and the general public.
- 28 The SCI states that public consultation was carried out over two days:
- First Public Exhibition: Saturday 3 December 10am-1pm
 - Second Public Exhibition: Wednesday 7 December 5pm-8pm
- 29 The report informs that the event was attended by 17 people across 2 days. The public consultation was advertised via letters a dedicated website and via social media.
- 30 In addition, the report sets out that stakeholder engagement took place with 3 Forest Hill ward councillors on Wednesday 14th December 2022 and that meetings were at the time of writing the report being sought with 3 societies (Forest Hill, Sydenham, Friends of Mayow Park).
- 31 In terms of feedback, the report summarises the verbal feedback as follows:
- Positive comments relating to the delivery of affordable housing and the retention of the workspace
 - Attendees were pleased to see proposals coming forward to develop this currently underutilised and sometimes dangerous area
 - Many people commented that they'd like to see plans come forward to upgrade the wider area and were therefore pleased to hear about a potential emerging masterplan .
 - Concerns were raised about the height of the proposed buildings, as well as where the cars that currently use Willow Way for parking will go and how the development would impact on daylight / sunlight of nearby properties.
- 32 The report summarises the written feedback as follows:

Feedback Topic	Frequency
Parking concerns	4
Criticism of excessive height of the proposals	3
Concern about ensuring commercial units are occupied/avoiding empty units	2
Concerns over the future of existing businesses on the site	2
The need for more housing in the area	2
Positive response to Affordable housing offer	2
Comment on aesthetics of building materials	2
The impact of more residents on the area and infrastructure	1
Wanted more information about the segregation of pedestrian and cycle paths	1
Recommendation for more greening and tree planting	1
Concern about the proximity of the proposals to the conservation areas	1

APPLICATION PUBLICITY

- 33 Site notices were displayed on 17th January 2023 and a press notice was published on 25/01/2023.
- 34 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 23/01/2023.
- 35 6 responses have been received, comprising 6 objections and no letters of support. An additional 2 objections to the 6 neighbour responses has also been received from the Forest Hill Society and Sydenham Society.

Comments in objection

Comment	Para where addressed
Daylight / Sunlight/ Overshadowing Concern. 3 properties on Dartmouth Road concerned their properties have been omitted and should have been included in Daylight Sunlight Assessment.	341
Proposed height out of scale and would impact character of area.	212-221
Homes will be unaffordable in area- community cafes, clubs for teenagers are needed not more unaffordable homes.	See principle of development section for acceptable land uses (paras 111-113 sets out the site allocation requirements including suitable uses for the site) See para 142 for affordable housing.
Lots of construction activity in area, this will cause more and concern raised that the consultants working for developers reporting on impacts are not assessing from a neutral perspective.	The reports submitted including the methodology and data relied upon will be assessed by the councils environmental health department. Paragraph 363 sets out a Construction Environmental Management Plan would be sought by condition to protect the amenity of neighbours during construction if the application were recommended for approval.
Impacts on views.	Individual views from properties is not a material planning consideration. Public

	local views and views impacting heritage assets is considered from paragraph 245.
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Comments from Forest Hill Society and Sydenham Society

Comment	Para where addressed
Supportive of employment and residential uses in this location.	See principle of development and colocation of uses section paragraphs 86-131
No detailed or agreed masterplan for the site to be assessed against. In particular need to understand public realm and how space will not be lost from uses on the opposite side of the road.	See principle of development and colocation of uses section paragraphs 86-131
Concerns single loading bay not sufficient for all commercial units and residential and that it would be unsafe being adjacent to entrances.	308
Concerned that only wheelchair parking is proposed as the current arrangements sees the street full of cars and more units would exacerbate this.	322
Proposed height at 6 storeys is excessive adjacent to the 3 storey properties in the adjacent Sydenham Park Conservation Area and recently constructed 4 storey buildings either end of Willow Way.	212-221
(From Sydenham Society only): High number of single aspect units.	159

- 36 Officer note: The Sydenham Society submitted comments after the consultation period expired. They endorsed all the comments from the Forest Hill Society and added the point about the number of single aspect units (hence the reference in table above to the last point being from the Sydenham society only)

Comments from Design Review Panel

- 37 As outlined in the pre-application consultation section of the report, as the applicant resolved to submit the application before 31st December 2022, there was no time to engage with Design Review Panel (DRP) prior to submission of the application. The application was therefore first presented to DRP post submission on 28th February 2023; the summary comments for the masterplan and the application boundary are presented below with the full minutes available on the case file.

Summary comments on masterplan

- The masterplan is ordered and logical, albeit that the scale and massing proposed will, if implemented, urbanise a semi-suburban environmental context, and change its scale significantly.
- The Panel were not convinced that the considerable amount of parking currently in the street could be made to disappear as currently proposed and it

is recommended that a detailed transport/ parking strategy forms part of any proposals. This is fundamental as the vision for the public realm which is a good one in principle, relies for its deliverability on this issue being resolved.

- The Panel stated that there is much greater opportunity to develop urban greening with rich tree planting and other forms of low to mid height of planting than is being proposed. Many aspects of SUDS, UGF and CO2 reduction seem far too vague at this stage.
- Clarity is needed on the extent of the public realm deliverable if Plot A comes forward in isolation or in advance of the other plots. Whilst the massing for Plot A seems reasonable, the acceptability of the proposed height, scale and massing generally is unproven as these issues have not been tested in the current designs through an HTVIA. The impact on the heritage assets needs to be properly understood and evaluated.
- The Panel endorsed the relinking to Dartmouth Road, but questioned the quality of the public space created, its surveillance and the quality of its facing architecture which seem to be largely the rear of the existing commercial properties (Dartmouth Road) and the mezzanine elements of the new commercial units (Plots B & C). It is noted that some sketches show greater development along this edge as part of the masterplan sketch proposals.
- The Panel, whilst encouraging its inclusion in the project, felt that further work needs to be done on the podium gardens design above the commercial units to Plots B & C to properly develop it in the context of supporting structure and daylight penetration to the units beneath

Summary comments on Plot A (the application site)

- The architectural expression is calm and well mannered. The project would have benefitted from a much greater relationship with the HTVIA. The proposals seem rather generic rather than responding to the immediate varied context of the locale.
- The ground level to the Plot A commercial units have a poor interface with the site boundaries creating a sliver of narrow external space to the rear which will be difficult to manage and use.
- Potentially these areas could become failed space. The layout should be redesigned to either create more generous useful space that contributes positively as a resource for the development, or the commercial units are brought to interface directly with the rear boundaries.
- The apartment building layouts are well ordered, although the Panel was concerned over the number of single aspect units, even if some are dual outlook. The internalised lightless corridors are too long, and do not give access to daylight and sunlight, (below level 4).
- The Panel challenged the roof level parapet heights at the tops of the buildings which are too low to successfully mask equipment, lift overruns and the like.
- Further work is needed to evaluate the impact of the proposals on the heritage assets including locally listed Bricklayers Arms.

- The Panel supported the principle of greening as much of the rooftop area as possible but further work is needed to resolve the design of the rooftop gardens, to protect from wind, and to ensure that they will be supported by registered providers for the affordable units.

INTERNAL CONSULTATION

38 The following internal consultees were notified on 16/01/2023.

39 Urban Design

Objections raised in relation to lack of context based design; ground floor identity and lack of public realm; absence of townscape views; relationship to William Wood House; layout and quality of proposed residential units and; a number of other detailed design comments which are detailed in the 'Design' section of the report.

40 Conservation

Objections raised in relation to: height and continuous massing in relation to context and in terms of impact on heritage assets; lack of tree planting and; absence of views and missing view points and sections that are required to make an assessment of scheme. More detailed comments on case file and the issues raised are considered further in the 'Design' section of the report.

41 Highways

Requests amendments to allow for a wider footway given the existing narrow pathway and number of additional users/ trips. Concern that one single loading bay at proposed size not sufficient, survey requested. Parking survey and detailed refuse strategy requested. Suggested conditions included. Please see 'Highways' section of report for further discussion.

42 Strategic Housing

Stated that comments couldn't be issued until applicant had clarified wheelchair units.

Officer Note: Upon reviewing the application documents, it appears all the information for the wheelchair units within the submission documents. However, given the impending expiry date and that the application is due to be refused in any case, officers have proceeded with issuing the decision notice.

43 Disability and Domiciliary Services

No comments received to date.

44 Ecological Regeneration

Submission doesn't accord with the applicants submitted ecology report which requires that a bat survey be carried out prior to determination of application. The outline CEMP does not consider biodiversity at all. The proposal does not maximise opportunities to improve the site for biodiversity, the majority of the site will be covered by buildings.

45 Flood Risk

Raises objections until a number of discrepancies and clarifications are responded to including ensuring the proposed run off rates correlate with the detailed calculations. This links to demonstrating the drainage strategy will remain operational in the event of consecutive storm events. Questions also raised in relation to how SUDs will work

across whole masterplan site. See 'Environmental Considerations' section of the report detailed below.

46 Sustainable Energy and Construction

47 No comments received to date.

Environmental Sustainability

48 Support the principle of the energy strategy but there are concerns with the absence of a comprehensive sustainability and energy strategy across the masterplan area. Questioned whether there was sufficient space for ASHP and solar panels given the amenity spaces and again how this would work across the site with public realm, SUDs and biodiversity measures.

49 Environmental Health – Noise

Raises objections until applicant can clarify contradictions in documents. Documents state compliant with the required standard of 55dcb but the detailed table shows noise levels of 59dcb. Further information is needed on what limits are being applied for plant noise values. See 'Environmental Considerations' section of report below for more detail.

50 Environmental Health- Air Quality

No objections raised subject to inclusion of conditions.

51 Environmental Health- Contaminated Land

No objections raised subject to inclusion of conditions.

52 Economy and Partnerships

Notes that the proposals reprovide employment floorspace but do not increase it in line with aspirations of emerging site allocation. Requests further information on consultation with 3 existing businesses that will have to relocate as a result of development. Suggests securing relocation and compensation package for existing businesses. Requests local employment contribution should development be supported.

53 Tree Officer

No comments received to date.

54 Road Safety and Sustainable Travel (Travel Plans)

No comments received to date.

EXTERNAL CONSULTATION

55 The following External Consultees were notified on 16/01/2023.

56 Fire Prevention Group

No comments received to date.

57 London Fire and Emergency Authority

58 No comments received to date.

59 London Fire Brigade Safety Team

60 No comments received to date.

61 Health and Safety Executive

Don't require consultation for Gateway Stage 1 as building height is less than 18m / 7 storeys.

Officer Note: The submitted application forms note the building is 19.82m in height. HSE have been contacted to advise of this and have confirmed based on their approach to measuring buildings, it does not fall within the remit of Planning Gateway One.

62 Historic England- Archaeological Priority Area

The response notes that the whole borough status is being reconsidered in terms of archaeological priority but given the low archaeological context for the site Historic England are satisfied to condition a stage 1 scheme of investigation prior to commencement of development.

63 Transport for London – Spatial Planning

Support contributions to active travel zone; require wide cycle space for one of the long stay cycle parking spaces and all Sheffield stand spaces should be 1m from the wall; require clarification as to whether the 3 wheelchair adaptable car parking spaces will be provided from the offset.

64 Transport for London – Surfacing

No comments received to date.

65 Sustrans

No comments received to date.

66 South East London Chamber of Commerce

No comments received to date.

67 Environment Agency

No comments on proposed scheme.

68 Thames Water

Informatives and asset protection information included.

69 UK Power Networks

No comments received to date.

70 Met Police

Require secure by design conditions.

71 NHS

- 72 Seek consultation at construction stage to ensure no impact on services and a contribution given the impact on local services in the area.
- 73 London Borough of Bromley
No objections.
- 74 London Borough of Southwark
No comments received to date.

POLICY CONTEXT

LEGISLATION

- 75 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).
- 76 Planning (Listed Buildings and Conservation Areas) Act 1990: S.66/S.72 gives the LPA special duties in respect of heritage assets.

NATIONAL POLICY & GUIDANCE

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

DEVELOPMENT PLAN

- 77 The Development Plan comprises:
- London Plan (March 2021) (LPP)
 - Core Strategy (June 2011) (CSP)
 - Development Management Local Plan (November 2014) (DMP)
 - Site Allocations Local Plan (June 2013) (SALP)

SUPPLEMENTARY PLANNING GUIDANCE

- 78 Lewisham SPG/SPD:
- Planning Obligations Supplementary Planning Document (February 2015)
 - Shopfront Design Guide Supplementary Planning Document (March 2006)
- 79 London Plan SPG/SPD:
- Planning for Equality and Diversity in London (October 2007)
 - London World Heritage Sites (2012)
 - London's Foundations (2012)
 - London View Management Framework (March 2012)

- All London Green Grid (March 2012)
- Play and Informal Recreation (September 2012)
- Character and Context (June 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Social Infrastructure (May 2015)
- Housing (March 2016)
- Crossrail Funding (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Energy Assessment Guidance (October 2018)
- Air Quality Positive Guidance (February 2023)
- Air Quality Neutral Guidance (February 2023)
- Urban Greening Factor (February 2023)
- Sustainable Transport, Walking and Cycling (December 2022)
- Whole Life Carbon Assessments (March 2022)
- Be seen Energy Monitoring Guidance (September 2021)
- Energy Planning Guidance (June 2022)

OTHER MATERIAL DOCUMENTS

- 80 The Lewisham Local Plan Proposed Submission Version (Regulation 19 version) is being consulted on at the time of writing the report with consultation ending on 25th April 2023.
- 81 Whilst the weight of this document is limited until consultation has ended and any comments raised are considered and incorporated in to the plan, it is noted that the applicant has referenced another scheme in the borough (Trundleys Road, DC/20/117966, approved 05/11/2021) redesignated from a protected employment location only to a Locally Significant Industrial Site (which allow for intensified employment led mixed use schemes subject to a number of requirements being met).
- 82 As discussed further in the principle of development section below, this site was in single ownership, was submitted with a detailed masterplan with tested options for design development and complied with the London Plan co-location policies. The following sections of this report set out that in this case, the submission does not demonstrate any of these things.
- 83 It should also be noted that the Trundleys Road application was submitted some time ago when the Local Plan had even less weight. Since then the Regulation 19 version has been issued incorporating the changes made as a result of the Spring 2021 Regulation 18 consultation. There were no substantial changes to the relevant site allocation nor the wording of the relevant employment referenced policy. As such, reference has been made to the requirements of the emerging site allocation and associated employment policies which have informed the site allocation.
- 84 There is also reference made to some of the new designations of the site that have informed the requirements of the site allocation policy (such as the site falling within an area of open space deficiency in the draft Local Plan and the expanded critical drainage area across the borough). Limited weight has been given to these designations given the stage of the local plan but the implications of these designations such as the particular

need for enhanced open space and public realm and a comprehensive drainage strategy across the masterplan area would be required in any case and is supported by the existing Local Plan and London Plan Policies.

PLANNING CONSIDERATIONS

85 The main issues are:

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

PRINCIPLE OF DEVELOPMENT

General policy

86 The National Planning Policy Framework (NPPF) at paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

87 The London Plan (LP) sets out a sequential spatial approach to making the best use of land set out in LPP GG2 (Parts A to C) that should be followed.

Housing Policy

88 Policy H1 of the London Plan (2021) details the approach to increasing housing supply. Part A sets out that Lewisham needs to plan for 16,670 homes over the 10 year plan period from 2019/20- 2028/2029. Part B (1a) sets out that boroughs should allocate an appropriate range of and number of sites that are suitable for residential and mixed-use development and intensification. Part B (2 and 2a) sets out that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their development plans and planning decisions, particularly on sites with Public Transport Accessibility Locations (PTALs) 3-6 or which are located within 800m of a station or town centre boundary.

London Plan- Employment Policy

89 Policy E6 of the LP sets out the approach to Locally Significant Industrial Sites, it states that local plans should designate and define detailed boundaries and policies for Locally Significant Industrial Sites (LSIS) in policies maps justified by evidence in local employment land reviews taking into account the scope for intensification, co-location and substitution (set out in Policy E7).

90 Furthermore, it states that local plan policies for LSIS should make clear the range of industrial and related uses that are acceptable in LSIS including, where appropriate, hybrid or flexible B1c/B2/B8 suitable for SMEs and distinguish these from local employment areas that can accommodate a wider range of business uses.

- 91 Policy E7 in the LP sets out the approach to industrial intensification, co-location and substations. Part A states that Development Plans and development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c, B2 and B8 occupying all categories of industrial land through: 1) introduction of small units; 2) development of multi-storey schemes; 3) addition of basements and; 4) more efficient use of land through higher plot ratios having regard to operational yard space requirements (including servicing) and mitigating impacts on the transport network where necessary.
- 92 Part B of the policy sets out that Development Plans and planning frameworks should be proactive and consider, in collaboration with the Mayor, whether certain logistics, industrial and related functions in selected parts of SIL or LSIS could be intensified to provide additional industrial capacity. Intensification can also be used to facilitate the consolidation of an identified SIL or LSIS to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal. This process must meet the criteria set out in Part D below. This approach should only be considered as part of a plan-led process of SIL or LSIS intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications. In LSIS (but not in SIL) the scope for co-locating industrial uses with residential and other uses may be considered. This should also be part of a plan-led or masterplanning process.
- 93 Part D of Policy E7 sets out that the processes set out in Parts B and C above must ensure that:
- 1) the industrial and related activities on-site and in surrounding parts of the SIL, LSIS or Non-Designated Industrial Site are not compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation noting that many businesses have 7-day/24-hour access and operational requirements
 - 2) the intensified industrial, storage and distribution uses are completed in advance of any residential component being occupied
 - 3) appropriate design mitigation is provided in any residential element to ensure compliance with 1 above with particular consideration given to:
 - a) safety and security
 - b) the layout, orientation, access, servicing and delivery arrangements of the uses in order to minimise conflict
 - c) design quality, public realm, visual impact and amenity for residents
 - d) agent of change principles
 - e) vibration and noise
 - f) air quality, including dust, odour and emissions and potential contamination.
- 94 Policy D13 in the LP details 'Agent of Change' principles. It sets out that the Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Boroughs should ensure that Development Plans and planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby.

- 95 Part B of the policy requires that development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- 96 Part C of the policy requires that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.
- 97 The supporting text at para 3.13.4 states that when considering co-location and intensification of industrial areas, boroughs should ensure that existing businesses and uses do not have unreasonable restrictions placed on them because of the new development.
- 98 Policy E2 in the LP concerns providing suitable business space and states that Development of B Use Class business uses should ensure that the space is fit for purpose having regard to the type and use of the space. The supporting text sets out that the provision of a sufficient supply of business space of different types, uses and sizes will ensure that workspace is available for occupation by SMEs and businesses wishing to start-up or expand. It will also help to ensure that workspace is available at an appropriate range of rents.
- 99 Furthermore, it states that development of business uses should ensure that the space is fit for purpose, with at least basic fit-out, and not compromised in terms of layout, street frontage, floor loading, floor to ceiling heights and servicing, having regard to the type and use of the space. This should take into account the varied operational and servicing requirements of different business uses. Affordable workspace is detailed further in policy E3 of the LP.

Lewisham Adopted Local Plan- Employment Policy

- 100 Spatial Policy 5 in the Core Strategy and Site Allocation SA48 in the Site Allocation Local Plan refer to the Willow Way Local Employment Location, which the application site falls within. Core Strategy Policy 3 sets out that the Council will protect the Local Employment Locations (LELs) for a range of uses within the B Use Class (B1, B8 and where appropriate B2 industry) and also appropriate sui generis uses, to support the functioning of the local economy. The supporting text at paragraph 7.27 states that the sites designated as LEL's represent the most significant centres of employment space, dedicated to business uses in the borough outside the Strategic Industrial Locations. DM Policy 10 in the DMP supports the requirements of the CSP.

Draft Lewisham Local Plan (Regulation 19 Version – March 2023)- Employment Policy

- 101 Policy EC6 in the Draft Lewisham Local Plan sets out the borough's approach to Locally Significant Industrial Sites and lists Willow Way as one of these designated sites. The application site forms part of the designation in the draft plan. Part A of the Policy states that LSIS will be protected for Class E(g) office and light industrial, Class B industrial, Class B8 storage and distribution and related Sui Generis uses, with priority being given to office and light industrial uses. It states that development proposals should ensure that there is no net loss of industrial capacity within these locations and seek to deliver net gains wherever possible.
- 102 Part B of the Policy states that development proposals within or adjacent to LSIS must not adversely impact on the function or effectiveness of the LSIS to accommodate commercial and industrial uses.
- 103 Part D states that the co-location of employment and other compatible uses will only be permitted at selected LSIS in order to secure the long-term viability of LSIS and to help

facilitate their renewal and regeneration. Development proposals involving the co-location of uses must not compromise the function of the LSIS in line with (B) above. Further development requirements are set out in site allocation policies for a number of sites including the application site at Willow Way.

- 104 Part E states that development proposals for the co-location of uses on LSIS sites listed in part D which result in the net loss of industrial capacity will be strongly resisted and only permitted in exceptional circumstances, as follows:
- a) Suitably demonstrates that the loss is necessary for reasons of feasibility or to secure strategic infrastructure, with reference to Policy EC6.G, and the amount of industrial capacity has been maximised as much as reasonably practical, including through evidence of a development options appraisal considered through the design-led approach;
 - b) Will not compromise the function of the LSIS or preclude the delivery of the spatial strategy for the Borough;
 - c) Delivers wider public benefit(s) to overcome the loss of industrial capacity; and
 - d) Makes provision of at least 50 per cent affordable housing on the residential element of the development
- 105 Policy EC2 in the Draft Local Plan sets out that there is a forecast need for 21,800 square metres of net additional employment floorspace in the Borough up to 2038. It states that development proposals in LSIS must contribute to meeting this need by retaining and wherever possible delivering net gains in industrial capacity, including by intensifying the use of land.
- 106 Part B(d) of Policy EC2 states that to meet the boroughs employment needs, outside of SIL, the council will avoid proposals that consist solely or predominantly of Class B8 storage or warehousing uses unless:
- i. The site is currently solely or predominantly in storage and warehousing use; and
 - ii. Redevelopment proposals comprise of intensification of storage and warehousing uses and/or employment generating uses appropriate to the site; and
- e. Ensuring development does not result in a net loss of viable industrial capacity, whether this is existing or consented but not built, having regard to other Local Plan policies.
- 107 Part D of Policy EC2 states that planning conditions will be used to protect new commercial and industrial development from changes of use.
- 108 The supporting text of EC2 at paragraph 8.10 states that whilst the integration of mezzanines are broadly supported by the Local Plan as a way to make a more optimal use of land, mezzanine space will be excluded from calculations of industrial capacity for the purpose of this policy.
- 109 The supporting text at paragraph 8.11 sets out that development proposals should retain industrial capacity and seek net gains through site intensification, including additional floorspace, wherever possible and appropriate. However it is recognised that net gains may not always be feasible. For instance, some types of industrial uses require a significant amount of operational yard or servicing space to function effectively. The onus will be on the applicant to demonstrate that the design-led approach has been used to make the optimal use of land and maximise employment provision. This should include

evidence of alternative design options, such as site layouts and building typologies (including multi-storey or basement development).

- 110 Policy EC3 sets out that development proposals for Class E business, B2 industrial and B8 storage or distribution uses and related Sui Generis uses must be of a high quality design with well-integrated and purpose built business space. They must demonstrate how the design-led approach has been used to improve the site's suitability for business activity having regard to the type and use of space. Development proposals must:
- a. Optimise the use of land and maximise opportunities to increase job densities;
 - b. Make provision for an appropriate level of internal fit out beyond shell and core, including: i. Connection-ready high speed broadband; ii. Installation of mechanical and electrical services; iii. Toilets and kitchenette; iv. Internal surface finishing and blinds ;v. Basic fire and carbon monoxide detection; and vi. Shopfronts and glazing, where appropriate.
 - c. Make provision for flexible workspace that can be adapted to the needs of different employment uses, particularly where there is not a specified end user;
 - d. Ensure the layout and design of development provides adequate operational space including for site access and servicing;
 - e. Improve the attractiveness and environmental quality of the site and employment area, including high quality public realm, where appropriate; and
 - f. Ensure a coherent and positive relationship with adjoining and neighbouring land uses and protect local amenity, with reference to other Local Plan policies.

Draft Lewisham Local Plan (Regulation 19 Version – March 2023)- Site Allocation 9- Willow Way Locally Significant Industrial Site

- 111 The site allocation is for 'Comprehensive employment led mixed-use redevelopment. Co-location of compatible commercial, main town centre and residential uses. Reconfiguration of buildings and spaces to facilitate a new layout with new and improved routes, both into and through the site along with public realm and environmental enhancements.' The indicative development capacity is for 175 units and 6705sqm (gross) industrial floor space and the development is assumed to be developed within years 6-10 of the draft local plan (2026-2030).

- 112 The development requirements of the draft site allocation are listed below:

1. Landowners must work in partnership and in accordance with a masterplan, to ensure the appropriate co-ordination, phasing and balance of uses across the site, in line with Policy DM3 (Masterplans and comprehensive development). This must address the site's relationship with the Upper Sydenham / Kirkdale local centre, to improve the functional relationship with neighbouring uses and the public realm, along with townscape character.
2. The site contains an MOT centre which is in active use. Development proposals must adequately address the operational requirements of the MOT centre in order to secure a viable future for it. The landowner of the MOT centre must be consulted through the masterplan process.
3. Development must not result in a net loss of industrial capacity, or compromise the function of the employment location, in line with Policy EC6 (Locally Significant Industrial Sites).

4. Positive frontages along Willow Way, Dartmouth Road and Sydenham Park, with active ground floor frontages. Positive frontages elsewhere throughout the site, where new routes are introduced.
5. The site must be fully re-integrated with the surrounding street network to improve access and permeability in the local area. This includes a clear hierarchy of routes, with a legible and safe network of walking and cycle routes, through the site. Particular consideration must be given to the access and servicing arrangements for commercial uses.
6. Delivery of new and improved public realm and open space, in accordance with a site-wide public realm strategy.
7. Development proposals must not adversely impact on the amenity of the public house located outside of the site boundary, in line with Policy EC19 (Public houses).

113 Development Guidelines are also set out within the site allocation as follows:

1. Non-employment uses, including residential uses, must be sensitively integrated into the development in order to ensure the protection of amenity for all site users, along with safe and convenient access. This will require careful consideration of the operational requirements of existing and potential future employment uses.
2. Main town centre uses may be acceptable but these must be ancillary to the commercial uses and not detract from viability of the local centre.
3. Enhanced permeability off Willow Way will be an essential element of the design. Proposals will be expected to investigate, and where feasible, deliver a new route(s) linking from Willow Way to Kirkdale and Dartmouth Road.
4. Additional planting and landscaping should be integrated to enhance the public realm and encourage movement by walking and cycling along Willow Way.
5. Development should provide for a coherent building line along Willow Way, taking into account the redevelopment of the former Sydenham Police Station site. The design of development must respond positively to the local context, giving particular consideration to heritage assets, including the Sydenham Park Conservation Area, Halifax Street Conservation Area, Jews Walk Conservation Area, Area of Special Local Character, as well as listed building and locally listed buildings along Kirkdale.
6. Applicants should work in partnership with Thames Water and engage with them early to manage surface water, divert existing sewers where applicable and ensure infra-structure upgrades are delivered ahead of the site being occupied through a housing phasing plan.

Assessment

114 Within the adopted Lewisham Local Plan, the application site is designated as LEL. The proposal seeks to demolish the existing buildings and re-redevelop the site to provide an intensified mixed-use development with flexible employment uses over ground and mezzanine levels and 60 residential units on floors 1-4 above.

115 As outlined in the policy section above, the CSP and DMP are clear that the Council will protect the LEL for employment uses, and appropriate sui generis uses, to support the functioning of the local economy. The proposal would therefore be a departure from the current adopted Lewisham Local Plan.

- 116 The applicant has cited another scheme in the Borough (Trundleys Road, DC/20/117966, approved 05/11/2021) which they argue sets the precedent for release of designated employment land for intensified employment led mixed use development within the LSIS, despite the stage of the emerging draft Local Plan. The scheme at Trundleys Road is designated as SIL within the adopted Local Plan and is proposed to be redesignated to LSIS in the emerging draft Local Plan. The scheme was approved in 2021 but proposed substantially more industrial capacity than the existing site provided (168% more). Furthermore, the site was in single ownership and was accompanied by a detailed masterplan for the whole site area which had been developed through extensive pre-application engagement, including with Council officers.
- 117 The resulting masterplan for the site showed design development and options to ensure a comprehensive approach to layout, orientation, access to minimise conflict and optimise public realm and servicing. The substantially enhanced capacity of industrial space combined with the single land ownership and detailed masterplan for the site allowed officers to conclude that the wider masterplan would be deliverable; that the co-location of uses would comply with the relevant LP colocation policies and that; the permission would not fetter comprehensive redevelopment of the wider site. The enhanced employment capacity and wider intensification benefits (including affordable housing) therefore could be realised.
- 118 In this case, the applicant has stated that within the application boundary the existing employment floor space is 1343sqm and that the proposals would increase this to 1401sqm. This represents just a 58sqm (4%) uplift from the existing situation. However, as noted in the policy section above, the supporting text to Policy EC2 in the draft Local Plan sets out that mezzanine space will not be included in capacity calculations. The proposed mezzanine space equates to 479sqm and without this space the employment capacity would be 922sqm, a reduction of 421sqm from the existing employment space on site.
- 119 The policy section above sets out that LP policy as well as the adopted Local Plan and draft Local Plan Policy all call for additional industrial capacity. The draft Local Plan Policy states that a reduction from the existing industrial capacity will only be permitted in exceptional circumstances which are set out within the policy. It is recognised that the submitted Employment and Marketing strategy sets out that the number of jobs will increase from 19 to 54 (based on the average job/ floor space ratio in GLA guidance-taking an average across a range of use classes as the specific use hasn't been defined) and that this would be a scheme benefit. However, the submission documents do not set out any of the exceptional circumstances policy tests have been met. The loss is not necessary for feasibility or to secure strategic infrastructure and there is not a development options appraisal to show that industrial capacity has been maximised as much as reasonably practical.
- 120 Furthermore, given the reduction in floor space and lack of information on the wider masterplan (as detailed in the following paragraphs) there is not sufficient information for officers to conclude that the proposal would not compromise the function of the LSIS or preclude the delivery of the spatial strategy for the borough.
- 121 Whilst the proposal would comply with part d of the exceptional circumstances tests in that the submission proposes 50% affordable housing on site; the applicant has indicated that the intention would be eventually to work with the council and deliver the council owned land with the application site and make use of grant funding at this stage so it is not clear whether this would be a viable or deliverable offer on the current application site alone.
- 122 A viability assessment was not provided on the basis a 50% affordable housing scheme was submitted and that this would qualify the scheme for the fast track route. However, in line with LP Policy H5, LSIS sites that result in a loss of industrial space do not qualify

for the fast track route. Furthermore, as outlined further in the 'Housing' section of the report, the scheme does not provide a housing mix in line with the boroughs Strategic Housing Market Assessment (SHMA) and does not provide sufficient family sized accommodation. There is also no provision of four bedroom homes. Whilst there are examples of schemes in the borough that have been permitted on balance with less family sized units, in this case, the applicant has not provided any design or viability justification for this departure from policy. In the case of Trundleys Road, whilst this did not meet the exact SHMA mix, this site was adjacent to a Strategic Industrial Location and railway line which was not suitable for family housing and the associated design needs. In relation to the social rent tenure on the current application, this would see 5 families on the councils housing register miss out on an opportunity for a home with no reasoned justification. For both these reasons then, a viability assessment would be required and the scheme cannot be supported in the absence of any design or viability justification for these shortfalls.

- 123 Unlike the Trundleys Road scheme which was in single ownership, the wider site allocation for Willow Way has a complex land ownership with council owned land opposite and several elements of third party owned land. LP Policy E7 requires development proposals to demonstrate that industrial activities are not compromised in terms of their continued efficient function, access, service arrangements and hours of operation. To ensure that co-located residential elements can maintain this efficient function, the policy requires appropriate design mitigation which is even more important in this case given the fragmented land ownership.
- 124 As the following sections of the report will set out in more detail, several consultee comments including those from Conservation and Design, Design Review Panel, Highways, Ecology and Sustainability in particular, have set out that additional information is needed not just for the proposals within the site application boundary but also in relation to the indicative proposals on the submitted masterplan.
- 125 The majority of public open space, public realm enhancements and road widening to facilitate the more intensified development across the emerging LSIS is reliant on other sites coming forward and there is no detailing on the interim arrangements nor whether the adjacent sites will be viable / deliverable given the need to provide these infrastructure requirements on their sites, without any being provided on the application site. There are also no detailed assumptions in terms of the flexible uses in the masterplan area and subsequent air quality, noise and environmental impacts and mitigation.
- 126 In the absence of a detailed masterplan and mitigation measures (that include some options and an appropriate level of testing), officers are not able to conclude that the scheme has mitigated against conflict between the co-location of uses and thus that the function of the LSIS will be protected. Nor can officers conclude that in accordance with the draft Local Plan site allocation that there will be appropriate co-ordination, phasing and balance of uses across the site or that the site will have functional relationship with the uses, public realm and townscape character of the Kirkdale Local centre. Recent appeal decisions at Creekside Village East (DC/15/90768) and Loampit Vale (DC/10/073350) have upheld the need for comprehensive redevelopment for site allocations and rejected piecemeal developments. Particular reference should be made to paragraph 30 of the appeal decision for Creekside Village East, where the Inspector notes: 'It is clear from the terms of these policies and the reasoning set out in the supporting text that such a masterplan should refer to the site allocation as a whole.' Similarly at paragraph 27 of the Loampit Vale appeal, the inspector notes: 'Design which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.'
- 127 The current application for parcel A does not provide any road widening to the narrow Willow Way and could exacerbate the conflicting uses along the road by virtue of the

intensification with no street tree planting or significant public realm enhancements as well as the provision of just one servicing bay in front of a residential entrance being proposed. The indicative masterplan shows the public open space provided on adjacent sites which also appear to require tall buildings to accommodate the amount of employment floor space needed and are relied upon to deliver permeability and connectivity to Kirkdale. Fundamentally, in the absence of design development and masterplan options and scenarios, officers are concerned allowing the current proposal would prevent comprehensive solutions that allow the requirements of the site allocation to be realised.

128

In terms of wider public benefits to justify the loss of employment space, this is considered throughout the report below but in summary, it is recognised that: 60 new homes would be delivered with 50% being affordable; the scheme would deliver new higher quality buildings and work space compared to what is on the existing site and; that the proposal is likely to result in more jobs and would generate planning obligations and CIL that would contribute to wider improvements in the borough. However, questions have been raised about the deliverability and viability of 50% housing on the site and the other planning benefits are what would be expected of any scheme. Taking in to account the planning benefits, it is not considered that the loss of employment floor space and wider scheme proposals are justified given:

- The lack of detail on the proposed uses across the masterplan site and failure to demonstrate that the intensified co-location of uses can function at the proposed capacity of the masterplan site: whilst its appreciated policy supports flexibility in employment uses to attract a range of end users, in the absence of some testing of options on the type of employment uses to show how this would work with adjacent uses (including some design development and testing of servicing and environmental conditions of these options), officers are unable to conclude that the proposal would meet LP colocation tests to avoid conflicting with the residential uses. Nor can officers conclude the proposal would meet the relevant transport, design, public realm or environmental policy (noise, air quality as well as sustainable urban drainage, energy and biodiversity) requirements. The granting of this application in absence of these details could fetter the development opportunity of the adjoining sites and undermine the objectives of the wider site allocation and masterplan area.
- The proposed employment and marketing strategy and employment space design is unacceptable. No detail has been submitted to show the applicant has taken in to account the existing businesses on site and how they could be incorporated in to the scheme or sufficiently relocated to ensure the development does not result in loss of business. Furthermore, the new spaces are only proposed to be fitted out to shell and core which in the absence of detail on the type of use proposed could be a big cost in particular for new/ small businesses and there is no consideration of affordable workspace across the masterplan site. There's a lack of detail to show that the site itself can be adequately serviced or that the wider masterplan area won't be impacted by the proposed servicing arrangement. Willow Way is a narrow street, with vehicles parked consistently up on the kerb; with one service bay proposed adjacent to the residential entrance, the access design is of poor-quality and cannot suitably accommodate the number of additional users associated with the proposed intensified development with co-location of industrial and residential uses.
- Both the design officer and design review panel note the lack of context base design and design development in general, presumably due to the applicants need to submit the application quickly for land ownership issues. In the absence of townscape views and the number of outstanding design points (in particular: the need to reconfigure the access corridors at levels 1-3, reconfiguration of amenity space and provision of tree planting and public realm on Willow Way)

officers are unable to conclude that the height and massing, impact on heritage assets and overall design quality is compliant with the relevant policy. Furthermore, concerns have been raised with regards to the assumed heights of surrounding buildings in the masterplan area. These proposed heights have not been tested in townscape terms nor has the subsequent impact on amenity of residents or the proposed homes in the submitted application been tested. Therefore, officers cannot confirm the distribution of massing across the site has been optimised based on design.

- Whilst the daylight/ sunlight and privacy relationship with William Wood House is acceptable on balance, the scale of the building along the boundary line (exacerbated by the lower land level at William Wood House) mean this site would be subject to an unacceptable sense of enclosure and the boundary treatment adjacent to the proposed open space at the rear of the site is unacceptable in design terms and exacerbates this poor relationship. Officers also have concerns about the amenity of future occupants of the proposed development given that no testing has been carried out showing the impact of potential development on the masterplan site to the application site and vice versa, particularly in terms of daylight/sunlight.
- As previously mentioned the proposal fails to provide a housing mix in line with the requirements of the SHMA. Within the social housing tenure, 5 families on the housing register would miss out on a family home and the applicant has provided no design feasibility or viability justification for this.
- The submitted noise, flood risk and ecology reports have missing and conflicting information in and therefore officers cannot confirm the proposals meet the requirements of the relevant policies.

129 Overall, the submission is incomplete (with missing townscape views and conflicting information in some of the submitted reports such as noise, ecology and flood risk) and has not undergone design development due to the applicants timescales. As outlined in the pre-application engagement section, the applicant request in September 2022 for the council to work with a December 2022 submission deadline is not understood since there had been a period of nearly two years with no pre-application engagement with the council taking place since November 2020. Officers are concerned about the extent of changes required and the implications of such changes. Furthermore, approving this application would effectively be approving the principle of a masterplan which has a much greater impact on residents. There are also time and cost implications to the council and the council could not operate effectively if it were to essentially 'hold' all applications until the applicant had sufficiently addressed land ownership issues.

130 It is noted that paragraph 61 of the NPPF states that: 'It is possible for an applicant to suggest changes to an application before the local planning authority has determined the proposal. It is equally possible after the consultation period for the local planning authority to ask the applicant if it would be possible to revise the application to overcome a possible objection. It is at the discretion of the local planning authority whether to accept such changes, to determine if the changes need to be reconsidered upon, or if the proposed changes are so significant as to materially alter the proposal such that a new application should be submitted.' For all the reasons outlined above, whilst in many cases the council has shown willing to accept amendments, in this case it is not considered that the required amendments are minor changes that can be made within the scope of the application.

Principle of development conclusions

131 The proposal would result in a loss of industrial capacity on the site which would be a departure from the adopted local plan and no exceptional circumstances are

demonstrated to show that this would be compliant with the direction of the draft Local Plan. Furthermore, there is insufficient information in the submission to demonstrate that the proposed residential uses have mitigated against the co-location of the industrial uses and therefore officers cannot conclude that the scheme will maintain the efficient function of the employment location. Due to the applicant's contractual deadline for submission of a planning application, a detailed masterplan has not been sufficiently developed for the site to demonstrate that there is appropriate co-ordination, phasing and balance of uses and open spaces and thus that the masterplan that is viable and deliverable. For the abovementioned reasons, the proposal does not comply with the relevant policy and material planning considerations and the principle of development cannot be supported for this scheme as submitted, with a reduction in employment space, outstanding information, and an undeveloped masterplan.

HOUSING

- 132 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; (iii) the standard of accommodation; and (iv) total affordable housing proposed and its tenure split.

Contribution to housing supply

Policy

- 133 National and regional policy promotes the most efficient use of land. Policy H1 of the London Plan (2021) details the approach to increasing housing supply. Part A sets out that Lewisham needs to plan for 16,670 homes over the 10 year plan period from 2019/20- 2028/2029. Part B (1a) sets out that boroughs should allocate an appropriate range of and number of sites that are suitable for residential and mixed-use development and intensification. Part B (2 and 2a) sets out that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their development plans and planning decisions, particularly on sites with Public Transport Accessibility Locations (PTALs) 3-6 or which are located within 800m of a station or town centre boundary.
- 134 LPP D2 sets out that the density of development proposals should consider, and be linked to, the provision of future planned levels of infrastructure and be proportionate to the site's connectivity and accessibility by walking, cycling and public transport to jobs and services (including both PTAL and access to local services).
- 135 The draft Lewisham Local Plan sets out an indicative capacity of 175 homes and 6705sqm of employment space across the Willow Way LSIS site allocation.
- 136 The table below sets out the measures of density criteria required by the supporting text to LPP D3 (para 3.3.22 of the LP) for all sites with new residential units.

Criteria	Value	Density per hectare
Site Area (ha)	0.7251	n/a
Units	60	83
Habitable rooms	163	225
Bedrooms	107	148
Bedspaces	203	280

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

Criteria	Value
<i>Site Area</i>	<i>0.7251</i>
Floor Area Ratio (GEA of all floors/site area)	10,000
Site Coverage Ratio (GEA of ground floors/site area)	2009
Maximum height (m above ground level)*	19.82

Discussion

- 138 The scheme proposes 60 homes that would contribute to the borough's housing delivery requirements. The emerging masterplan vision document sets out how the number of homes and employment space might be delivered across the site. Whilst there are concerns around the assumed distribution and the associated heights/ massing and amenity impacts, the proposal assumes an overall amount of development in line with the indicative guidelines and the most amount of development is directed to the parcels which have the most capacity in design terms. As outlined in the principle of development section, there are concerns that industrial capacity has not been optimised and as detailed further within the 'Impact on adjoining occupiers' section of the report, there are concerns about the impact on William Wood House. This may result in a less dense housing proposal but there are no objections to the current density levels proposed in terms of connectivity and access to infrastructure.

Affordable housing

Percentage of affordable housing

Policy

- 139 NPPF paragraph 63 confirms that planning policies should specify the type of affordable housing required and that it should generally be provided on site.
- 140 LPP H4 'Delivering affordable housing' seeks to maximise affordable housing delivery, with the Mayor of London setting a strategic target for 50% of all new homes to be genuinely affordable. LPP H5 'Threshold approach to applications' states that the threshold level of affordable housing is a minimum of 35%, or 50% for public sector land and industrial land appropriate for residential uses in accordance with LPP E7 'Industrial intensification, co-location and substitution' where the scheme would result in a net loss of industrial capacity. Schemes can follow the fast-track viability route and are not required to submit viability information nor be subject to a late stage viability review if they meet or exceed the relevant threshold level of affordable housing on site without public subsidy; are consistent with the relevant tenure split; meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant; and demonstrate that they have taken account of the strategic 50% target and have sought grant to increase the level of affordable housing.
- 141 CSP 1 'Housing provision, mix and affordability' and DMP 7 'Affordable rented housing' reflect the above, with an expectation of 50% affordable housing, subject to viability.

Discussion

- 142 The proposal makes provision for 50% affordable housing on site and the applicant has confirmed that this offer is not reliant on grant funding. However, given there is a net loss in industrial capacity and that the proposed housing size mix is not compliant with policy, the scheme does not meet the 50% threshold approach for the fast track route and a viability assessment is therefore required.

Affordable housing tenure split, dwelling size and mix

Policy

- 143 LPP H6 'Affordable housing tenure' sets out a preferred tenure split of at least 30% low cost rent (London Affordable Rent or social rent), at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined by the local planning authority taking into account relevant Local Plan policy. It is the expectation, however, that the remaining 40% is weighted towards affordable rented products. The affordability of intermediate units must be in accordance with the Mayor's qualifying income levels, as set out in the Mayor's Affordable Housing and Viability SPG, and the London Plan Annual Monitoring Report, including a range of income thresholds. Affordability thresholds must be secured in the section 106 agreement attached to any permission, as well as the relevant review mechanisms.
- 144 CSP 1 expects 70% of affordable housing to be social rent and 30% to be intermediate housing. The Lewisham Planning Obligations SPD (2015) allows for some flexibility to reflect site context (para 3.1.52). CSP 1 also expects 42% of the affordable housing offer to be family dwellings (3+ bedrooms). DMP 7 gives priority to providing family dwellings in the rented housing.

Discussion

	Studio	1-bed	2-bed	3-bed	TOTAL
Social Rent	0	9	5	7	21 (70% of total affordable units)
Shared Ownership	1	4	3	1	9 (30% of total affordable units)
Private	3	7	17	3	30
Total	4	20	25	11	60

- 145 The table above shows the proposed unit size mix for each tenure. The applicant has confirmed that within the southern core, the social rent units would be provided at 1st, 2nd and 5 x units at 3rd floor (Units A3-12 – A3-16). The remaining units at 3rd floor (A3-09 – A3-11) and 4th floor will be Shared Ownership. The applicant was asked by the housing team to provide detail on which units would be wheelchair accessible and to set out which units would be compliant with building control regulations M4 3 (2a) and M3 (2b) respectively as there is no schedule or summary of this. The applicant has not responded on this point but the plans do show each unit type (including wheelchair units) and where they will be positioned within the blocks. However, it does not appear the number of wheelchair units are split equally between tenures and unit sizes and this will form part of the reason for refusal.
- 146 As shown in the table above, the proposal complies with the required 70/30% tenure split in favour of social rented accommodation. The proposed mix falls short in terms of family sized accommodation within the affordable tenure with just 8 of the 30 units (26.6%) being 3 bedrooms against the requirement of 42%. This would equate to a need for 4-5 more family sized units which would house 5 more families on the waiting list. Given the departure from the required affordable housing tenure mix, the proposal would not qualify for the fast track route and the applicant would need to demonstrate a viability

assessment to demonstrate why additional family sized accommodation cannot be provided within the affordable tenure.

147 It is appreciated that this would have play space implications that would need to be tested but given that the application will be refused for other reasons and that the applicant needs to revisit the open space and public realm options and proposed arrangements the affordable housing playspace requirements will need to be tested as part of this exercise. An unjustified lack of family sized accommodation within the affordable tenure then will be included within the reasons for refusal.

148 Whilst the private mix provides only 10% as family sized units, it is acknowledged there is market choice here and that there is only so much space on the site to accommodate child play space. There is a good mix of 1 and 2 bed accommodation and only 3 studio flats, on this basis officers accept on balance the proposed mix for the private accommodation.

149 The applicant has indicated that all the proposed units will meet the LP space standards for the unit size proposed and as such the proposal is satisfactory in that respect.

Summary of Affordable housing and housing mix

150 Whilst the proposed private tenure mix is accepted on balance, there is an unjustified lack of affordable family accommodation in the affordable tenure that would result in 5 families on the register missing out on a family home. The applicant has not provided viability or site layout options to justify this. There is a lack of information to demonstrate there is the required number/ mix of wheelchair adapted homes (and that there is sufficient spaces / layouts to accommodate these).

Residential Quality

General Policy

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

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

Internal space standards

Policy

153 Nationally Described Space Standards (NDSS) were published by the Department of Communities and Local Government in March 2015.

154 LPP D6 'Housing quality and standards' defines the minimum requirements for private internal space within new dwellings, taking forward the approach within the NDSS.

Discussion

155 The applicant has not provided a schedule summary of the proposed unit sizes for each unit, there is a document with 29 unit types with different bedrooms and sizes. The

applicant has confirmed in the planning statement that all units comply with the relevant space standards. Having reviewed the different unit types, all comply with the LP space standards with the exception of one of the types of studio flat which falls 2sqm below the guidance. The proposed space standards are met with the exception of the studio flats; there are no design justifications for this and with some adjacent units being slightly larger than required, there appears to be room to accommodate the minimum space standards.

Outlook & Privacy

Policy

- 156 LPP D6 'Housing quality and standards' states that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings, except where it is considered a more appropriate design solution and will have adequate passive ventilation, daylight and privacy, and avoid overheating.
- 157 Standard 29 in the Mayor's Housing SPG states that single aspect dwellings that are either north facing, exposed to significant noise levels, or contain three or more bedrooms should be avoided.
- 158 DMP 32 'Housing design, layout and space standards' expects new developments to provide a satisfactory level of privacy, outlook and natural lighting for its future residents. It also identifies that there will be a presumption that residential units should be dual aspect and that north facing single aspect units will not be supported.

Discussion

- 159 The submission sets out that 60% of the units are dual aspect and no single aspect north facing units are proposed. Given the combination of distance and orientation of windows/ balconies adjacent to nearby residential properties, it is considered there would be sufficient outlook and privacy for future occupants. Privacy screens would be present between long balconies serving 2 properties with a divide in between. Had the application been recommended for approval, this would have been conditioned to ensure an opaque design to maintain privacy and design standards.

Overheating

Policy

- 160 LPP SI 4 Managing Heat Risk sets out that major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:
- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure
 - 2) minimise internal heat generation through energy efficient design
 - 3) manage the heat within the building through exposed internal thermal mass and high ceilings
 - 4) provide passive ventilation
 - 5) provide mechanical ventilation
 - 6) provide active cooling systems.

Discussion

- 161 The submitted energy strategy sets out that a fabric first approach will be adopted; the u values, air permeability levels and thermal bridging levels are all below the building regulations standards which mean they perform better in terms of insulating performance.
- 162 It is then proposed to use time mechanical and electrical systems that surpass the building control regulations through utilising time and temperature control zones.
- 163 The sustainability officer has reviewed the report and has no objections in principle to the proposed strategy on the application site. However, concerns have been raised in terms of whether there will be sufficient space across the site to deliver air source heat pumps and pv panels given the potential design changes required. Furthermore, in the absence of more information on the proposed uses and the wider masterplan, concerns were raised about the need for a comprehensive sustainability and energy strategy for the masterplan site. Given the lack of information about uses on the site and thus missing assumptions on air quality and noise impacts, it is difficult to establish what this means for windows being opened and the amount of time mechanical and electrical systems will be relied upon.

Daylight and Sunlight

Policy

- 164 LPP D6 'Housing quality and standards' states that the design of development should provide sufficient daylight and sunlight to new housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 165 DMP 32 'Housing design, layout and space standards' expects new developments to provide a satisfactory level of privacy, outlook and natural lighting for its future residents.
- 166 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards. This is not formal planning guidance and should be applied flexibly according to context. The BRE standards set out below are not a mandatory planning threshold.

Discussion

- 167 The applicant has submitted a Daylight/ Sunlight Assessment which includes detail on the daylight, sunlight and sun and shadow levels to the proposed units and amenity spaces.
- 168 With reference to the methodology, the report notes that: *'we have focused on the most comprehensive climate-based illuminance (also referred to as spatial daylight autonomy, SDA) methodology in accordance with the new edition of the BRE guidance. Our goal has been to reach the overall compliance ratio in the 70%-80% range, given that this methodology is more stringent than the now withdrawn previously used average daylight factor (ADF). At the same time, we have aimed at ensuring that the main living area in each unit is either fully compliant with the illuminance criteria or, if it is located in a constrained location, has overall acceptable levels of natural light.'*
- 169 The report also notes that *'It needs to be noted here that a large number of dwellings within the development comprise large/deep living/kitchen/diners (LKDs) with kitchen or kitchen/dining areas located at the back of the rooms. The BRE guide acknowledges that, while "non-daylit internal kitchens should be avoided ... if the layout means that a small internal kitchen is inevitable, it should be directly linked to a well daylit room". We*

have, therefore, carried out a supplementary scenario for the daylight assessment in relation to the LKDs, and apart from testing them on a full-room basis while applying the higher kitchen target, also considered truncated living areas (or living/dining areas) only while applying the living room target. This, in our professional view, comprehensively presents the interior daylight results for the proposed accommodation. Finally, in terms of the areas of the rooms tested, we have excluded entrance/circulation areas in the large LKDs from the room areas tested, which is in accordance with the BRE guidance and relates to the need for testing the actual usable areas of the rooms where there is a real requirement for daylight.'

170 The results are presented below:

Table 10-1: Summary of Daylight Results for Proposed Dwellings

Vertical Sky Component (VSC)	No. Windows Assessed	No./% Above BRE Guide		No./% Below BRE Guide	
1 st , 2 nd and 3 rd Floors	208 windows	89	c. 43%	119	c. 57%
Illuminance (E) – with full - room LKDs	No. Rooms Assesses	No./% Above BRE Guide		No./% Below BRE Guide	
1 st , 2 nd and 3 rd Floors	137 rooms	111	c. 81%	26	c. 19%
Illuminance (E) – with truncated LKDs	No. Rooms Assesses	No./% Above BRE Guide		No./% Below BRE Guide	
1 st , 2 nd and 3 rd Floors	137 rooms	123	c. 90%	14	c. 110%

171 In looking at the results and floor plans, it can be seen that the rooms that do not meet the guidelines are those which are set behind inset balconies which the BRE guidance suggests there should be flexibility for when taking in to account resulting lighting levels. Furthermore, the units do have deep living kitchen dining areas which are often served by 2/3 windows and whilst individual window levels might below the overall level is fairly typical in a urban/ suburban location. Once the results have focused on lighting the living area (which has higher lighting requirements) the vast majority of rooms do meet the requirements and the remaining few below the guidelines are bedrooms. On this basis officers are satisfied that the proposed lighting levels are acceptable.

172 However, the report does not detail any scenario with the indicative masterplan massing mapped on. This would call for a mirror massing approach; officers are particularly concerned about the resulting lighting levels (as opposed to % loss of vsc from the currently proposed scenario). The submitted Daylight/ sunlight report only tests the first 3 levels of accommodation which would be the worst impacted, however, if officers were looking at this in terms of number of windows/ rooms that comply, it would be a lower level of compliance even in the current situation and officers need to understand how many units on the floors would be impacted in the masterplan situation also. As such, officers cannot confirm that the proposed accommodation would benefit from good lighting levels if the indicative masterplan massing (or another variation) comes forward and this will be included as a reason for refusal.

173 In terms of sunlight, 87% of the windows tested comply with BRE guidance and 93% of living, kitchen, dining areas meet the guidance which are the most sensitive rooms. The 3 LKD rooms that do not meet the test only fail this marginally (eg 1.2 hours of sun against the requirement of 1.5 hours) in the worst case 21st March scenario. Given lighting would be better the majority of the year and that a small amount of rooms are affected and don't fall significantly below the guidelines, this is considered acceptable. However, the same concerns remain with regard to lack of testing in the masterplan scenario as explained above.

- 174 In terms of the open spaces within the site, all meet the requirements for 50% of the space to receive direct sunlight for 2 hours of the day in the winter and summer months. No concerns are raised on this basis but again this would need to be reviewed in a masterplan scenario.

Noise & Disturbance

Policy

- 175 NPPF paragraph 174 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions.
- 176 With regard to internal noise levels, Part E of the Building Regulations controls noise transmission between the same uses and is usually outside the scope of Planning. Planning controls the effect of noise from external sources on residential uses and noise transmission between different uses. The relevant standard is BS: 8233:2014. This states the internal noise levels within living rooms must not exceed 35dB(A) during the daytime (0700-2300) and 30 dB(A) in bedrooms during the night (2300-0700).
- 177 With respect to external areas, BS 8233:2014 recommends that external noise level does not exceed 50dB LAeq,T with an upper guideline of value of 55dB LAeq,

Discussion

- 178 As outlined in the 'Consultation' section of the report, the environmental health (noise) officer has raised concerns about conflicting information in the submitted noise report and is seeking clarity that the proposals meet the required standards.
- 179 The officer has also asked about assumptions for plant and equipment on site and this links to the wider question about the proposed employment uses assumed on the application site and the adjoining sites. Whilst it's appreciated these commercial uses need some flexibility to ensure uptake from a range of occupants, some options and assumptions need to be tested to ascertain the environmental conditions as well as access, servicing and mitigation measures required to avoid the colocation of intensified uses and residential uses conflicting.

Accessibility and inclusivity

Policy

- 180 LPP D5 'Inclusive design' seeks to ensure that new development achieves the highest standards of accessible and inclusive design, that any development should ensure that it can be entered and used safely, easily and with dignity by all; is convenient and welcoming (with no disabling barriers); and provides independent access without additional undue effort, separation or special treatment.
- 181 LPP Policy D7 'Accessible housing' requires that at least 10% of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. Wheelchair accessible homes should be distributed across tenure types and sizes to give disabled and older people similar choices to non-disabled.

Discussion

- 182 The submitted Design and Access Statement confirms that all units will be designed to be accessible and adaptable dwellings in compliance with M4(2) and sets out the design and access arrangements proposed to achieve this.
- 183 The Design and Access Statement also shows that 10% of units will be M4(3) and these are spread evenly through the building with 2 units per floor across levels 1-3 and 1 unit and fourth floor level. Two lifts are provided per core and the Design and Access statement sets out that sufficient widths and gradients are adopted for access to buildings, open spaces and the required space and layouts for turning circles are provided internally.
- 184 The housing officer did require additional information from the applicant regarding wheelchair units which has not been responded to. However, it appears from the submission documents all the information is there but that the distribution of wheelchair units would not be spread evenly between tenures and unit sizes.

External space standards

Policy

- 185 LPP D6 defines minimum requirements for private outside space for new dwellings, requiring a minimum of 5 sqm of private outdoor space for 1-2 person dwelling with an additional 1 sqm for each additional occupant. The Mayor of London's Housing SPG complements this with additional guidance.
- 186 In addition to this, DMP 32 'Housing design, layout and space standards' seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and includes space suitable for children's play.
- 187 Standard 4 within the Mayor's Housing SPG identifies that where communal external space is provided, it should be well overlooked, accessible to those who require level access and wheelchair users, designed to take advantage of direct sunlight, and have suitable management arrangements in place.

Discussion

- 188 All units have access to a private terrace area, again the applicant has provided no schedule setting this out but from closer inspection of the plans the sizes are written on and are sufficient for the number of bedspaces proposed. It is noted that some of the larger units have air source heat pumps located on the balconies and further information is required on the noise levels to ensure the quality of amenity space.
- 189 In terms of communal space, this is all provided at fourth floor podium level. The north core (private) will have its own space which will be 150 sqm or 95sqm once the play space area is deducted. The south core (affordable) will have its own space, 142 sqm or 45sqm once the play space area is deducted and the central core will be accessible by for all units and will provide 159sqm or 68sqm once the play space area is deducted.
- 190 As noted above, the daylight/ sunlight report concludes the communal areas will be well lit and a management plan would be required should the application have been recommended for approval. However, as detailed within the design section of the report, reconfiguration of the open spaces including rooftop spaces is needed to ensure the spaces are functional. As a result of these changes, the amount of amenity space for communal/ play may be need to be reduced. Whilst officers have no objection to the amount or quality of this space as proposed, until this is addressed (along with testing of the daylight/ sunlight impacts on the proposal of adjacent masterplan development)

officers cannot make an assessment that the communal space provided will be acceptable.

Play Space

Policy

- 191 LPP S4 'Play and informal recreation' states that development proposals should incorporate high quality, accessible play provision for all ages, of at least 10 sqm per child. Play space provision should normally be provided on-site, however, off-site provision may be acceptable where it can be demonstrated that this would address the needs of the development and can be provided nearby within an accessible and safe walking distance. In these circumstances contributions to off-site provision should be secured by s106 agreement. Play space provision should be available to all housing tenures to promote social inclusion. The play space requirement should be based on the GLA Population Yield Calculator.
- 192 The Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG provides additional detailed guidance. This divides the requirements of children's play space into three categories: (i) under 5s, described as doorstep play and generally considered as part of the plot; (ii) ages 5-11; and (iii) ages 12+.

Discussion

- 193 When inputting the proposed housing mix in to the GLA playspace calculator, the child yield comes out at 26.2 and thus generates a need for 262sqm of child play space. Of that space, 112sqm is needed for 0-4 play; 87sqm is needed for 5-11 play and; 63sqm is needed for 12+ play.
- 194 The applicant has set out in the design and access statement that the north and south cores will have their own 0-4 play space at 4th floor podium level and that all blocks will be able to access the 5-11 play in the central podium at 4th floor level. The Design and Access statement informs 12+ space is proposed offsite due to the lack of space. The document refers to an appendix which shows the possible offsite 12+ play space locations but this is not included within the submission documents.
- 195 The applicant has proposed 0-4 space of 55sqm in the north (private) core and 97sqm of 0-4play space in the south (affordable core), totalling 152sqm. This is in excess of the 112sqm required for this age group. Furthermore, 91sqm of 5-11 play space is provided in the central podium area against the requirement of 87sqm.
- 196 As noted in the 'Design' section of the report, concerns have been raised which indicate that the planting may have to be set back which may impact on the communal/ play space provision. Therefore, whilst officers support the amount and location of play space as presented, further work needs to be done to establish whether this amount is functional and deliverable in these locations.

Summary of Residential Quality

- 197 Whilst officers consider the proposed daylight/ sunlight levels for the new units are justifiable, there is no consideration of the buildings and massing assumed in the emerging masterplan for the area. Furthermore, given the need for redesigning elements of the roof top and rear open spaces within the site, officers are not able to conclude that these spaces would be high quality or provide an acceptable amount of communal / child play space. Further information is also needed on the employment uses proposed and assumptions with regards to air quality and noise to establish what the levels will be in the area and the usability of balconies/ open windows and the potential reliance on

mechanical ventilation and cooling systems. The submitted noise report currently shows an excess from the acceptable level of noise in outdoor spaces and this is without taking in to account assumed plant levels from the proposed uses and the air source heat pump units which appear to be on some balcony areas. As such, there is insufficient information to conclude that residential quality will comply with the relevant policy.

Housing conclusion

- 198 Whilst officers welcome a 50% affordable housing scheme with a tenure split that meets the policy requirements, the relevant policy does require a viability assessment where proposals do not meet the councils required housing mix. The scheme as presented means 5 families on the housing register potentially miss out on a family home and as the scheme is providing a net loss from the existing industrial capacity, this must be justified through a viability assessment.
- 199 As detailed in the design section of the report, concerns have been raised with the proposed residential core layouts with no natural light and ventilation and combined with the redesign this will require along with the amenity space revisions, officers do not have the amended design details to see how these elements can be addressed to assess the resulting layout, quantity of space and design quality.
- 200 Similarly, there is currently insufficient information to show the environmental conditions in terms of lighting, noise, air quality will be acceptable in the assessment of assumptions/ testing against options for the wider masterplan area.
- 201 For these reasons, housing mix and housing quality will form the reasons for refusal.

URBAN DESIGN

General Policy

- 202 The NPPF at para 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Appearance and character

Policy

- 203 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG).
- 204 In terms of architectural style, the NPPF encourages development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (paragraph 130). NPPF paragraph 134 states that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area.
- 205 LPP D3 'Optimising site capacity through the design-led approach' states that development should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality, and be of high quality with architecture that pays attention to detail and gives thorough consideration to the practicality of use, and the use of attractive and robust materials.

Discussion

- 206 The design officer's comments note that:
- Whilst officers acknowledge that the existing buildings are poor quality and haphazardly arranged, no convincing baseline analysis underpins the proposal, with the exception of some site photographs and high-level mapping of the existing buildings on and immediately adjacent to the site
 - The DAS provides some reference to local material palettes/'local character' and architectural styles within the context, but does not assign value to these, aside from indicating that the existing industrial-use buildings on Parcel A have no architectural merit.
 - The proposal introduces a step-change in scale from the immediate context, which gives the site a unique identity within the local area. This approach could be accepted if the proposal unlocks the potential of the site as identified in the emerging site allocation appraisal, and impact on the neighbouring properties can be shown to be mitigated.
 - The proposal makes use of contemporary forms with high quality robust materials which would be supported when paired with an architectural language that is coherent with the function of the site.
 - Townscape views have been mapped but not provided, so impact on the adjacent CA and NDHA cannot be assessed (refer conservation officer comment)
- 207 The comments on context and character conclude that it has not been adequately shown how the proposal will enhance its surroundings. The applicant has not demonstrated an understanding or evaluation of the unique characteristics of the site. It goes on to say that the proposed architectural articulation is not informed by the local context nor does it set itself apart from it in a meaningful way; it is not distinctive. The residential character of the upper floors appears to have informed the architecture of the ground floor, whereas the requirement for the development to be employment-led would have this relationship reversed, with a stronger ground floor identity that anchors the scheme to the public realm. While the proposal is not offensive in terms of the architectural articulation, it does not provide adequate interest for its scale. It is not supported.
- 208 These points are echoed in the DRP response which acknowledge that the architectural expression is calm and well mannered but that the project would have benefitted from a much greater relationship with the HTVIA and that the proposals seem rather generic rather than responding to the immediate varied context of the locale.
- 209 The council's design officer and the DRP comments both refer to the poor relationship with William Wood House and the unsatisfactory boundary arrangements between the sites.
- 210 On the basis of the above, whilst the massing and orientation of buildings is broadly supported on the application site in terms of immediate context (and notwithstanding heritage impacts), it is not considered that the proposals have been designed based on local context in relation to their form, proportions and fenestration. Furthermore, the relationship to William Wood House as presented is unacceptable and would cause a sense of enclosure and a poorly designed boundary treatment as proposed.
- 211 It should also be noted that design, conservation and DRP all raise concerns with regard to the proposed form, amount and character of the proposed masterplan site, particularly on sites B and C opposite which have much taller buildings with untested impacts in terms of views and daylight/ sunlight.

Layout, form and scale

Policy

- 212 LPP D3 'Optimising site capacity through the design-led approach' identifies that development should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape; encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings; be street-based with clearly defined public and private environments; and facilitate efficient servicing and maintenance of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users.

Discussion

- 213 The design officer notes that:
- Design development has not been shown and the emerging masterplan has not been through a rigorous testing process. As such it is hard to accept that the quantum of residential units for parcel A is appropriate, as evidence to support this is not provided.
 - A reduction in units, alongside an exercise in maximising plan efficiency could provide the opportunity to introduce more cut backs and openings between the front and back of the site, reinstating a relationship with the Sydenham CA.
 - A stepped building line could be supported where the blocks have reduced height, but these could be further emphasized to add depth and visual interest to the primary facade
 - The public/private edge where the building meets the ground has not been well mediated, with loading bays obscuring views to the residential core entrances when approached from Kirkdale.
 - No buffer zone/softening has been provided between the pavement and the hard edge of the building. More separation between the building and the road would be preferred
- 214 Similarly, the DRP comments note that whilst the massing for Plot A seems reasonable, the acceptability of the proposed height, scale and massing generally is unproven as these issues have not been tested in the current designs through an HTVIA. The impact on the heritage assets needs to be properly understood and evaluated.
- 215 It is also noted that the ground level to the Plot A commercial units have a poor interface with the site boundaries creating a sliver of narrow external space to the rear which will be difficult to manage and use. Potentially these areas could become failed space. The layout should be redesigned to either create more generous useful space that contributes positively as a resource for the development, or the commercial units are brought to interface directly with the rear boundaries
- 216 DRP however considered the Plot A buildings establish a strong edge to Willow Way with the potential to create strong street frontage.
- 217 Both Design and DRP endorsed the linkages to Dartmouth Road and the widened footpath and public realm enhancements. However, both raised concerns with regard to the deliverability of these elements given this is on adjacent land and questioned what would happen in the interim and how the transport and servicing would work.

- 218 Overall, officers support that the layout of buildings is logical but agree that in the absence of the proposed road widening and public realm improvements along Willow Way coming forward as part of this development, combined with the servicing taking place immediately in front of residential access cores and at the commercial entrances at the rear, the functionality of all is compromised. For this scheme to be acceptable on its own merits there would need to be a set back and greening of Willow Way with trees and other changes to address the design points raised.
- 219 Whilst both parties have endorsed the connection to Dartmouth Road, questions have been raised about the surveillance over this route and how it connects to the podium space adjacent proposed on the indicative masterplan. This is a key requirement of the masterplan and there is concern that considering this application and its servicing needs alone when the masterplan is at such an undeveloped stage may fetter opportunities to unlock these connections in future.
- 220 Officers agree the relationship to William Wood House is unresolved and it is untested as to whether boundary treatments could address this sense of enclosure or whether a break in the massing would be required to address this. Again, without understanding whether there would be a need for a building setback to address the public realm on Willow Way, there is not a fully considered design development and this remains another unresolved element of design.
- 221 In any case, in the absence of HTVIA views, officers cannot make a full assessment of the scale and massing of the buildings on plot A nor the wider masterplan area.

Detailing and Materials

Policy

- 222 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG). In terms of architectural style, the NPPF encourages development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 127). At para 131, the NPPF states great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area.
- 223 LPP D3 sets out that design should respond to the existing character of a place by identifying architectural features that contribute towards the local character. It goes on to state that design should be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

Discussion

- 224 As outlined above, whilst design and DRP have raised no objections in terms of the principle of the palette of materials proposed and note they appear to be of high quality, there are unresolved matters in terms of scale, massing and form that need to be addressed before it can be assessed how the proposed building works with the detailed materials and finishes.

Impact on Heritage Assets

Policy

- 225 Heritage assets may be designated—including Conservation Areas, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, archaeological remains—or non-designated.
- 226 Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives LPAs the duty to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 227 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives LPAs the duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 228 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that relate to heritage assets. This includes giving great weight to the asset's conservation, when considering the impact of a proposed development on the significance of a designated heritage asset. Further, that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal.
- 229 Paragraph 199 of the NPPF requires great weight to be given to the asset's conservation. Paragraph 200 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Paragraph 202 requires harm to be weighed against any public benefits of the proposal. Paragraph 203 requires that the effect of proposal on non-designated heritage asset should be taken into account; a balanced judgement should have regard to scale of harm or loss and the significance of the heritage asset.
- 230 Paragraph 131 of the NPPF sets out that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.
- 231 LP HC1 sets out the approach to 'Heritage, conservation and growth. CSP 16 ensures the value and significance of the borough's heritage assets are among things enhanced and conserved in line with national and regional policy.
- 232 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.
- 233 DMP 37 sets out a framework for the protection of the borough's non-designated heritage assets.

Discussion

- 234 The conservation officer has set out the various designated and non designated heritage assets and their significance as follows:
- 235 The site lies to the west of Sydenham Park Conservation Area, whose boundary wraps around the NE and E sides of the site. This CA does not have an appraisal, but it is a tightly bounded area of mid C19th and later substantial villas and smaller picturesque houses arranged principally on three streets: Sydenham Park, Sydenham Park Road, and Albion Villas Road. Unifying characteristics are the substantial plots, detached

layout, large gardens to front and rear, and the many mature large-canopied trees in the front gardens which lends the street scene a green and leafy appearance, as well as in the rear gardens and open spaces of Albion Millenium Green and Trinity Church. Views between the semi-detached villas on Sydenham Park Road, and also along Shrubland Close allow important glimpses of the large canopy trees in gardens and sites to the rear.

236 The site lies to the east of Kirkdale (formerly known as Sydenham Extension) Area of Special Local Character (ASLC). This has not been consulted upon or formally adopted, but the proposed boundary includes the stretch of Kirkdale between Peak Hill and Dartmouth Road, as well as Fransfield Road and the grade II listed former Sydenham Public Lecture Hall (1859-61) to the north.

237 The following listed buildings are also near the site to the west:

- 134-146 Kirkdale, grade II, Parade of five shops with apartments above, c1896.
- 124-128 Kirkdale, grade II, Central part of a symmetrical composition made up of 2 pairs and a single house between, early to mid C19th.

238 In terms of consideration of impact/ harm to the abovementioned heritage assets, the conservation officer sets out that:

Conservation Comments on Impact on Conservation Areas:

239 The development site is in the immediate setting of Sydenham Park CA boundary, and the layout extends built form very close to the boundary.

240 There is an abrupt change of levels which means the development at 5 – 6 storeys will rise significantly higher than the existing 2 storey buildings of William Wood House (built in the gardens of the villas on Sydenham Park Road) and also appear much higher than the predominant villa development within the CA.

241 The close proximity will exacerbate the impact of the uncharacteristic height and will unduly enclose the view to the west, appear dominating and unneighbourly.

242 Site section CC should be extended to reach the houses on the far side of Sydenham Park Road to demonstrate the visibility of the highest part of this proposal from this principle street.

243 Other development in the setting of the CA is generally of similar height to the CA or lower. Miriam Lodge is the one building in the immediate setting of the CA which is notably taller, at 7 storeys. The narrow slab form of this building and its orientation minimises its visual impact on the CA, having a significantly less enclosing impact to the SE, and it's broad side is set further away from the CA to the NE.

244 The proposal, in contrast, is a continuous linear development rising from 4, through 5 to 6 storeys, with no gaps that would alleviate the sense of enclosure, nor sufficient open space provided to provide tree planting which could soften the impact.

245 Townscape viewpoints have been identified but the views not yet provided. The view points chosen from Sydenham Park Road (nos 9 & 10) are oblique and so will only show the development where it rises above the houses, and not as it appears between the houses. I advise that 2 views from Sydenham Park Road that show the impact on a) view between the semi detached pairs at 13 & 15 SPR, and b) along Shrublands Close should be provided.

- 246 View 1 is very unlikely to show the site at this location – the view point should be moved further east until the site becomes visible. A view from the junction of Willow Way and Kirkdale should be included to show the impact on the LBs and ASLC. View 6 also very unlikely to show the site as the redeveloped Police Station building is in the way, a point closer to the N end of Willow Way would be more useful.
- 247 On the basis of the information submitted so far, the proposal is likely to cause a moderate degree of harm to the setting of the CA (less than substantial in NPPF terms). This harm does not appear to be clearly or convincingly justified and could be avoided or minimised by setting the development further away from the site boundary at the southern end, providing open space and tree planting along the whole eastern boundary, and variously reducing in height, introducing set backs to the massing of upper levels, and creating gaps in built form at upper levels.
- 248 The conservation officer concludes that there is no objection to the approach to elevational design or materiality which could sit comfortably in the CA context subject to the points above being addressed.
- 249 Officer comment: Officers support the view that the townscape views need to be submitted to consider the abovementioned points in detail as well as the specific impact on the Locally Listed Bricklayers Arms pub. In the absence of these views these issues cannot be ruled out but it is not conclusive that the step change for example would amount to less than substantial harm that could be outweighed by public benefits. However, as there is currently insufficient information and unresolved design issues and therefore officers cannot conclude the proposal would conserve or enhance the conservation areas or that any harm could be outweighed by public benefits and this will form part of the reason for refusal.

Conservation Comments on Impact on Kirkdale ASLC

- 250 The proposal will have some impact on the setting of the Kirkdale ASLC due to available views down Willow Way. Particularly detrimental would be the loss of visibility of the mature large canopy trees in the CA which are currently visible over the top of the lower rise existing buildings. These lend the street a much more pleasant and inviting character than would be the case without them – the proposed buildings will completely obstruct these views.
- 251 No street trees are proposed along the frontage of this site that would mitigate this loss, and the resulting streetscape would be unrelieved, hard and urban. It is noted that trees are identified as being located on the other side of the road in the draft masterplan, but having trees on both sides of the road would provide a better pedestrian environment for all and provide a more attractive setting to the ASLC and the LBs.
- 252 It is also noted that Illustration 2.1 in the Design and Access Statement shows a street tree which does not currently exist on site and which is not proposed on the submitted drawings.
- 253 Officer comment: Again, in the absence of views officers cannot make a full assessment of the impact and whether this can be outweighed by public benefits. It is agreed it would be optimum to have trees lining both sides of the street but further design testing needs to take place to establish the optimum solution.

Conservation Comments on Listed Buildings

- 254 This impact would be similar on the setting of the LBs on Kirkdale – or at least those closest to the junction with Willow Way. This is considered to be a low degree of harm (less than substantial), which could be mitigated by providing sufficient space for street tree planting in front of this site.

255 Officer comment: Again, this would need to be considered in the context of the townscape views.

Summary

256 Officers, having regard to the statutory duties in respect of listed buildings in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, are not able to conclude on the basis of the submitted information that the proposal would preserve or enhance the character or appearance of the Sydenham Park Conservation Area. Due to the unresolved design and scheme proposals, it is not considered that the public benefits would outweigh this harm and therefore this is a reason for refusal.

257 Officers, having regard to the statutory duties in respect of listed buildings in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, are not able to conclude on the basis of the submitted information that the proposal would preserve the setting of the Listed Buildings on Kirkdale. Due to the unresolved design and scheme proposals, there are no mitigating benefits to outweigh this harm and therefore this is a reason for refusal.

Public Realm

Policy

258 LPP D3 states that development should, amongst other things: encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings, that are aligned with peoples' movement patterns and desire lines in the area; be street-based with clearly defined public and private environments; facilitate efficient servicing and maintenance of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users; achieve safe, secure and inclusive environments; provide active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest; help prevent or mitigate the impacts of noise and poor air quality and; achieve indoor and outdoor environments that are comfortable and inviting for people to use.

Discussion

259 The emerging masterplan envisions public realm improvements to be offered in the form of a widened road (Willow Way) becoming a one-way traffic system to give more space over to pedestrians, cyclists, loading and parking. However, this is dependent on land outside of the applicant's ownership on the western side of Willow Way (Plots B and D), whose frontage is to become part of the widened public way.

260 Amenity spaces are mostly above ground (in the emerging masterplan, the amenity space is provided at first floor podium level on the land to the west of Willow Way; and in the application proposal, amenity space is provided at 4th floor roof level and to the rear of the proposed block at ground floor. There is no public access to these green spaces. No provision for public furniture, pause spaces or street trees has been made on the application site but there are elements of this form of public realm on the neighbouring parcels.

261 Passive surveillance with the introduction of residential use will increase safety of the street at night, which would be an improvement that would be supported. However, overall the application proposal taken in isolation presents a significantly intensified site with co-location of uses, with no public realm improvements to the existing narrow width

of Willow Way which is currently predominantly occupied by parked cars. Combined with a servicing bay on the street in front of the residential entrance and wider concerns about lack of information to demonstrate the servicing arrangements are sufficient, the proposed public realm would not comply with the relevant policy. Furthermore, as detailed within other sections of the report, the lack of information on proposed uses in terms of noise and air quality mean officers cannot assess the environmental conditions.

- 262 The abovementioned concerns have been raised by the design officer, DRP as well as several consultees. As previously mentioned, there is concern about the application site coming forward independently (or at least without a developed masterplan agreed by all relevant landowners) particularly in relation to undermining the site wide public realm and servicing strategy which is imperative to the emerging site allocation.
- 263 For the abovementioned reasons, the proposal does not comply with relevant policy and this will form a reason for refusal.

Accessibility and inclusivity

Policy

- 264 LPP D5 details the approach to Inclusive Design and sets out that development proposals should achieve the highest standards of accessible and inclusive design. They should:
- 1) be designed taking into account London's diverse population
 - 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion
 - 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment
 - 4) be able to be entered, used and exited safely, easily and with dignity for all
 - 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

Discussion

- 265 The submitted Design and Access Statement sets out that:
- 266 In terms of moving around outside, footpaths and access routes all exceed the minimum width of 1200mm, providing adequate space to negotiate obstacles, turn and pass. They will be smooth yet slip resistant. Most of the scheme has level access but where this can't be achieved gradient ratios shall not exceed 1:20 with rest breaks provided on slopes at intervals of no more than 10m. Cross-falls on all paving will be minimised to 1:50 and all crossings shall have dropped kerbs of a minimum width of 1m, sited in pairs opposite each other with gradients not exceeding 1:12. Paths and ramps will have protected edges with 100mm kerbs.

- 267 In terms of using outdoor spaces, all gates will have a 850mm clear opening, operable from both sides and not spring loading, and outside each wheelchair accessible dwelling there will be an approach space of 1.5m x 1.5m extending by 550mm on the lock side. Suitable clothes drying facilities will be provided, and where there is access to a garden or balcony, level access will be provided. Routes to external storage and refuse facilities will be kept short and accessible.
- 268 In terms of communal entrances, there will be a level external landing of 1500mm square, which is covered to a width and depth of 1200mm. All communal entrances will have a minimum clear width of 850mm, with 300mm nib on the leading edge, and 200mm nib on the following edge and an accessible threshold. Door controls will be accessible and there will be a clear 1500mm turning circle within the entrance area.
- 269 The above access arrangements along with two lifts per core for residential uses is acceptable. However, as outlined previously in the report, it does not appear wheelchair adapted dwellings have been spread evenly between tenure and unit size type and this needs to be confirmed by the applicant.
- 270 Whilst it is acknowledged that there are 2 separate areas of 0-4 play space and adjacent communal space, the design quality provided for each tenure is the same. Furthermore, there is a central play and amenity space at the fourth floor podium level which can be accessed by all residents.
- 271 Whilst officers have raised concerns about the lack of public realm and publicly accessible open space on site, there are no concerns raised that the scheme would result in a closed or privatised environment. However, the proposals would not comply with part 2 of LPP D5 above in that this requires provision of high quality people focused spaces that are designed to facilitate social interaction and inclusion. The communal amenity space at the rear of the building as proposed is undefined and would potentially not allow sufficient surveillance once the employment uses are closed in the evenings. Combined with the adjacency to parking spaces and lack of definition of the space it is not considered this area of the site is people focused or would facilitate social interaction for future residents.

Urban design conclusion

- 272 Overall the proposals, presumably because of the lack of time for design development are not informed by local context and are therefore generic rather than distinctive in character.
- 273 The scale and massing of the buildings within the application site and wider masterplan area cannot be fully assessed in the absence of townscape views. This also means officers cannot conclude that the scheme will preserve or enhance the character of the conservation area and preserve the setting of the adjacent listed buildings.
- 274 The road width as proposed on this congested street with no tree planting or street furniture and with a servicing bay in front of the residential access is of poor quality design and cannot accommodate the number of additional users associated with the proposed intensified development with co-location of industrial and residential uses.
- 275 The lack of detail on the proposed uses and subsequent noise and air quality implications and well as the lack of detail on access and servicing needs and a site wide approach to servicing also raise concerns about what the environmental quality will be like.
- 276 The masterplan provides insufficient detail on design options, testing and development, interim arrangements and thus the deliverability of the masterplan as a whole. This is of

particular concern in relation to massing and distribution across the site and the amount of development that can be accommodated. But also in relation to the site wide public realm, servicing, connections to Dartmouth Road and sustainability and urban greening strategy- all of which are essential components of the emerging site allocation.

- 277 Based on the submitted information, the proposals would not meet the relevant policy and officers cannot conclude that the proposal would result in a high quality design.

TRANSPORT IMPACT

General policy

- 278 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para 102. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic; and (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.
- 279 Para 109 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 280 LPP T1 states that development proposals should facilitate the delivery of the Mayor’s strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. The policy also sets out that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London’s transport networks and supporting infrastructure are mitigated.
- 281 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

Access

Policy

- 282 The NPPF requires safe and suitable access for all users. Paragraph 108 states that in assessing applications for development it should be ensured that appropriate opportunities to promote sustainable transport modes can or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users.
- 283 LPP T2 refers to the Healthy Streets Approach in which it states, ‘development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.’ High quality streets are ‘fundamental to the character and efficient functioning of the city and play a fundamental role in moving people around safely, improving public realm and providing spaces for people to come together.’
- 284 The supporting text for LPP T2 sets out at para 10.2.4 that Londoners direct interaction with the Healthy Streets Approach will be through the streets they use every day. The Healthy Streets Approach aims to bring about positive changes to the character and use of the city’s streets. High-quality, pleasant and attractive environments with clean air and enough space for dwelling, walking, cycling and public transport use must be provided.

285 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised; that a restrained approach to parking provision will be adopted; and that car-free status for new development can only be assured where on-street parking is managed so as to prevent parking demand being displaced from the development onto the street.

Discussion

286 The following paragraphs are based on the transport officer's comments. Existing pedestrian and vehicle access is taken from Willow Way where there is an existing vehicular crossover into the site at two locations on Willow Way which leads to an area of hardstanding for car parking and for vehicles to turn around and exit the site for deliveries and servicing. The existing entrances for pedestrians and vehicles are not segregated. Willow Way is subject to a 20mh speed limit.

287 The site will continue to provide pedestrian access from Willow Way at multiple entrances along the frontage and separate entrances segregated from the vehicles access are welcomed. Cycle access will also be taken from two locations along Willow Way which is considered acceptable.

288 Willow Way is subject to narrow footways on both sides of the carriageway. As part of this application the proposed ground floor plan shows a general footway width of 2.5-2.8m along the site frontage. However with the mounted kerbside parking this width would be reduced. The applicant will need to provide an assessment of how much effective footway width there will be for pedestrians with parked cars. The introduction of 60 residential units at a car free site indicates that there will be a high percentage of occupants travelling by foot, cycles and via public transport. The TA at paragraph 5.3.12 indicates that there will be a peak of 58 people trips in the AM period as a result of the proposed development. The existing footways along the front of the site would benefit from widening to accommodate the new development.

289 The applicant has submitted an emerging Masterplan document that shows significant changes to the public realm including a setback of the buildings on the opposite side of the road to create a 20m street width to allow for active travel, parking and servicing. The masterplan also shows a one way vehicle restriction accompanied with a cycle contraflow lane. All of this is welcomed and would address the issues raised above. However no improvements specifically with regards to widening of the Willow Way highway footway have been proposed within the boundary of the current application. This is something that will need to be addressed in order for the application to be considered acceptable to Transport. Options like setting the building back to improve the existing footway for this application will need to be considered.

290 Officer comment: for the application proposal to be acceptable, a wider footway would be required for usability and to avoid conflict of uses with increased residential trips, increased trips associated with the employment use, a new servicing bay as well as navigating the road as existing, congested with parked cars. As outlined above, this road widening would also facilitate or enhanced public realm and design.

Local Transport Network

Policy

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

292 LPP T3 sets out the approach to transport capacity, connectivity and safeguarding and LPP T4 concerns assessing and mitigating transport impacts. The policy sets out that

development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.

293 Furthermore it sets out that transport assessments/statements should ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Transport assessments should focus on embedding the Healthy Streets Approach within, and in the vicinity of, new development.

294 The policy goes on to say that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

Discussion

295 The Highways officer notes that: The selected TRICS sites are considered acceptable and the expected overall net additional trips associated with the proposals have been assessed and are generally acceptable. The adjustments made to accommodate a car free site should not be adjusted but be accounted for a potential overspill parking and therefore the TA will need to be updated.

296 Additionally the potential number of Light Goods and Other Goods vehicles appears to be low despite the appropriate choice of sites in TRICS. There are concerns that the proposed loading bay will not be sufficient to accommodate all the delivery and servicing associated with the commercial and residential elements of the site.

297 Lewisham Highways request an on site survey be undertaken of the existing number of delivery and serving vehicles that are entering and exiting the site during a weekday between 7am to 7pm. This survey will ascertain the total number of vehicles and therefore determine if the proposed loading bay is sufficient or if a new strategy will be needed.

298 Officer comment: The above comments are supported and it is recognised that the site needs to respond to its own trip generation and impacts on the transport network. However, there is again a need to understand how this might look across the masterplan area if different uses are allocated to different sites and that depending on phasing, smaller sites delivering less may end up contributing more. The impacts and contributions of the site as a whole need to be considered so pooling strategies can be investigated to ensure a viable and deliverable masterplan.

Healthy Streets

Policy

299 LPP T2 sets out the approach to Healthy Streets and states that development proposals should: 1) demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance; 2) reduce the dominance of vehicles on London's streets whether stationary or moving; 3) be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport.

Discussion

300 The Transport Assessment sets out 6 key routes as part of the active travel zone assessment and for each route suggests improvements such as planting, street lighting, street furniture, signage, narrowing of crossings, new surface paving, introduction of zebra crossings to name some examples.

- 301 The Highways officer notes that: the active travel zone assessment presented within the Transport Assessment is considered acceptable. There are many suggested improvements that Lewisham Highways agrees with. It is suggested that items in Table 4-7 of the TA are set out as highway improvements and are secured as part of a section 278 agreement should planning approval be granted. The suggested improvements will need to be refined and detail provided where required before the agreement is finalised.
- 302 Whilst officers are satisfied the applicant has identified mitigation measures for the key routes identified, it is not considered that Willow Way as proposed within the current application would meet the approach to Healthy Streets.
- 303 As outlined in the abovementioned sections of the report, there is insufficient information to demonstrate the noise and air quality impacts of the proposed development would be acceptable; the proposals do not propose street lighting or furniture in the public realm and; there is concern the existing parking congested streets would be exacerbated with the intensified uses and servicing and delivery bay, which would all impact the public realm. This conflicts with several principles of the Healthy Streets principles including in particular 'not too noisy,' 'clean air,' 'people choose to walk and cycle,' 'people feel safe' and, 'places to stop and rest.' The potential for stopped vehicles outside conflicts with point 2 seeking to reduce the dominance of vehicles and the congestion could impact permeability and the quality of this key route.

Servicing and refuse

Policy

- 304 The NPPF states development should allow for the efficient delivery of goods and access by service and emergency vehicles.
- 305 LPP T7 states that development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.
- 306 LPP SI 7 promotes reducing waste and supporting the circular economy. It requires developments to be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.
- 307 CSP 13 requires all major development to submit and implement a site waste management plan, and to provide well designed recycling facilities for all proposed uses.

Discussion

- 308 The Highways officer has provided the following comments: There are concerns with regards to the proposed on street loading strategy and if this is sufficient to accommodate all associated trips. The loading bay will only be able to accommodate one 10m 'box van' type vehicle at any one time, or it will be only be able to accommodate 2 'standard' sized at any one time. There are concerns with service and delivery vehicles having to park elsewhere along Willow Way when the loading bay is occupied. Further details will need be provided to evidence this loading bay is sufficient for the overall site including refuse collection. Highways would prefer servicing and delivery to be kept within the site where possible. If this is not possible the above concerns will need to be addressed in detail.

309 Refuse officers should also be consulted with regards to the size and location of the bin store. It should be reminded that residents are not permitted to carry refuse bins more than 30m to the bin collection point and waste operatives are restricted to a maximum 10m drag distance on collecting bins. It is suggested that a more detailed refuse strategy at this stage is presented to show the proposals adhere to the above requirements. Once approved this should be secured by condition.

310 Officer comment: Adding to the highway comments, again, the masterplan needs to consider a site wide refuse and servicing strategy to unlock the most optimum scheme design and ensure that later phases are not unable to come forward or that the public realm / design quality are eroded to accommodate these needs later down the line.

Emergency vehicle access

Policy

311 LPP D12 concerns achieving the highest standards of fire safety and amongst other things requires that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

Assessment

312 The applicant has submitted a Fire Safety Report. The report sets out a compliance statement in relation to policy D12 of the London Plan. The report concludes that the proposal has adequately done/ is able to do all of the following before the next gateway:

- A. Identify suitably positioned unobstructed outside space for: i. fire appliances to be positioned on. ii. appropriate for use as an evacuation assembly point
- B. Are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire, including appropriate fire alarm systems and passive and active fire safety measures.
- C. Are constructed in an appropriate way to minimise the risk of fire spread.
- D. Provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- E. Develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in.
- F. Provide suitable access and equipment for firefighting which is appropriate for the size and use of the development

313 As noted within the Consultation section of the report, the fire prevention group, London fire and emergency authority and the London fire brigade safety team were consulted and have not responded. HSE responded to say consultation for Gateway Stage 1 is not required. Officers have no objections in principle to the submitted strategy.

Transport modes

Walking and cycling

Policy

314 LPP T5 cycling states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.

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

Discussion

316 The Highways officer has commented that: All cycle parking should be in accordance with Policy T5 of the London Plan and in accordance with the guidance set out in the London Cycle Design Standards (LCDS). The applicant indicates a provision of 107 long stay cycle parking for the residential units in a mix of Sheffield, two tier and large accessible spaces.

317 The commercial proposals would attract three long stay cycle parking spaces which do not appear to be shown on the plans. The applicant will need to provide staff cycle parking and show these on the plans (this will need to be covered and secured). There is sufficient visitor cycle parking shown on the plans for the residential and commercial elements of the proposed development.

318 In addition to the above, Transport for London have provided comments requiring that at least one of the long-stay commercial cycle parking spaces should be provided at a wider spacing and that the Sheffield stands should have distances of at least one metre between each stand and any wall.

319 The required 1m distances between stands and walls, wider long stay commercial space and confirmation of provision of the long stay commercial spaces would need to be provided by the applicant. However, it is likely the space for this could be accommodated and thus conditioned had the application been recommended for approval. Therefore, this will not form a reason for refusal.

Private cars

Policy

320 LPP T6 'Car parking' states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking. Table 10.3 defines maximum parking standards and confirms that within Inner London Opportunity Areas development proposals should be car free, with the exception of disabled persons parking.

321 LPP T6 identifies that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles, and that at least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces.

Discussion

322 The Highways officer has provided the following comments: In order to assess the potential level of overspill parking within the immediate area a parking stress survey should be undertaken and a census assessment should be completed to estimate the potential number of residents that would park on-street due to the no car parking restrictions. The applicant has provided a car parking stress survey and an assessment on 2011 census data. The parking survey map at Appendix E is not clear. The dropped

kerb key is shown twice and this will need clarification and correcting. Additionally the raw data associated with the survey has not been provided which is needed in addition to the map corrections. The summary provided within the TA at Table 6.2 shows very low parking stress which needs to be reviewed against the raw data.

- 323 The census data clearly shows that there is a potential that 12% of occupants of the residential units may drive to work and therefore will own a car which equates to 12 car parking spaces. The applicant adjusted this to 3% in line with the car free nature of the site. The surveys indicate a spare capacity of 31 spaces on unrestricted parking spaces which would indicate sufficient capacity, but it should be noted the assessment of single yellow line and double yellow line parking availability is considered as restricted parking and not appropriate for this assessment.
- 324 The proposals indicate provision for two disabled parking spaces which the Transport Assessment states represents 3% passive provision with the remaining 7% identified as three spaces within the site and one on street space which all can be converted to an accessible spaces if demand arises. The residential proposals are in accordance with Policy T6 of the London Plan and are considered acceptable. The application omits one disabled parking space in association with the commercial proposals for staff or visitors. Policy T6.5 non-residential disabled parking stipulates access to at least one disabled parking bay (on or off street). This will need to be addressed. The application should also be accompanied with swept paths of a large vehicle accessing parking and egressing the site which has not been provided.
- 325 20% of the disabled bays should be EV ready with 20% passive provision. This equates to one disabled space with an EV charging point and one passive space. This will need to be shown on the plans and secured by condition.
- 326 Officer comment: whilst car free development is welcomed and in accordance with policy, further information is needed in relation to car parking overspill. An additional wheelchair parking space needs to be provided for commercial staff or visitors. As the parking congestion and competing demands for space are an issue on the site, the inadequate parking survey will be incorporated in to the reasons for refusal.

Transport impact conclusion

- 327 The proposed highway footway on Willow Way is too narrow to properly accommodate the intensified development and co-location of uses. There is not sufficient pavement width; there is a servicing bay directly adjacent to the entrance; there are no street enhancements and; combined with the lack of parking and servicing data and the existing congestion on site, it is considered the proposal will exacerbate the parking congestion in the area and would not create a safe street that is desirable for walking or cycling.
- 328 Again, officers are supportive of the road widening and enhancements proposed in the masterplan but the lack of information and strategy on interim arrangements and deliverability mean this cannot be relied upon. Linked to this, concerns have been raised by the Highways officer with regards to the lack of a comprehensive servicing strategy. In the absence of more information on uses, subsequent servicing needs and associated environmental conditions, officers are concerned the principles of Healthy Streets will not be achieved. For all these reasons, the proposal would not comply with the relevant policy and this will be incorporated in to the reasons for refusal.

LIVING CONDITIONS OF NEIGHBOURS

General Policy

329 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At para 180 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.

330 This is reflected in relevant policies of the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPG 2017, GLA; Alterations and Extensions SPD 2019, LBL).

331 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours. Further guidance is given in the Mayor's Housing SPG (2017) and Lewisham's Alterations and Extensions SPD (2019) which establishes generally acceptable standards relating to these matters, although site context will mean these standards could be tightened or relaxed accordingly.

Enclosure and Outlook

Policy

332 Overbearing impact arising from the scale and position of blocks is subject to local context. Outlook is quoted as a distance between habitable rooms and boundaries.

Discussion

333 The proposed development will be a substantial distance from windows of properties to the north, south and west. However, the site is directly adjacent to William Wood House. The closest windows between William Wood House and the proposed development are some 17m and due to the angling and orientation of the proposed building officers are satisfied there would be no significant harm in terms of overlooking and loss of privacy. However, the close proximity of the proposed 4-6 storey building, and its presence along the majority of the boundary combined with the lower land level at William Wood House the would give rise to an unacceptable sense of enclosure.

Privacy

Policy

334 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise. Standard 28 in the Mayor's Housing SPG states that designers should consider the position and aspect of habitable rooms, gardens and balconies, and avoid windows facing each other where privacy distances are tight. The SPG recognises that in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing habitable room windows. The SPG highlights that whilst these can still be useful yardsticks for visual privacy, adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can unnecessarily restrict density.

Discussion

335 As outlined in the above paragraphs, the proposal is in excess of 17m from the closest facing residential window at William Wood House and as such there are no significant concerns in relation to loss of privacy.

Daylight and Sunlight

Policy

- 336 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards. The NPPF does not express particular standards for daylight and sunlight. Para 123 (c) states that, where there is an existing or anticipated shortage of land for meeting identified housing need, LPAs should take a flexible approach to policies or guidance relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site.
- 337 The Mayor's Housing SPG states that 'An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.' (GLA, 2017, Housing SPG, para 1.3.45). Alternatives may include 'drawing on broadly comparable residential typologies within the area and of a similar nature across London' (ibid, para 1.3.46).
- 338 In the first instance, if a proposed development falls beneath a 25 degree angle taken from a point two metres above ground level, then the BRE say that no further analysis is required as there will be adequate skylight (i.e. sky visibility) availability.
- 339 The Annual Probable Sunlight Hours (ASPH) relates to sunlight to windows. BRE guidance states that a window facing within 90 degrees due south (windows with other orientations do not need assessment).

Discussion

- 340 The applicant's submitted Daylight/ Sunlight report sets out that: 'Due to the location of the proposed development and its overall modest increase in scale and massing, only the residential properties located to the east of Willow Way and at the junction of Willow Way and Dartmouth Road have been tested. We have also tested the community spaces at Holy Trinity Church and any neighbouring amenity spaces which might be potentially adversely affected by the scheme.' The report also confirms that only habitable rooms have been tested in accordance with the BRE guidelines.
- 341 It is noted that several properties at the western end of Dartmouth Road objected to the planning application on the basis that their properties should have been included in the daylight/ sunlight report. It is considered likely that these properties would not be impacted by the development proposed within the red line boundary. However, the applicant would need to clarify that these do not meet the 25 degree rule as set out in the BRE guidelines. Had the application been recommended for approval, this would have been sought prior to determination but as the application will be refused, this is a point of clarification the applicant will need to address if a revised scheme is submitted or if the applicant chooses to appeal the decision.
- 342 It is also noted that these properties are likely to be impacted by the wider masterplan development and as noted in other sections of this report, neither the impact of the assumed massing on neighbouring properties nor the cumulative impacts of the proposed development and masterplan massing have been tested. This needs to be carried out to ensure the deliverability of the masterplan approach and to test that the proposed development as part of this current application does not undermine future comprehensive redevelopment of the site.

343

The table below summarises the daylight impacts on the surrounding properties tested:

Vertical Sky Component (VSC)					
Neighbouring Property	No. Windows Assessed	No./% Above BRE Guide		No./% Below BRE Guide	
William Wood House	51 windows	26	c. 51%	25	c. 49%
7-7A and 9-9A Sydenham Park	11 windows	11	100%	0	0%
11-11A and 13-13A Sydenham Park	8 windows	7	c. 88%	1	c. 12%
15-15A and 17-17A Sydenham Park	9 windows	5	c. 56%	4	c. 44%
19-19B and 21-21B Sydenham Park	8 windows	6	c. 75%	2	25%
23A-23D Sydenham Park	7 windows	7	100%	0	0%
25A-25D Sydenham Park	8 windows	8	100%	0	0%
The Arc, 85 Willow Way	14 windows	14	100%	0	0%
Flats 1-9 Moore House	46 windows	46	100%	0	0%
Flats 10-14 Moore House	22 windows	22	100%	0	0%

The Bricklayers Arms PH	6 windows	6	100%	0	0%
Former Sydenham Police Station, 179 Dartmouth Road	96 windows	96	100%	0	0%
Miriam Lodge, 185 Dartmouth Road	40 windows	40	100%	0	0%
Holy Trinity Church	29 windows	20	100%	0	0%
Total	355 windows	323	c. 91%	32	c. 9%

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The submitted report concludes that 91% of windows tested meet the BRE guidelines and 9% (32 windows do not).

345

Upon reviewing the resulting VSC levels at William Wood House, the most significant departure from the guidelines is 0.64 times the former value (as opposed to the 0.8% compliance target) and the resulting VSC levels are above 16% VSC at worst which is typical in an urban/ suburban setting. Furthermore, several windows serve one room and the room VSC is above 20%.

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At 19-21 Sydenham Park Road there is a window (Ref: R1/ W2) which has a resulting VSC level of 13.54% and 0.7 times the former value. However, this window is at lower ground floor level, serves a bedroom window and was at 19.43% in the existing scenario.

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Similarly at 15-17 Sydenham Park road there is a window (Ref: R1/W1) which has a resulting VSC level of 11.56% and 0.7 times the former value. However, this window is at lower ground floor level, serves a bedroom window and was at 16.78% in the existing scenario.

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Overall, the instances above are the worst scenarios of the 33 failing windows (25 of which are at William Wood House) and as explained have typical resulting VSC levels and several other windows serving a room.

- 349 6 of the other failing windows have resulting VSCs of above 18% (in most cases above 20%). The two windows with low VSC levels on Sydenham Park Road already have limited lighting levels and so the results are compounded, however, these are only two windows and serving bedrooms as opposed to living areas.
- 350 On balance then, in terms of the daylight impact on surrounding properties of the proposal within the red line boundary, the impacts are considered to be acceptable. However, as noted, testing needs to be carried out showing the cumulative impacts of the proposed masterplan massing on neighbouring properties.
- 351 The sunlight results demonstrate that all 168 of the 168 site-facing windows tested which face within 90° of due south (100%) will fully comply with both the annual and winter sunlight criteria with the proposed development in place, when tested on both the window-basis and room basis.
- 352 The overshadowing results show that the proposed development will not cause an adverse effect on the current levels of direct sunlight reaching the neighbouring amenity spaces. The vast majority of the amenity spaces will experience virtually no change in the levels of overshadowing on 21st March and, therefore, all year-round.
- 353 However, the amenity space at the south western corner of William Wood House and the boundary wall with the application site (which the report notes is overgrown with vegetation) will not meet the overshadowing criteria on 21st March with just 30% of the area receiving 2 hours of direct sunlight. The amenity space is shown to be compliant on 21st June.
- 354 The report notes that ‘the main external amenity space at William Wood House, located in front of the communal lounge will be fully compliant with the BRE guide levels for overshadowing, and will only reduce by 2% in the summer months when it is expected to be mostly frequented by its residents. Finally, the amenity to the south of William Wood House will actually experience a small improvement in terms of direct sunlight levels as a result of the proposed massing being noticeably set back from the boundary at the rear of the site when compared with the massing of the existing buildings.’
- 355 On balance then, officers consider the sunlight impacts and overshadowing results to neighbouring amenity areas to be acceptable. Again, testing is required on the impact of the proposed masterplan massing.

Noise and disturbance

Policy

- 356 PPG states LPAs should consider noise when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.
- 357 A range of other legislation provides environmental protection, principally the Control of Pollution Act. It is established planning practice to avoid duplicating the control given by other legislation.
- 358 Relevant to this application, the aforementioned London Plan Policies relating to co location with industrial uses (E7), agent of change principles (D13) and design of public realm (D3) require developments to demonstrate acceptable acoustic levels.
- 359 Construction and demolition activity can result in disturbance from among things noise, vibration, dust and odour. This can harm living conditions for the duration of construction. Since some disturbance is inevitable, such impacts are usually not considered to be material planning considerations. In certain circumstances, particularly large or complex

works may require specific control by planning. Further guidance is given in the Mayor of London's The Control of Dust and Emissions during Construction and Demolition SPG (2014).

Discussion

- 360 As outlined in the 'Consultation' section of the report, the environmental health (noise) officer has raised concerns about conflicting information in the submitted noise report and is seeking clarity that the proposals meet the required standards.
- 361 The officer has also asked about assumptions for plant and equipment on site and this links to the wider question about the proposed employment uses assumed on the application site and the adjoining sites. Whilst it's appreciated these commercial uses need some flexibility to ensure uptake from a range of occupants, some options and assumptions need to be tested to ascertain the environmental conditions as well as access, servicing and mitigation measures required to avoid the colocation of intensified uses and residential uses conflicting.
- 362 It would be assumed that the new employment space although intensified would be insulated and arranged in such a way that it would not cause more harm to adjacent occupiers than the existing arrangement. However, given the absent/ conflicting information in the noise report, officers are unable to make this assessment.
- 363 The applicant has submitted a very high level outline construction management plan for the site. This provides more of a scope of considerations but does not detail anything on phasing arrangements for the wider masterplan. This could be conditioned if more information was provided on the masterplan.

Impact on neighbours conclusion

- 364 Overall the proposed development within the red line boundary would not give rise to unacceptable harm in terms of overlooking, loss of privacy, overshadowing or loss of light.
- 365 However, the proposal as presented would give rise to an unacceptable sense of enclosure and overbearing for William Wood House with a 6 storey building running along the boundary line to the amenity space and unresolved boundary treatments between the properties.
- 366 Given the contradictory information in the noise report, officers are unable to confirm the proposal is compliant with the noise standards set out within the relevant policy.
- 367 Again, the lack of a developed masterplan, options and testing mean that officers are unable to fully assess the impact of the site-wide redevelopment on the amenity of neighbours. Officers have concerns that the proposed layout and massing as presented would give rise to unacceptable loss of light to neighbouring properties and between parcels of land within the masterplan area. There is concern that the approval of this scheme without further information on this would result in a development that could fetter the wider opportunities of the masterplan area.

SUSTAINABLE DEVELOPMENT

General Policy

- 368 Paragraph 8c of the NPPF talks about the environmental objectives of sustainable development and requires protection and enhancement of our natural, built and historic environments; including making effective use of land, improving biodiversity, using

natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 369 LPP GG6 concerns increasing efficiency and resilience in London and requires those involved in planning and development must: (a) seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zerocarbon city by 2050 and; (b) ensure buildings and infrastructure are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect.
- 370 CS Objective 5 sets out Lewisham's approach to climate change and adapting to its effects, and the London Plan approach is reflected in CSP 7 'Climate change and adapting to the effects' and CSP 8 'Sustainable design and construction and energy efficiency' which states that the Council will explore opportunities to improve the energy standards and other sustainability aspects involved in new developments and that it will expect all new development to reduce CO2 emissions through a combination of measures including maximising the opportunity of supplying energy efficiently by prioritising decentralised energy generation for any existing or new developments and meet at least 20% of the total energy demand through on-site renewable energy.
- 371 CSP 8 requires non-residential development to achieve a minimum of Building Research Establishment Environmental Assessment Method 'Excellent' standard.
- 372 DMP 22 'Sustainable design and construction' provides further guidance in terms of how all developments will be required to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling.

Energy and carbon emissions reduction

Policy

- 373 LPP SI2 'Minimising greenhouse gas emissions' sets out energy strategy requirements for major development proposals, LPP SI3 'Energy infrastructure' sets out requirements for energy infrastructure, and LPP SI4 'Managing heat risk' sets out requirements to manage heat risk.
- 374 LPP SI2 states that major development proposals should be net zero-carbon which means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy: (1) be lean: use less energy; (2) be clean: supply energy efficiently; (3) be green: maximise opportunities or renewable energy; and (4) be seen: monitor, verify and report on energy performance. The policy requires a minimum on-site reduction of at least 35 per cent beyond Building Regulations for major development and where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on site, any shortfall should be provided through a cash in lieu contribution to the borough's carbon offset fund or provided off-site.
- 375 LPP SI 3 details the approach to energy infrastructure and states that major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system and that the heat source for the communal heating system should be selected in accordance with the following heating hierarchy:
- a) connect to local existing or planned heat networks
 - b) use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)

- c) use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
- d) use ultra-low NOx gas boilers

376 The policy also notes that CHP and ultra-low NOx gas boiler communal or district heating systems should be designed to ensure that they meet the requirements in Part B of Policy SI 1 Improving air quality. Furthermore, where a heat network is planned but not yet in existence the development should be designed to allow for the cost-effective connection at a later date.

377 CSP 8 'Sustainable design and construction and energy efficiency' seeks to minimise the carbon dioxide (CO2) emissions of all new development and encourages sustainable design and construction to meet the highest feasible environmental standards

378 DMP 22 'Sustainable design and construction' requires all developments to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy.

Discussion

379 The submitted sustainability statement sets out that: 'The design has been developed to address the energy performance policy requirements of The London Plan 2021. A target CO2 reduction has therefore been set at 35% relative to the Building Regulations 2021, through the application of the energy hierarchy. Results have been calculated using Government approved SAP 10 and SBEM software. The proposed development features improved insulation standards when compared against the compliance requirements of Approved Documents L1 and L2 2021 of the Building Regulations.

380 In addition, the proposed development will incorporate a mechanical and electrical specification that surpasses the requirements of Approved Documents L1 and L2 2021. These combined energy efficiency measures lead to a reduction in CO2 emissions equivalent to 10% of the baseline for the domestic part of the development and 17% of the baseline for the non-domestic part. These meet the target reductions of 10% and 15% respectively, as required by the London Plan. An assessment has been carried out to determine the potential for renewable energy systems to reduce CO2 emissions further.'

381 Elsewhere in the report, reference is made to the site being within a heat priority area but there being no planned heat networks. Reference is made to maintaining the possibility for a connection at a later date.

382 The sustainability statement also sets out that 'the proposal is for air source heat pumps to be installed to meet each of the dwellings heating and Domestic Hot Water demand and a photovoltaic system to be installed on the available roof area of the building. Commercial units are to be heated via air source heat pumps.'

383 Furthermore that 'This development will seek to achieve a reduction in CO2 emissions equivalent to 57% of the baseline through the installation of air source heat pumps and a 10 kWp PV system. The total reduction in carbon emissions resulting from energy efficiency measures and the installation of renewable technology is 68% for the domestic part of the development and 56% for the non-domestic part. This surpasses the target reduction of 35%, as required by the London Plan. A 100% reduction in CO2 emissions is to be achieved by way of a cash in lieu payment to the London Borough of Lewisham of £61,328.'

384 The sustainability team have reviewed the submission documents and support the principle of the energy strategy on the application site but there are concerns with the absence of a comprehensive sustainability and energy strategy across the masterplan area. It was also questioned whether there was sufficient space for ASHP and solar panels given the amenity spaces and again how this would work across the site with public realm, SUDs and biodiversity measures. Given the absence of information on uses, it was questioned how much mechanical ventilation would be relied upon to mitigate air quality and noise impacts.

Urban Greening

Policy

385 LPP G5 'Urban greening' identifies that development should contribute towards urban greening, with a target Urban Greening Factor (UGF) of 0.4 recommended for developments that are predominately residential. The UGF is calculated on the basis of a weighting given to different surface finishes ranging from hard and soft landscaping through to intensive and extensive green roofs on a development. The aggregate of the areas multiplied by the weighting is then divided by the total site area to provide a UGF for a development scheme.

Discussion

386 The Urban Greening Factor is listed as 0.52 which would be compliant with the relevant policy. However, the ecological regeneration officer has noted that 'the UGF mentions living roofs but there are no further details provided. It is unclear if the UGF calculation considered a biosolar system or the size of the proposed living roof will be reduced due to PV panel installation on the roof in which case the UGF needs to be recalculated.'

387 Furthermore, as noted in the DRP comments: 'The Panel challenged the roof garden design. The raised planters will in effect reduce the balustrade/ parapet height leading to one of two options:

- An increase in the height of the parapets/balustrades to the roof garden which will affect the elevational and sectional design.
- The area of planting is reduced to allow the parapet/balustrade heights to remain as designed

388 Along with the requirements to revisit the amenity space to the rear of the building, it is not clear the proposed UGF factor can be achieved with a satisfactory design. Further design development work is needed on the scheme itself but also should be considered in terms of the wider masterplan area.

Flood Risk

Policy

389 NPPF paragraph 159 expects inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Paragraph 166 states development should only be allowed in areas at risk of flooding where mitigation measure can be included. Paragraph 168 expects major development to incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be inappropriate

390 LPP SI12 'Flood risk management' requires development proposals to ensure that flood risk is minimised and mitigated, and that residual risk is addressed. LPP SI13 'Sustainable drainage' states that development proposals should aim to achieve

greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible, in line with the identified drainage hierarchy.

391 CSP 10 'Managing and reducing the risk of flooding' requires developments to result in a positive reduction in flooding to the Borough. The policy also requires applicants demonstrate that the most sustainable urban drainage system that is reasonably practical is incorporated to reduce flood risk, improve water quality and achieve amenity and habitat benefits.

Discussion

392 The proposed development is a more vulnerable development and is located entirely within Flood Zone 1 and as such is deemed appropriate according to the Planning Practice Guidance and Sequential Test.

393 The flood risk officer has summarised that the application is proposing the following key items:

- Types of conveyance / attenuation features: Green roofs, permeable paving, attenuation tank.
- Runoff rate restriction (l/s): 2 l/s, this is greater than the greenfield rates (within 3x greenfield rates), however provides significant betterment compared to the existing runoff rates.
- Runoff attenuation volume (m3): 159.6
- Maintenance plan: A maintenance plan has been provided, but with no tasks / frequencies for the green roofs. A maintenance owner has not been provided

394 The officer has made the following comments:

- This application has not sufficiently demonstrated the use of the London Plan's drainage hierarchy. We object to the application for the following reasons:
- The applicant has not provided sufficient justification for the non-inclusion of rainwater harvesting techniques. The applicant should consider the use of water butts / raingardens.
- The applicant states on page 6 of the Surface Water Drainage Strategy Report that "Temporary storage will be provided within the attenuation tank to balance the volumes prior to discharge to the watercourse." However, elsewhere within the report, the proposed discharge is noted as being to the Thames Water combined sewer.
- The applicant states a proposed runoff rate of 2.0l/s in the 1 in 30-year storm. However, the calculations provided in Appendix H of the Surface Water Drainage Strategy Report show a discharge rate of 2.0l/s in the 1 in 30-year storm
- The applicant has not provided the greenfield runoff volume.
- The applicant has not clearly stated the proposed area and attenuation volume for each SuDS feature.
- The Surface Water Drainage Strategy Report lists a site area of 2,239m². However, the application form states an area of 7,251m².

- The drainage calculations only account for the impermeable area, and not the whole site area.
- The drainage calculations provided state that the “Half Drain Time has not been calculated as the structure is too full”. The applicant is required to provide a drawing showing exceedance flows.
- The maintenance strategy does not contain the maintenance tasks and strategies for the green roofs.
- A maintenance owner has not been stated.
- Thames Water has not been consulted regarding the proposed connection to the combined sewer.

Sustainable Infrastructure conclusion

395 As outlined above, there is a substantial amount of missing/ conflicting information in relation to flood risk and sustainable urban drainage. There are also design changes that would impact the UGF factor. As such, the proposal does not comply with relevant policy and this will be included as a reason for refusal.

NATURAL ENVIRONMENT

General Policy

396 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning. The NPPF (Chapter 15) and NPPG promote the conservation and enhancement of the natural environment and set out several principles to support those objectives.

397 The NPPF at paragraph 185 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.

398 LPP G1 ‘Green infrastructure’ sets out the vision for green infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

Ecology and biodiversity

Policy

399 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.

400 NPPF paragraph 174 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. NPPF paragraph 180 sets out principles which LPAs should apply when determining applications in respect of biodiversity.

- 401 LPP G6 'Biodiversity and access to nature' states that Sites of Importance for Nature Conservation (SINCs) should be protected, that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively, and that development proposals should aim to secure net biodiversity gain.
- 402 CSP 12 'Open space and environmental assets' seeks to preserve or enhance local biodiversity. DMP 24 'Biodiversity, living roofs and artificial playing pitches' requires all new development to take full account of biodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity.

Discussion

- 403 The ecological regeneration officer has made the following comments on the scheme: The PEA complies with requirements of best practice and the Lewisham Biodiversity Planning Guidance. Due to the current limited biodiversity value of the site there is potential to improve the site and deliver net gain for biodiversity.
- 404 Bats and breeding birds are legally protected (e.g. Wildlife and Countryside Act 1981, Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) and it is an offence to deliberately kill, injure, disturb or capture them. Demolition could affect a bat roost (or nesting birds) in a building and two buildings were identified to have low potential for supporting bat roosts. Further surveys were recommended by the PEA. These surveys have not yet been conducted or provided with the application as recommended, therefore we cannot "fully assess the potential effects of the proposals on protected species". Sydenham is one of the hotspots for bats in Lewisham (see appendix 3 of BAP) so bats in this area need to be properly considered.
- 405 The outline CMP does not even mention biodiversity or any provisions on how to avoid impact on wildlife during construction.
- 406 In general, the proposed plans do not seem to maximise opportunities to improve the site by soft landscaping at ground level as the majority of the site is proposed to be built on or covered with hardstanding (e.g. parking spaces). There is also a discrepancy between the proposed drawings and landscape design drawings at ground level. The former proposes 5 parking spaces and 5 new trees, while the latter (3.1.1) only 2 parking places and 6 trees.
- 407 Living roofs, wildlife friendly planting and podium level landscaping are welcomed in principle. However none of these will be publicly accessible. GR2, point I of the emerging Local Plan (Reg 19 version) requires that "Development proposals, should maximise opportunities to introduce new publicly accessible open space, giving priority to green space, as well as improve connections to existing or planned new open spaces, particularly in areas of open space deficiency. Major developments must incorporate new publicly accessible open space unless it can be clearly demonstrated that this is not feasible, in which case off-site contributions may be required." The site is located in an area of deficiency to open space (>2 and >20 ha) and it is a major development therefore publicly accessible open space must be incorporated in the development.
- 408 Officer comment: Overall there is clearly potential to increase biodiversity measures on site. However, at present, given the previously mentioned issues with the roof level amenity spaces as presented, officers cannot conclude the living roofs, wildlife planting and roof level landscaping as presented will be proposed. The ecological regeneration officer raises concerns about public open space and the lack of public realm within this scheme and lack of detail on delivery of a site wide public realm/ open space strategy has been raised in various policy sections/ consultation comments throughout the report. Furthermore, the applicant has not complied with the recommendations of their submitted PEA report which requires further bat testing and as such officers are not in

receipt of the necessary information to support this application. For the reasons outlined above, biodiversity will be included within the reasons for refusal.

Ground pollution

Policy

- 409 Failing to deal adequately with contamination could cause harm to human health, property and the wider environment (NPPG, 2014). The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil pollution. Development should help to improve local environmental conditions.
- 410 The NPPF states decisions should contribute to and enhance the natural and local environment by remediating and mitigating contaminated land, where appropriate (para 170). Further, the NPPF at para 178 and NPPG states decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination.
- 411 DMP 28 'Contaminated land' provides the policy basis for assessing development proposals in terms of site contamination.
- 412 Contaminated land is statutorily defined under Part 2A of the Environmental Protection Act 1990 (EPA). The regime under Part 2A does not take into account future uses which need a specific grant of planning permission. To ensure a site is suitable for its new use and to prevent unacceptable risk from pollution, the implications of contamination for a new development is considered by the LPA.
- 413 The test is that after remediation, land should not be capable of being determined as "contaminated land" under Part 2A of the EPA. If there is a reason to believe contamination could be an issue, developers should provide proportionate but sufficient site investigation information (a risk assessment) to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an acceptable level. DEFRA has published a policy companion document considering the use of 'Category 4 Screening Levels' in providing a simple test for deciding when land is suitable for use and definitely not contaminated land.
- 414 The risk assessment should also identify the potential sources, pathways and receptors ('pollutant linkages') and evaluate the risks. This information will enable the local planning authority to determine whether further more detailed investigation is required, or whether any proposed remediation is satisfactory.
- 415 At this stage, an applicant may be required to provide at least the report of a desk study and site walk-over. This may be sufficient to develop a conceptual model of the source of contamination, the pathways by which it might reach vulnerable receptors and options to show how the identified pollutant linkages can be broken.
- 416 Unless this initial assessment clearly demonstrates that the risk from contamination can be satisfactorily reduced to an acceptable level, further site investigations and risk assessment will be needed before the application can be determined.

Discussion

- 417 The applicant has submitted a contaminated land report which has been reviewed by environmental health. No issues are raised with the desk top study subject to the inclusion of conditions.

Air pollution

Policy

- 418 NPPF para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality. Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality. Poor air quality affects people's living conditions in terms of health and well-being. People such as children or older people are particularly vulnerable.
- 419 LPP SI1 states new development amongst other requirements must endeavour to maintain the best ambient air quality (air quality neutral) and not cause new exceedances of legal air quality standards.
- 420 CSP 7 reflects the London Plan. CSP 9 seeks to improve local air quality. DMP 23 sets out the required information to support application that might be affected by, or affect, air quality. Further guidance is given in the Mayor of London's Air Quality Strategy.

Discussion

- 421 Whilst environmental health have reviewed the air quality report and raised no issues subject to the inclusion of conditions, the air quality report as submitted does not take in to account the proposed uses within the master plan area and the cumulative impacts on air quality in the area. In the absence of this information officers cannot make a full assessment of air quality and what mitigation will be provided to conclude that the proposal will comply with relevant policy. This will form part of the reasons for refusal.

Water quality

Policy

- 422 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution. Development should, wherever possible, help to improve local environmental conditions such as water quality, taking into account relevant information such as river basin management plans.

Discussion

- 423 There are no known issues with contaminants in the area and Thames Water were consulted as part of the application but no response was received. On this basis, it is assumed there are no issues with pollution or supply and that the proposal complies with the abovementioned policy.

Noise pollution

Policy

- 424 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions.
- 425 With regard to internal noise levels, Part E of the Building Regulations controls noise transmission between the same uses and is usually outside the scope of Planning.

- 426 Planning controls the effect of noise from external sources on residential uses and noise transmission between different uses. The relevant standard is BS: 8233:2014. This states the internal noise levels within living rooms must not exceed 35dB(A) during the daytime (0700-2300) and 30 dB(A) in bedrooms during the night (2300-0700).
- 427 With respect to external areas, BS 8233:2014 recommends that external noise level does not exceed 50dB LAeq,T with an upper guideline of value of 55dB LAeq,T
- 428 Policy D13 'Agent of Change' of the Intend to Publish London Plan places the responsibility for mitigating impacts from existing noise generating activities or uses on the proposed new noise-sensitive development. Policy D13 goes on to state that Boroughs should ensure that planning decisions reflect the Agent of Change principle and take account of existing noise generating uses in a sensitive manner when new development is proposed nearby.

Discussion

- 429 As outlined in the 'Consultation' section of the report, the environmental health (noise) officer has raised concerns about conflicting information in the submitted noise report and is seeking clarity that the proposals meet the required standards.
- 430 The officer has also asked about assumptions for plant and equipment on site and this links to the wider question about the proposed employment uses assumed on the application site and the adjoining sites. Whilst it's appreciated these commercial uses need some flexibility to ensure uptake from a range of occupants, some options and assumptions need to be tested to ascertain the environmental conditions as well as access, servicing and mitigation measures required to avoid the colocation of intensified uses and residential uses conflicting.
- 431 It would be assumed that the new employment space although intensified would be insulated and arranged in such a way that it would not cause more harm to adjacent occupiers than the existing arrangement. However, given the absent/ conflicting information in the noise report, officers are unable to make this assessment.

Natural Environment conclusion

- 432 There is insufficient information in the noise, air quality and ecology reports to demonstrate that the proposed/ required mitigation measures can be delivered on site. Therefore officers are unable to conclude that the proposal complies with the relevant policies and as such the absence of information in these respective areas will be incorporated as a reason of refusal.

PUBLIC HEALTH, WELL-BEING AND SAFETY

General Policy

- 433 Paragraph 130 of the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. LPP D3 and D11 and CSP 15 also requires design to minimise crime and fear of crime.

Discussion

434 The secure by design officer was consulted as part of the application and with the incorporation of conditions to secure measures, considered the site would be safe and comply with secure by design principles

LOCAL FINANCE CONSIDERATIONS

435 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

- a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

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

437 The CIL is therefore a material consideration.

438 £142,520 Lewisham CIL and £125,760 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

CONCLUSION

439 This application has been considered in the light of policies set out in the development plan and other material considerations. Whilst it is acknowledged the scheme would bring public benefits including 60 new homes with 50% being affordable; new buildings and employment space that would be an improvement to the existing buildings and employment space and; additional jobs and planning obligations that would deliver wider improvements to the borough; there are concerns about the deliverability and viability of 50% housing on the application site and the other planning benefits are what would be expected of any scheme.

440 Overall, the proposal would result in a loss of industrial capacity on the site which would be a departure from the adopted local plan and no exceptional circumstances are demonstrated to show that this would be compliant with the direction of the draft Local Plan. The proposal would therefore fail to comply with Policy 3 in Lewisham's Core Strategy (2011), Site Allocation 48 in the Site Allocations Local Plan (2013), Policy D7 in the London Plan (2021) as well as emerging policies (Site Allocation 9: Willow Way, EC2, EC3, EC6) in the Lewisham Local Plan Proposed Submission Document- Regulation 19 Stage (January 2023).

441 The lack of detail on the proposed uses across the masterplan site results in a failure to demonstrate that the intensified co-location of uses can function at the proposed capacity of the masterplan site. Furthermore, it results in officers being unable to conclude that the proposal would meet the relevant transport, design, public realm or environmental policy (noise, air quality as well as sustainable urban drainage, energy and biodiversity) requirements. The granting of this application in absence of these details could fetter the development opportunity of the adjoining sites and undermine the objectives of the wider site allocation and masterplan area. The proposal would therefore fail to meet policies D3, D13, E6, E7 and SI 11 in the London Plan (2021), Policy E3 in the Lewisham Core Strategy (2011) as well as emerging policies (Site Allocation 9:

- 442 The proposed employment and marketing strategy and employment space design is unacceptable. The proposals would result in the closing of existing businesses on site with no justification/ relocation package proposals and there is insufficient detail on whom future occupants might be and how the space, servicing and fit out requirements will attract a range of businesses. Combined with this there is a lack of detail to show that the site itself can be adequately serviced or that the wider masterplan area won't be impacted by the proposed servicing arrangements, this could impact the quality and uptake of employment spaces and undermine the continued function of the employment location. The proposal is therefore contrary to policies D3, D13, E2, E3, E6, E7, T7 of the London Plan, Policy 14 in the Core Strategy (2011) as well as emerging policies (Site Allocation 9: Willow Way, EC2, EC3, EC6) in the Lewisham Proposed Submission (Regulation 19 Plan).
- 443 No townscape views have been submitted and the proposal does not demonstrate a context based design that responds to local character. The scheme requires significant amendments to the site itself to address the lack of public realm, reconfiguration of amenity spaces and access corridors to allow natural light and ventilation. Furthermore, the building heights in the masterplan area are excessive and without additional information, officers cannot conclude the proposals would result in high quality design or preserve local heritage assets. The proposal is therefore contrary to policies D3, D6 and HC1 in the London Plan (2021); paragraph 126 in the NPPG and paragraphs 127, 130, 199, 200 and 203 in the NPPF (2021) and; sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 444 The proposed development would result in an unacceptable sense of enclosure at William Wood House given the relationship between the two sites, exacerbated by the lower land levels at William Wood House. Furthermore, the masterplan as submitted gives rise for future occupants of the proposed scheme to experience significant loss of light and overshadowing which has not been tested in the submitted daylight/ sunlight report. The proposal would therefore be contrary to policy D6 in the London Plan (2021), Policy 32 in Lewisham's Development Management Local Plan (2014) as well as guidance in the Mayors Housing SPG (2017).
- 445 The proposal fails to provide a housing mix in line with the requirements of the boroughs Strategic Housing Market Assessment. Within the social housing tenure, 5 families on the housing register would miss out on a family home and the applicant has provided no design feasibility or viability justification for this. The proposal would therefore be contrary to policies H4 and H6 in the London Plan (2021), Policy 1 in Lewisham's Core Strategy (2011) and Policy 7 in Lewisham's Development Management Local Plan (2014).
- 446 The submitted noise, flood risk and ecology reports have missing and conflicting information and therefore officers cannot confirm the proposals meet the requirements of the relevant policies. The proposal is therefore contrary to policies G1, G5 and GG6 of the London Plan (2021) as well as paragraphs 8c, 159, 170, 174 and 185 of the NPPF.