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Date: 10 April 2019  
Property Ref: LE/516/A/TP  
Our Ref: DC/18/107210

Mr Williams  
CMA Planning  
113 The Timberyard  
Drysdale Street  
London  
N1 6ND

Dear Mr Williams,

**PERMISSION FOR DEVELOPMENT  
Town and Country Planning Act 1990 (as amended)**

Notice is hereby given that the London Borough of Lewisham, in pursuance of its powers as local planning authority under the above Act, Regulations, Rules & Orders made thereunder, permits the development referred to in the Schedule below subject to the conditions set out therein and in accordance with the application and plans submitted, save in so far as may otherwise be required by the said conditions.

Your attention is drawn to the Statement of Applicant's Rights endorsed overleaf.

The grant of planning permission does not relieve developers of the necessity for complying with any local Acts, Public Health Acts & Regulations, Building Acts & Regulations and general statutory provisions in force in the area or modify or affect any personal or restrictive covenants, easements, etc applying to or affecting either the land to which the permission relates or any other land, or the rights of any person or authorities (including the London Borough of Lewisham) entitled to the benefit thereof or holding an interest in the property concerned in the development or in any adjoining property. In this connection applicants are advised to consult the Highways and Transportation team as to any works proposed to, above or under any carriageway, footway or forecourt. Your particular attention is drawn to the Building Acts & Building Regulations which must be complied with to the satisfaction of approved Building Control Inspectors.

**SCHEDULE**

Application Valid Date: 24 May 2018

Application No: **DC/18/107210**

Development: Demolition of existing garages and structures on land adjacent to Brasted Close SE26 to allow for the erection of a new part 3/part 4 storey building to provide eleven (11) self-contained dwellings (5x1 bed and 6x2 bed inc. 1x 'accessible and adaptable' unit (M4(2)) and 1x 'wheelchair user' unit (M4(3)) at Ground Floor), together with associated refuse and recycling storage facilities, cycle storage, car parking and landscaping works.

## CONDITIONS

### 1. Full Planning Permission Time Limit

The development to which this permission relates must be begun not later than the expiration of three (3) years beginning with the date on which the permission is granted.

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

### 2. Develop in Accordance with Approved Plan

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

Location Plan (Drawing No. ARC\_10 (Rev P2)) revised 05/04/2019; Block Plan (Drawing No. ARC\_11 (Rev P2)) revised 05/04/2019; Landscape Plan (Drawing No. 835\_100 (Rev 03)) revised 05/04/2019; Elevation and Section of Entrances (Drawing No. 835\_200 (Rev 00)); Elevation and Section of Back Fence (Drawing No. 835\_201 (Rev 01)); Elevation and Plan of Bin and Cycle Store (Drawing No. 835\_202 (Rev 01)); Elevation of Building Front (Drawing No. 835\_203 (Rev 00)); Elevation and Section of Seating/Retaining Wall (Drawing No. 835\_204 (Rev 01)); Typical Detail of Boulder and Water Feature (Drawing No. 835\_400 (Rev 00)); Existing and Demolition Site Plan (Drawing No. ARC\_EX\_050 (Rev P2)) revised 05/04/2019; Existing and Demolition Ground Floor Plan (Drawing No. ARC\_EX\_100 (Rev P2)) revised 05/04/2019; Existing and Demolition Roof Plan (Drawing No. ARC\_EX\_101 (Rev P2)) revised 05/04/2019; Existing and Demolition Front Site Elevation (Drawing No. ARC\_EX\_200 (Rev P1)); Existing and Demolition North Site Elevation (Drawing No. ARC\_EX\_201 (Rev P1)); Existing and Demolition Front Elevation (Drawing No. ARC\_EX\_202 (Rev P1)); Existing and Demolition Rear Elevation (Drawing No. ARC\_EX\_203 (Rev P1)); Existing and Demolition North Elevation (Drawing No. ARC\_EX\_204 (Rev P1)); Existing and Demolition South Elevation (Drawing No. ARC\_EX\_205 (Rev P1)); Proposed Site Plan (Drawing No. ARC\_PR\_050 (Rev P2)) revised 05/04/2019; Proposed Ground Floor Plan (Drawing No. ARC\_PR\_100 (Rev P2)) revised 05/04/2019; Proposed First Floor Plan (Drawing No. ARC\_PR\_101 (Rev P3)), revised 05/04/2019; Proposed Second Floor Plan (Drawing No. ARC\_PR\_102 (Rev P3)) revised 05/04/2019; Proposed Third Floor Plan (Drawing No. ARC\_PR\_103 (Rev P2)) revised 05/04/2019; Proposed Roof Plan (Drawing No. ARC\_PR\_104 (Rev P2)) revised 05/04/2019; Proposed Front Site Elevation (Drawing No. ARC\_PR\_200 (Rev P1)); Proposed North Site Elevation (Drawing No. ARC\_PR\_201 (Rev P1)); Proposed Front Elevation (Drawing No. ARC\_PR\_202 (Rev P1)); Proposed Rear Elevation (Drawing No. ARC\_PR\_203 (Rev P3)) revised 08/02/2019; Proposed North Elevation (Drawing No. ARC\_PR\_204 (Rev P1)); Proposed South Elevation (Drawing No. ARC\_PR\_205 (Rev P2)) revised 08/02/2019; Proposed Section AA (Drawing No. ARC\_PR\_300 (Rev P1)); Proposed Section BB (Drawing No. ARC\_PR\_301 (Rev P1)); Proposed View from Brasted Close (Drawing No. ARC\_PR\_400 (Rev P1)); Proposed View from Public Space (Drawing No. ARC\_PR\_401 (Rev P1)); Proposed View from Carlton Terrace (Drawing No. ARC\_PR\_402 (Rev P2)); Below Ground Drainage Layout (Drawing No. 26276/600 (Ver 2))

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

### 3. Construction Logistics Management Plan

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

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

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

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

#### 4. **Site Contamination**

(a) No development shall commence (other than demolition of existing buildings and structures) until:

i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.

ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted, (including subsequent correspondences as being necessary or desirable for the remediation of the site) to and approved in writing by the Council.

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

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

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

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

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

#### 5. **Materials and Design Quality**

(a) The development shall be constructed in those materials as submitted namely: pale brickwork, pale mortar, precast concrete panels, mild steel or powdercoated balconies, balustrade, doors, windows, entrance door and service riser door and

painted solid timber front doors.

(b) Details of the materials outlined in (a) above shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of above ground works (excluding demolition).

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

**Reason:** To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

6. **Refuse Storage**

(a) Prior to commencement of the above ground works (excluding demolition), details for the on-site storage, enclosure, disposal and collection of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority.

(b) The approved details shall be carried out in full prior to occupation of each phase of development and retained thereafter.

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

7. **Cycle Parking Provision**

(a) Prior to first occupation, full details of the cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority.

(b) All cycle parking spaces shall be provided in accordance with the approved details and made available for use prior to occupation of the development and maintained thereafter.

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

8. **Hard Landscaping**

(a) Prior to commencement of above ground works (excluding demolition), drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) must be submitted to and approved in writing by the Local Planning Authority.

(b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

9. **Tree Protection Plan**

No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council. The TPP should follow the

recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

**Reason:** To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

10. **Soft Landscaping**

(a) Prior to commencement of above ground works (excluding demolition), a scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five (5) years must be submitted to and approved in writing by the Local Planning Authority.

(b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

11. **Boundary Treatment**

(a) Prior to commencement of above ground works (excluding demolition), details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the Local Planning Authority.

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

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

12. **External Lighting**

(a) Prior to first occupation, a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the Local Planning Authority.

(b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

(c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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

13. **Delivery and Servicing Plan**

(a) Prior to first occupation, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

14. **Travel Plan**

(a) Prior to first occupation, a user's Travel Plan, in accordance with Transport for London's document '*Travel Planning for New Development in London*' must be submitted to and approved in writing by the Local Planning Authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

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

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

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

15. **Accessible, Adaptable and Wheelchair User Dwellings**

(a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified in the schedule below:

(i) One (1) 'wheelchair user' dwelling (Flat 2) to be provided in accordance with Part M4(3); and

(ii) One (1) 'accessible and adaptable' dwelling (Flat 1) to be provided in accordance with Part M4(2).

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

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

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

16. **Satellite Dishes**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the front elevation or the roof of the building.

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

17. **Plumbing and Pipes**

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

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

18. **Obscure Glazed Windows**

(a) All bedroom windows above Ground Floor on the proposed eastern elevation shall be obscure glazed up to a minimum of 1.7m from finished floor level.

(b) Prior to commencement of above ground works (excluding demolition), details and height of the proposed obscure glazed windows on the eastern elevation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

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

19. **Road Safety Audit**

(a) Prior to commencement of above ground works (excluding demolition), a Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority, which must consider all road and footpath users. Consideration must be given, but not limited, to pedestrians, cyclists, wheelchair and any vulnerable users.

(b) The development shall be carried out in accordance with the Road Safety Audit and must not be occupied until the recommendations made within (a) are implemented in full.

**Reason:** In order to ensure that the development does not prejudice conditions of general safety adjacent to the entrance to the school and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

20. **Parking Management Plan**

Prior to first occupation, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan must include details regarding the allocation and enforcement of the proposed parking spaces and Electric Vehicle Charging Points (EVCP's).

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

## INFORMATIVES

A. **Positive and Proactive Statement**

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

B. **Community Infrastructure Levy (CIL)**

As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An 'assumption of liability form' must be completed and before development commences you must submit a 'CIL Commencement Notice form' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at:

<http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>

C. **Code of Practice**

You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.

D. **Dust Minimisation**

In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.

E. **Section 111 Agreement**

You are advised that the approved development is subject to a Section 111 agreement, which covenants the applicant to enter into a Section 106 agreement. Please ensure that the obligations under the Section 106 agreement are addressed in accordance with the details and timeframes set out in the agreement. If you have any questions regarding the agreement or how to make a payment or submission required under the agreement, please contact the S106/CIL team on [CIL@lewisham.gov.uk](mailto:CIL@lewisham.gov.uk).

F. **Secured by Design Guidance**

The proposed boundary treatment adjacent to the School should consider the guidance within the *Secured by Design Guidance Document "New Schools 2014"* for further information.

G. **Construction Management Plan**

The Construction Management Plan should be written with consideration to school safety and the St Bartholomew's drop-off and pick up times (08:30 -09:15 and 15:15-15:45).

Yours sincerely



Vivian Evans  
Head of Planning



## **Statement of Applicant's Rights arising from Grant of Planning Permission subject to conditions:-**

### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of the London Borough of Lewisham to refuse planning permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel No. 0303 444 5000, Email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk) or fill in a form online via <https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Planning Inspectorate that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Planning Inspectorate.

### **Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the London Borough of Lewisham. This notice will require the London Borough of Lewisham to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 Part VI of the Town and Country Planning Act 1990.