

Committee	PLANNING COMMITTEE (B)	Item No. 7
Report Title	THE GREYHOUND PUBLIC HOUSE, 315 KIRKDALE SE26 4QB	
Ward	Sydenham	
Contributors	Steve Isaacson	
Class	PART 1	Date 18 MARCH 2010

Reg. Nos.

- (A) TP - DC/09/72790 & DC/09/72790A
- (B) CAC - DC/09/72939

Applications dated

- (A) 19.2.10 as revised
- (B) 19.2.10

Applicant

DP9 on behalf of Wealdfrost Ltd

Proposals

- (A) Proposed partial demolition of The Greyhound Public House, 309-315 Kirkdale SE26 and full restoration to create a self-contained, Use Class A3/A4 unit in the centre of a new public square, the construction of two new, part three/part four/part five-storey residential blocks, containing 40 residential units, with commercial uses (Class A1, A3 and A4) on the ground floor, restoration of the Spring Hill building, including removal of the existing pitched roof and the addition of a second storey, together with the provision of associated private amenity space, 11 parking spaces, motorcycle parking, storage for 56 cycles, refuse storage facilities and servicing, plus alterations to the existing access from Spring Hill and closure of the existing access from Kirkdale.
- (B) Conservation Area Consent for the partial demolition of The Greyhound PH.

Applicant's Plan Nos.

- (A) Design & Access Statement, Daylight and Sunlight Report, Transport Statement & Addendum, Noise & Vibration Impact Assessment, Historic Buildings Report, Planning Statement, Statement of Proposed Planning Obligations, Existing Drawings 202\_0001, 0010, 0011, 0012; Building Survey 16/01 - Ground, First, Basement, Elevations 1-2 & 3-4, Sections 1-2, 3-4 & 5; Tree Survey TCP1; Proposed Plans 202\_0100 Rev F, 202\_1100 revV, 1101 revS, 1102 revS, 1103 revS, 1104 revT, 1105 revR, 1106 Rev G, 1201 revK, 1202 rev L, 1203 Rev

G, 1204 revH, 1205 revG, 1206 rev J, 1207 Rev J, 1209 Rev J, 1210 Rev D, 1214 H, 1215 Rev H, 1225 Rev C & 1230 Rev D; Demolition Plans 202-0020A & 0021A; 0022

(B) Demolition Plans 202-0020A & 0021A; 0022

### Background Papers

- (1) Case File - LE/240/315/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) The London Plan (February 2008) Consolidated with Alterations Since 2004
- (4) PPS 1: Delivering Sustainable Development
- (5) PPS 3: Housing
- (6) PPG 15: Planning and the Historic Environment
- (7) PPG 24: Planning and Noise

### Zoning

Adopted UDP - Sydenham Town Centre / non-core frontage, Cobb's Corner Conservation Area / Locally Listed Buildings

## **1.0 Property/Site Description**

- 1.1 The application site is located on the north side of Kirkdale, on the east side of the roundabout junction with Spring Hill and Westwood Hill, locally known as "Cobb's Corner". It comprises a derelict two-storey Victorian public house known as "The Greyhound" with associated car parking to the side and rear of the public house. To the rear of the main building is a small hardstanding, formerly used as a beer garden. The front forecourt of the building facing onto Kirkdale has also been laid out as an outside drinking area for many years.
- 1.2 The existing building group contains a number of elements, constructed mainly in the 19th century. The public house has been vacant and boarded up since June 2007. There is a single-storey shop extension located in the south-west corner of the pub.
- 1.3 The site lies within the Cobb's Corner Conservation Area, which was designated in September 2007 and the Greyhound is locally listed as being of architectural or historic interest. The Greyhound Public House was considered for statutory listing by English Heritage in September 2007 and it was recommended that the building not be added to the statutory list. The English Heritage report gives a comprehensive description of the building's history, appearance and its significance and this is included as an appendix to the Historic Buildings Report submitted by the applicant.
- 1.4 The site is L-shaped, with part of the rear car park area extending behind the Kirkdale frontage buildings (321-325 Kirkdale), such that the eastern site boundary abuts the west side of the Sydenham railway line. The site area measures 3,134 m<sup>2</sup> and the site has a Public Transport Accessibility Level (PTAL) rating of 5.

- 1.5 The buildings immediately to the south-east of the application site are a pair of retail premises at 321-323 Kirkdale, and a public house at 325 Kirkdale. These buildings are three stories in height, with commercial uses on the ground floor, with either residential or storage uses above.
- 1.6 To the north are residential properties in Peak Hill Gardens, numbered 1-21 Peak Hill Gardens, which are a terrace of Victorian properties, some of which have been divided into flats.
- 1.7 On the south side of Kirkdale is a row of elegant Victorian shops with three stories of residential over. To the west of these is a grand early Victorian mansion called 'Old Cedars', 258 Kirkdale, which is a Grade 2 listed building, used as an old peoples home.
- 1.8 Kirkdale, Sydenham Road Westwood Hill are classified roads, linking to Forest Hill to the north-west and Crystal Palace to the west. The application lies on the north-east side of the roundabout junction at the intersection of Kirkdale by Westwood Hill to the west and Spring Hill to the north. (Note that Kirkdale ends and Sydenham Road begins at the railway bridge itself, not at the Cobb's Corner roundabout.) The Lawrie Park Road junction with Westwood Hill lies 60 metres west of the roundabout.
- 1.9 The main access to Sydenham Railway Station is from Sydenham Station Approach, whose junction with Sydenham Road lies just to the east of the railway bridge. Sydenham Station lies on the main line running south through Forest Hill and Sydenham from London Bridge and Victoria to Gatwick Airport and the south coast. There is a secondary pedestrian access to the station from Peak Hill Gardens.
- 1.10 The railway line is running into a deep cutting alongside the site and the eastern site boundary abuts the substantial retaining wall which forms the flank of the cutting. The eastern end of the site faces directly across the railway to the station entrance buildings and the southbound platform. Somewhat unusually, the platforms at Sydenham Station are not opposite each other. The northbound platform is located further to the north, commencing close to the bend in Peak Hill Gardens. This platform is linked to the east side of the railway by a pedestrian footbridge. Recent improvements have been carried out at the entrance to the northbound platform in Peak Hill Gardens to create any new automated station access, tied into the rollout of Oyster Card travel arrangements for the capital.

## **2.0 Planning History**

- 2.1 A public house has existed on this site for many years, probably since at least the 1720s. There have been various extensions and alterations over the years, most of which date back to before current planning controls were introduced.
- 2.2 The most recent decisions relate to changes to car parking. In July 1991, planning permission was granted for the alteration of the vehicle crossover and alterations to the car park of The Greyhound to provide 76 car parking spaces.
- 2.3 In February 1993, permission was granted for alterations to the car park layout at The Greyhound to provide 61 parking spaces together with landscaping, the erection of an automatic control barrier at the entrance onto Kirkdale and a 2 metre high fence facing Spring Hill.

- 2.4 In September 1997, temporary planning permission was granted for the use of part of the car park at The Fewterer and Firkin Public House (a short-lived renaming of The Greyhound by the then owners) for a car boot and arts and craft stalls market between the hours of 11 AM and 3 PM on Sundays. This permission expired in September 1998 and has not been renewed.
- 2.5 On 5 September 2007, Lewisham Council designated a new Conservation Area based on Cobb's Corner, which includes the application site. At the same time, the Greyhound public house was added to the Council's list of buildings of local architectural or historic interest.
- 2.6 In November 1998, applications were submitted to the Council for Conservation Area Consent for partial demolition of the existing Greyhound buildings and planning permission for a mixed use development of the site, comprising a retained public house, new public square, new retail / commercial units with residential above providing a total of 42 residential units (DC/08/70396 and DC/08/71394).
- 2.7 Following local consultations, including a Local Meeting, and negotiations with the applicant regarding possible amendments to the proposals, a new application has been submitted and the previous applications have been treated as withdrawn.
- 2.8 The application was then submitted with Certificate A, stating that the applicant Wealdfrost Ltd were the only owners of all of the site. It has since come to light that ownership of part of the site is unknown and hence a Certificate C regarding ownership has been submitted and the relevant advertisement printed in the News Shopper.

### **3.0 Current Application**

- 3.1 The new application is for Conservation Area consent for the partial demolition of the Greyhound Public House and for planning permission for full restoration to create a self-contained A3/A4 unit in the centre of a new public square, the construction of two new, part three/part four and part five-storey residential blocks, containing 40 residential units, with commercial uses (A1, A3 and A4) on the ground floor, restoration of the Spring Hill building including the removal of the existing pitched roof and the addition of a second storey and the provision of associated private amenity space, 11 parking spaces, motorcycle parking, storage for 56 cycles, refuse storage facilities and servicing, plus alterations to the existing access from Spring Hill and closure of the existing access from Kirkdale.
- 3.2 The current application is broadly similar to that previously submitted. The main elements are as follows:-
  - The existing public house will be retained, albeit with the demolition of some existing elements at the side and rear, to provide a self-contained two-storey A3/A4 unit located in the centre of a new public square. The majority of the surrounding buildings would be demolished, with the exception of the cottage fronting Spring Hill.
  - The construction of two new blocks containing commercial uses on the ground floor with residential above. These blocks are orientated in a north-south, east-west manner so as to create a new public square. The proposed residential buildings would provide a total of 40 flats, of which 14 would be affordable.
  - The commercial uses of the ground floor of the new build and Spring Hill

cottage will comprise a mix of A1/A3/A4 units totalling 720 m<sup>2</sup>.

- Eleven car parking spaces would be provided; four for residents, two commercial parking spaces, one disabled parking space and four parking spaces for car club use.
- Provision of a motorcycle parking area and cycle parking facilities for a minimum of 56 bicycles.

- 3.3 There are a number of significant changes between the current submission and the previous scheme. The northern block running east-west, which was previously part four-storey and part five-storey, has been reduced in height and redesigned to be part three-storey and part four-storey, with a five-storey element at its eastern end, closest to the railway boundary.
- 3.4 The north-south orientated block has been increased from a part four-storey and part five-storey building to a uniform five stories across its length and the building line has been extended up to the east-west block, whereas previously there was a gap from first floor upwards.
- 3.5 In addition, the Spring Hill cottage is to be retained, with alterations to increase its height by one storey, involving the removal of the existing roof and construction of an addition floor (using reclaimed stock bricks salvaged following demolition of the northern bay of the building) with new parapet roof. It is proposed that the ground floor of this retained building would be converted for retail use and this would be connected to the proposed retail space within the new development to the east. It is proposed to restore the original Victorian shopfront.
- 3.6 The commercial floorspace achieved totals 657 m<sup>2</sup>, plus the retained public house of 286 m<sup>2</sup>, giving a total of 943 m<sup>2</sup>. This has been achieved by reconfiguring the location of the access cores so that they are more efficient and including the relocated cycle store.
- 3.7 The number of residential units has decreased slightly from 42 units to 40. Of these, 26 would be private and 14 would be provided as affordable housing. The revised mix would provide 12 one-bedroom, 11 two-bedroom and 17 three-bedroom units. The ground floor has been remodelled to accommodate an extra unit (compared to the 39 included in the planning application as submitted in October 2009) in order to address the issue of provision of wheelchair units. Three units would be provided on the ground floor which would meet SEHLP standards and can be adapted to accommodate wheelchair occupiers, being 1 one-bedroom flat and 2 two-bedroom flats. In order to accommodate this additional unit, the cycle store has been relocated into part of the proposed commercial space.
- 3.8 The documentation submitted in support of the application includes a Design & Access Statement, Sunlight & Daylight Assessment, Transport Statement, Noise & Vibration Impact Assessment, Historic Buildings Report, Planning Statement and Statement of Proposed Planning Obligations.
- 3.9 With regard to affordable housing, this will be provided at 35% measured by unit, breaking down into 14 affordable residential units and 26 private units.

#### Daylight and Sunlight Report

- 3.10 The applicant has submitted a Daylight and Sunlight Report, prepared by GIA, which considers the development potential of the site and impact of the proposed

buildings in the context of the Building Research Establishment (BRE) guidelines 'Site Layout Planning for Daylight and Sunlight'.

### Transport Statement

- 3.11 The applicant has submitted a detailed Transport Statement, prepared by Savell Bird and Axon, plus an Addendum Transport Statement dealing with the changes that have occurred from the original submission to the current application. Overall, the report concludes that the increase in parking for the car club from 2 to 4 spaces is seen to be a benefit and will provide future residents with greater access to a car without having the need to own one, thus improving sustainable travel whilst reducing the demand for one-street parking.
- 3.12 The amendments to the proposals, involving a reduction in the number of residential units from 42 to 40 and a slight increase in commercial floorspace will have little or no effect on the local highway network compared to the previous application. The proposed improvements to Sydenham High Street are also considered in the report and it is concluded that these would not be affected by development on the application site. Overall, the report concludes that the proposed development is acceptable in traffic and transportation terms.

### Noise and Vibration Impact Assessment

- 3.13 A report has been submitted with regard to noise and vibration impact assessment, prepared by WSP Acoustics. This study has been undertaken in order to assess the suitability of the Greyhound site for residential development, given the possibility of noise / vibration disturbance to future residents from either the Sydenham railway line or Kirkdale. Further details are set out in the Planning Considerations section below.

### Historic Buildings Report

- 3.14 This comprehensive report, prepared by Donald Insall Associates Ltd, sets out the historic development of the area, including description and analysis of local buildings and streets. It gives an overview of the development scheme and proposed demolition, as well as works to the locally listed public house and works to the Spring Hill cottages.
- 3.15 The following elements of the existing building group would be demolished:-
- The c1876 single-storey shop extension located in the south-west corner of the pub.
  - The 1880s two-storey building to the north of the pub.
  - The heavily-altered rear elements of the pub.
  - The two-room deep and one-bay wide north section of the cottage building fronting Spring Hill and its roof structure.
- 3.16 The main purpose is to retain those elements of both historic buildings on the site which positively contribute to the Conservation Area and demolish those elements of the pub and Spring Hill cottages which are of lesser interest.
- 3.17 The conclusion of the Historic Buildings Report is as follows:-

*"The main interest of the site lies in the street-facing element of the c1873*

*Greyhound Public House and the street elevation of the cottage on Spring Hill, a modest residential building of 1876. Both buildings are of no particular architectural merit. They are of some local historic interest insofar as they illustrate the late 19th century development of the local area. As such they contribute positively to the Conservation Area which is characterised by properties of a similar age and appearance*

*The proposal would retain, refurbish and bring into viable use those parts of the historic buildings which contribute positively to the Conservation Area, and add to the historic building in Spring Hill in order to mediate between the building height on Spring Hill and that of the proposed development.*

*The proposal includes some demolition; this only pertains to elements of the buildings which do not make a positive contribution to the Conservation Area, and elements which detract from the locally listed building and the character and appearance of the Conservation Area. The proposed carefully considered demolition and subject subsequent refurbishment works would result in a considerable improvement to the setting of the retained historic buildings.*

*The proposed new mixed-use development adjacent to the historic buildings would enhance the character and appearance of the Conservation Area; it is designed in such a way as to be respectful of the neighbouring historic buildings, and it is a high quality design in its own right.*

*The proposal would help to bring back into viable use a site which, while it sits in a prominent location, is derelict. The proposal would help to provide a long term viable future for the historic buildings on site and improve their setting and appearance and that of the Conservation Area."*

#### Section 106 Issues

- 3.18 The applicant has also submitted a Statement on proposed Planning Obligations which sets out their commitment to enter into a Section 106 Agreement that would contain provisions to secure the restoration and refurbishment of the Greyhound Public House including the reinstatement of the former drinking corridor tiles within the building, reinstatement of the stone greyhounds on plinths to the front of the pub, construction of new public realm adjacent to the Greyhound (including its maintenance and public access, plus additional measures in respect of sustainability, transport initiatives, open space, affordable housing, accessibility and housing provision, employment and training, town centre management, health, and monitoring. Further details are set out in the Planning Considerations section of this report.

#### **4.0 Consultations and Replies**

##### Neighbours & Local Amenity Societies etc

- 4.1 Letters of consultation were sent to 280 properties in the surrounding area and Ward Councillors, as part of the planning application process. Notices were also displayed on site and in the local press.
- 4.2 A total of 4 letters of objection have been received from the occupiers of 25 Grace Path, 321 Kirkdale, Flat 2 at 5, & 15B Peak Hill Gardens, plus a letter of support from the Sydenham Society. The main issues raised by the objectors are as

follows:-

- (1) The proposed building is not significantly different in scale from the first application. It remains too high to the boundary with Peak Hill Gardens, which will result in loss of light and amenity to residents. The height of the development will still mean that it will be impossible even to see the sky from the rear of Peak Hill Gardens properties. The gardens of properties in Peak Hill Gardens will become unusable and many garden plants will die.
- (2) There remains insufficient parking both for the residential development and because of the intended retail and leisure uses.
- (3) The development remains unacceptable in design terms in what is supposed to be a conservation area and dominates the centre of that, i.e. the Greyhound itself, in a way that totally detracts from the conservation area.

4.3 The owners of 321 Kirkdale also object on the following grounds:-

- The size of the proposed construction will mean that much of the natural light entering through windows and into the garden of 321 Kirkdale would be blocked by the new development.
- Loss of privacy, as there would be overlooking problems.
- The construction works will cause severe damage to the foundations of 321 Kirkdale.
- The billboard on the side of 321 Kirkdale (which brings valuable income) would be obscured, causing detrimental financial damage.
- The Greyhound is situated within the Cobb's Corner Conservation Area and is a listed building. The erection of 42 flats will no doubt spoil the beauty of this historic building and affect the whole area.
- Noise and disturbance, mess and disruption to everyday living conditions as a result of the implementation of this development proposal.
- Parking - the roads around the Greyhound site are already full because of the commuters and people who use the gym. This is an existing problem and the construction of 42 flats will exacerbate the existing situation.

4.4 A petition has been received, signed by 30 residents and shopkeepers from properties in Kirkdale, Peak Hill, Peak Hill Gardens, Spring Hill, Sydenham Hill, Sydenham Road & Venner Road raising the following issues:-

- Residents and shopkeepers are against this application from getting the thumbs up. If this project is granted, the great heritage of Sydenham (the Greyhound site) which lies within the Conservation Area will lose its character.
- The historical Greyhound site will be replaced with new housing establishments in an area which cannot cope with the extra people.
- Only little adjustments have been made to the plans and residents are disappointed that they have not been involved in the planning process whatsoever.
- This is an area which already suffers with high volume of traffic at certain hours of the day; this is caused by the commuters entering our town; as a result, road usage is increased. There is a daily problem of not being able to find parking spaces because of this. 11 parking slots is just not enough.
- If permission is granted for new shops, how will suppliers deliver orders?
- The development will cause invasion of privacy and the amount of daylight and sunlight entering homes will be reduced.

- The block of flats will just create a cold atmosphere.
- The petitioners state that the Greyhound site is just not suitable for this kind of development and instead they would like to see a quality restaurant, which the Greyhound site is ideal for, with its location and parking. They urge the Council to stop this "frightening and unrealistic development".

#### Local Meeting

- 4.5 A Local 'Drop In' Meeting was held on 21 May 2009 in respect of the previous planning application (DC/09/71394). The main issues raised were:-
- Inappropriate scale of development;
  - Impact on surrounding residents, particularly in Peak Hill Gardens. The proposed buildings would cause significant overshadowing and loss of light of existing houses and flats in Peak Hill Gardens.
  - The proposed buildings would have a significant detrimental impact on existing properties fronting Kirkdale, to the east of the application site.
  - Impact on the Cobb's Corner Conservation Area and the existing Greyhound buildings.
  - Lack of on-site parking.
- 4.6 A Local Meeting has not been held in relation to the current application as it is broadly similar to the previous application that was withdrawn.

#### Sydenham Society

- 4.7 The Sydenham Society welcomes the new application for the development of the Greyhound public house and has no objection to the partial demolition of the pub, for which conservation area consent is required.
- 4.8 The Society welcomes the fact that the developer has responded to local concerns and has lowered the apartment block to the rear by one storey. We welcome the raising of the Spring Hill elevation by an extra storey and note that the treatment of this new element will be in keeping with the existing Victorian architecture. We are aware that the two apartment blocks are now to have 'brown' roofs rather than 'green' roofs and support this for reasons of maintenance and because 'brown' roofs are likely to promote greater biodiversity in urban locations because of the refuge offered to insects. This provides an additional variety of bird food, which attracts feeders to the newly provided, protein-rich, very large bird table.
- 4.9 We welcome the fact that the number of flats has been reduced to 39 since the previous application.
- 4.10 We understand that issues of design and cladding will be dealt with under 'reserved matters' and we intend to make further comments at that stage.

(Letters and Petition are available to Members)

#### English Heritage - Archaeology Advisor

- 4.11 On balance, it does not appear likely that this development scheme would affect archaeology and any requirement for pre or post-determination archaeological assessment / evaluation of the above site can be waived.

### Design Panel

- 4.12 Generally the Panel supported the scheme but noted that the green roofs had been changed to brown. A scheme which previously attracted great support due to its sensitive poetry (support that the community may also offer for the same reason) has been reduced to a somewhat mundane housing block. It is considered that the trees that were once proposed for the roof contributed greatly to the aesthetic qualities of the scheme and should be reintroduced.

### Highways & Transportation

- 4.13 Unobjectionable in principle, subject to:-

- The provision of a Residential & Workplace Travel Plan is required to encourage the use of more sustainable forms of transport.
- The provision of a Parking Management Plan. The plan should provide details of measures to manage the parking/servicing area within the site.
- The provision of 4 car-club spaces/vehicles and an obligation to guarantee their financial viability for a minimum of 2 years from final completion. The car club bays should be accessible (preferably on-street), to allow use by the community as a whole.
- The provision of a Delivery & Servicing Plan (DSP) is required for the commercial element of the development. The plan should rationalise the number and time of delivery and servicing trips to the development, with the aim of reducing the impact of servicing activity.
- The provision of a Waste Management Plan is required. The plan should include details of refuse and re-cycling collection points which should be accessible from within 10m of kerbline. The plan should illustrate how bins will be brought out to a collection point on collection days & returned.
- A Construction and Logistics Plan is required. It should be submitted prior to the commencement of the development and should specify how the impacts of construction activities and associated traffic will be managed.
- The proposed development will generate additional walking and cycle trips. So, a financial contribution is required towards improvements to cycle and pedestrian routes within the vicinity of the site.
- Informative. The applicant should be informed that if planning permission is granted, the implementation of the proposal will require approval by the Council of a Street Naming & Numbering application. Application forms are available on the Council's web site.

## **5.0 Policy Context**

### Government Guidance

- 5.1 Government guidance, as set out in PPG 15 - Planning and the Historic Environment includes the following in Paragraph 2.14:-
- 5.2 "The design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community. This can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. This does not mean that new buildings have to

copy their older neighbours in detail: some of the most interesting streets in our towns and villages include a variety of building styles, materials, and forms of construction, of many different periods, but together forming a harmonious group.”

#### Adopted Unitary Development Plan (July 2004)

- 5.3 Relevant policies in the Adopted Unitary Development Plan (July 2004) include URB 1 Development Sites and Key Development Sites, URB 3 Urban Design, URB 5 Design and Location of High Buildings, URB 6 Alterations and Extensions, URB 8 Shopfronts, URB 9 Signs and Hoardings, URB 12 Landscape and Development, URB 13 Trees, URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas, URB 17 Demolition in Conservation Areas, URB 20 Locally Listed Buildings, URB 21 Archaeology, HSG 2 Housing on Previously Developed Land, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development, HSG 7 Gardens, HSG 8 Backland and In-fill Development, HSG 14 Provision of Affordable Housing, ENV.PRO 10 Contaminated Land, STC 5: Major and District Centres - Non Core Shopping Areas, STC 9 Restaurants, A3 Uses and Takeaway Hot Food Shops, TRN 14 Cycle Parking, TRN 23 Car-Free Residential Development, TRN 26 Car Parking Standards & IRM 3 Community Benefit and Planning Loss.

#### The London Plan (February 2004, Consolidated with Alterations February 2008)

- 5.4 The London Plan policies most relevant to this application are:

2A.1 Sustainability Criteria;  
3A.1 Increasing London's Supply of Housing;  
3A.2 Borough Housing Targets;  
3A.3 Maximising the Potential of Sites;  
3A.5 Housing Choice;  
3A.6 Quality of New Housing Provision;  
3A.8 Definition of Affordable Housing;  
3A.9 Affordable Housing Targets;  
3A.10 Negotiating Affordable Housing;  
3C.21 Improving Conditions for Walking;  
3C.22 Improving Conditions for Cycling;  
3C.23 Parking Strategy;  
4A.3 Sustainable Design and Construction;  
4A.4 Energy Assessment;  
4A.7 Renewable Energy;  
4A.14 Sustainable Drainage;  
4A.20 Reducing Noise and Enhancing Soundscapes;  
4B.1 Design Principles for a Compact City;  
4B.3 Enhancing the Quality of the Public Realm;

## **6.0 Planning Considerations**

- 6.1 The main planning issues are:-

- the impact of the proposed building in the street scene, particularly in relation to the important frontages around the Cobb's Corner roundabout;
- the impact on the Cobb's Corner Conservation Area, including demolition;
- the effect of the building on the amenities of adjoining occupiers, especially those in Peak Hill Gardens and the Kirkdale frontage buildings, including

- overlooking, overshadowing / loss of privacy and visual dominance;
- the effect on protected trees;
- highways / parking / commercial servicing;
- sustainability;
- Section 106 issues.

### Retention of Greyhound Building and Demolition in Conservation Area

- 6.2 There is an important historic association of this public house in Sydenham, i.e. this site has been the location of an inn since the early 18th century. The existing Greyhound pub has been an important community use for over 200 years, and the semi-public space in front of it contributes to the streetscape. It presents a welcoming public face, close to the station. The Greyhound (until its closure two years ago) has provided a vibrant use over extended hours, creating activity into the later evening around the station, which greatly assists the vitality of this part of the town centre, perceptions of public safety, etc. The Council considers it important that any new development should include a similarly vibrant use that positively contributes to the vitality and viability of the town centre. Retail uses that cease to operate at 5 or 6 pm would not be ideal in this respect.
- 6.3 The applicant has submitted a comprehensive Historic Buildings Report, prepared by Donald Insall Associates Ltd. The significant findings from this report are as follows:-
- The buildings on site date from the four main periods of construction:-
    - There are remnants of a former c1730s public house in the north eastern corner of the site;
    - The main structure fronting Kirkdale dates to c1873.
    - Its western extension and the block on Spring Hill date from c1876.
    - A building to the east of the Spring Hill block dates from the 1880s.
  - All the 19th-century elements were likely to have been constructed to designs by local builders, with no architects involved. The design is of no particular quality, with some later elements that detract.
  - All buildings have been heavily altered internally and externally, mostly in the 20th century.
  - The buildings form a disparate conglomerate rather than a coherent group.
  - There is some local historic significance in the fact that there has been a public house on the site for over 250 years.
  - The front building has modest local landmark quality.
- 6.4 The extent of demolition of rear elements of the pub is considered carefully within the Historic Buildings Report and officers agree with the conclusions of this report, as set out in Para 3.16 above.
- 6.5 Consideration is also given to the tiles from the former 'drinking corridor' which was mentioned in the recent consideration by English Heritage, following the request for listing of the building submitted by the Sydenham Society. The existing tile work was stripped out of the 'drinking corridor' by Milford Group, with their stated intention being that the tiles would be stored for future re-use.
- 6.6 The broad approach adopted by the applicant is to reinstate the important architectural features of the building whilst stripping away some of the poorer-quality additions that have been made over the years. This is a balanced strategy

which will enhance the value of the retained elements and makes good use of this town centre site.

- 6.7 The fair faced brick elevations of the pub as well as the window reveals were inappropriately painted in the 1970s, resulting in an unsatisfactory appearance of the outside of the building. It is proposed to remove the paint and return the building to its original appearance. Both the front and the east elevations of the pub have a timber Victorian shopfront at ground floor level. It is proposed that these are refurbished and redecorated, helping to reinstate one of the most important elements of the building. It is also proposed to insert a new traditionally-detailed timber door into the east elevation.
- 6.8 Following the demolition of the rear elements of the building, the pub would feature a newly-exposed north elevation. The applicant has proposed that this elevation be tiled, in response to the lost drinking corridor which historically formed part of the pub and had tiled walls. This, along with a modern glazed opening in the west elevation that would allow views into and out of the building, would be interesting features that would contribute and add interest to the newly-created public area behind and the Conservation Area. Details of these proposed alterations can be reserved by condition.

#### The Spring Hill Building

- 6.9 The retention of the Spring Hill cottage is desirable from a conservation point of view, and the applicant has revised the scheme to retain this building, as requested by the Council's conservation and urban design officers. It provides a historic visual link between the pub and the residential Victorian hinterland of the Conservation Area.
- 6.10 In the planning application, submitted in November 2008, the applicant proposed that this building would be demolished and the new build element would extend out to the Spring Hill frontage.
- 6.11 In the current revised application, the two-storey cottage fronting Spring Hill would be retained but its roof would be removed and a further single storey for residential purposes would be added above. This design was suggested by Council officers and is considered to represent a substantial improvement to the scheme.
- 6.12 The construction of this addition floor (using reclaimed stock bricks salvaged following demolition of the northern bay of the building) with a new parapet roof is considered satisfactory in design terms. The new top storey would be provided with windows to match the fenestration in the floors below, being 'two-over-two' timber sliding sash windows. These alterations and reuse of the building will secure a viable future for the building.

#### New Public Square

- 6.13 The design approach involves the provision of new commercial units on the ground floor grouped in a two-sided square around the retained public house and this approach is supported in design terms.
- 6.14 There was some concern on the original scheme that the proposed part four-storey and part five-storey buildings would be so tall as to architecturally dominate the retained pub, and the relationship to the newly-exposed side and rear elevations of

The Greyhound. The revised submission is considered to overcome this problem.

- 6.15 Overall, in terms of historic building and Conservation Area issues, the Council welcomes the retention of the public house and the principle behind the proposal to create a new public square focused around the public house on the corner of Kirkdale and Spring Hill. It is considered important that any new development promotes a vibrant town centre, which includes evening activity on this important site close to Sydenham Station.

#### Urban Design / Relationships to Nearby Residential Development

- 6.16 The creation of a new unit on the Kirkdale frontage, immediately adjoining the existing Victorian terrace of shops and the pub at 321-325 Kirkdale needs to be carefully designed to integrate into this shopping street and have high-quality architectural detailing to both south and west elevations.

#### Impact on Residential Occupiers in Peak Hill Gardens / Kirkdale

- 6.17 The impact on residents in Peak Hill Gardens requires detailed analysis. The houses in Peak Hill Gardens are directly to the north of the proposed development and have short rear gardens, measuring approximately 7 metres deep to the rear extensions and 12 metres to the main rear face of the buildings. The main buildings are three storeys high and all are provided with two-storey rear extensions. Some of these houses are divided into flats and all appear to make extensive use of their rear south-facing gardens and patios.
- 6.18 There is also a slight change in level between the car park and the gardens and patios of the dwellings in Peak Hill Gardens, which are generally set at a lower level than the car park. Clearly the horse chestnut trees are important in terms of maintaining privacy when in leaf and it is for this reason, along with the amenity value of the trees, that these horse chestnut trees should be retained. A suitable condition to this end is attached to the recommendation.
- 6.19 The GIA Daylight and Sunlight Report, submitted by the applicant, considers the impact of the proposed buildings in the context of relevant BRE guidelines. The report concludes that the vast majority of neighbouring properties surrounding the site will not suffer harm by reason of daylight and sunlight implications. The exception to this are some isolated issues within 9 to 21 (odd) Peak Hill Gardens and 321-323 Kirkdale.
- 6.20 The particular rooms and windows within the Peak Hill Gardens terrace of properties which breach guidelines are unable to satisfy the guidelines despite the existing open site conditions. There are thus inherent design issues which inhibit natural light, given that the rear of the Peak Hill Gardens properties currently look across a mainly empty site.
- 6.21 This design issue relates to the format of a recessed elevation flanked by rear extensions along the length of the terrace, plus the presence of external fire escape stairs, such that these rooms and windows are sensitive to small changes even at quite some distance. As a result, 7 rooms currently breach daylight guidance but given the urban context of the location, the report argues that broadly these losses are relatively minor infringements of guidance when seen within their context. It is argued that the scheme has been designed to avoid material losses of light to the neighbouring buildings and that this aim has been achieved.

- 6.22 Broadly, the scheme retains satisfactory BRE compliant levels of daylight and sunlight for the vast majority of neighbours and represents an improvement on the daylight and sunlight restrictions that would have arisen from the previously-submitted scheme. The isolated breaches principally within the Peak Hill Gardens terrace are not significantly beyond guidance nor, the report argues, to the handful of breaches and mounted to a meaningful loss of amenity and in all cases are driven by the architecture of that elevation.
- 6.23 Officers have generally been more concerned with issues of bulk and visual impact rather than technical compliance with daylight and sunlight guidelines, and it was these concerns which led to further negotiations with the applicant on the overall height of the east-west block and the reduction in its height in the revised submission. These changes to reduce the height of this element of the scheme are welcomed and have a significant effect in reducing the visual dominance of the proposed buildings in relation to the Peak Hill Gardens houses and flats, whilst retaining the architectural articulation through variation in height of the building.
- 6.24 With regard to the impact on the adjoining properties of the Kirkdale frontage, particularly 321 Kirkdale, the occupier of this property has objected on the grounds that the size of the proposed construction would still mean that much of the natural light entering through windows and into the garden of 321 Kirkdale would be blocked by the new development.
- 6.25 The Daylight and Sunlight Report concludes in relation to 321-323 Sydenham Road that the main habitable rooms at upper floor levels would retain adequate sky visibility at working plane, despite losses at the window face which breach guidance. The report argues that this could be considered *"acceptable within the context of the building usage, design, proximity to the site and the townscape reasons which provide a compelling reason for the flexibility which the BRE guidelines propose."*
- 6.26 There is an existing substantial advertisement hoarding on the side of 321 Kirkdale and it is clear that this would need to be removed. The owner of 321 has objected on the grounds of loss of income from the advertisement hoarding, but in planning terms, the removal of this large advertisement is considered to be a benefit.
- 6.27 The objector has also claimed that the small external area at the first-floor level at the top of the entrance stairs is used as an external balcony and that this would be significantly enclosed and overshadowed by the proposed building. It is certainly true that this small external area would be enclosed and overshadowed, but in the view of officers, this area is not suitable as an external sitting out space as it does not have any protective railings. There will be an increased sense of enclosure to the rear of this building which will have an impact on the outlook of residents. However, the new east-west building would be located some 21 metres distant from the rear of Nos. 321-323 Kirkdale and 19 metres back from the main rear wall of the pub at No. 325. In the context of these flats above the existing shops within the urban high street, this relationship is not considered sufficiently problematic to warrant a refusal of permission.

#### Elevation Treatment & Materials

- 6.28 The materials proposed are clearly critical to the success of this development. The developer proposes that the exterior of the new buildings would be treated in a contemporary manner. The elevations would be fronted in pale brick, with

composite metal and timber-framed windows and balconies doors and flat roofs above. Officers have discussed a pale grey brick as possibly being acceptable and details of the exact materials are reserved by condition.

#### Impact on Cobb's Corner Conservation Area

- 6.29 With regard to the effect on the Cobb's Corner Conservation Area, the Council is required to have regard to whether the scheme preserves or enhances the character or appearance of the area.
- 6.30 It is considered that the overall development package will substantially improve the Conservation Area by virtue of bringing a derelict site back into beneficial use, restoration of highly-valued and historic buildings and new development of a high-quality including the creation of a new public square and additional residential and commercial accommodation, thus improving the vitality of Sydenham town centre. The scheme is strongly supported by the local amenity society, the Sydenham Society.

#### Noise and Vibration

- 6.31 A separate report has been submitted with regard to noise and vibration impact assessment, prepared by WSP Acoustics. This study has been undertaken in order to assess the suitability of the Greyhound site for residential development, particularly in view of the close proximity of the Sydenham railway line and the major traffic route (Kirkdale) adjoining the site.
- 6.32 The analysis was carried out in compliance with the criteria contained in PPG 24: Planning and Noise. Generally, it was found that daytime and night-time noise environments on site were dominated by road and rail traffic, whilst vibration from trains was not generally found to be perceptible. The summary concludes that the worst affected part of the site falls within NEC (Noise Exposure Category) D, and that mitigation measures would therefore be required. These are set out in Section 6 of the report.
- 6.33 The measures recommended in the report include the installation of sound insulation and suitable ventilation. In the majority of instances, sound insulation would be provided by closed thermal double-glazed windows sufficient to meet BS8233's target levels. In some instances, improved glazing units and in some cases secondary glazing would be required. For those habitable rooms where the glazing needs to be kept closed to meet the internal targets, alternative means of ventilation should be provided. A suitable condition is included in the recommendation to require compliance with the recommendations in this report.
- 6.34 The vibration assessment based on measurements at 4m from the railway (the proposed building distance) found that there is a low likelihood of adverse comment about vibration by the future occupants. The report concludes that there is therefore no requirement for vibration mitigation.

#### Trees

- 6.35 There are a number of horse chestnut trees along the boundary within the Greyhound pub car park, which have previously been pollarded, and are protected by a Tree Preservation Order. These would be retained and protected within the proposed scheme. Only one diseased tree would be felled and an additional red

oak planted. The Council's Tree Officer is satisfied with the proposals. Further details of the full landscaping scheme can be a matter for subsequent detailed approval.

- 6.36 The application originally submitted included proposals to plant trees on top of some of the flat roofed buildings with the idea of recreating part of Sydenham West Wood on the site. Whilst this was an interesting idea, the additional height of trees, plus the increase in the height of the enclosing parapets that would be required, increased both the perceived bulk of the building and the potential visual dominance and overshadowing with regard to residents living in the buildings to the north at 1-21 Peak Hill Gardens.
- 6.37 Although the Design Panel have requested that this element of the design be retained, it is considered that the increased in the height of the building and trees that this would involve cannot be justified, as set out above.

#### Access, Highways & Parking Issues

- 6.38 The application contains a detailed Transport Strategy. The development proposal contains a total of 11 parking spaces, including one disabled parking space, two commercial spaces, four for residents and four car club spaces. These parking and servicing areas would be located along the northern side of the site and accessed from Spring Hill via an existing crossover. The existing main site access point from Kirkdale, close to the roundabout junction with Spring Hill, would be closed. A suitable 'Grampian' condition is recommended to ensure these road closure works are carried out.
- 6.39 The Highways & Transportation Officer considers the scheme satisfactory in terms of access and parking. Turning to other highways and parking issues, there is no objection to the re-opening and widening of the access into the site from Spring Hill as the main site access, plus the closure of the existing Kirkdale access, subject to resolving issues regarding the demolition of the two-storey building adjoining this access, providing satisfactory refuse storage, plus tree protection considerations.
- 6.40 Given the location of the site within Sydenham Town Centre very close to the railway station and with numerous bus routes along Sydenham Road / Westwood Hill / Kirkdale / Lawrie Park Road, the Council considers that a very low level of car parking should be provided on site, to include some disabled parking spaces plus servicing for the commercial units. This has enabled the applicant to reduce the amount of parking within the scheme which in turn improves the residential environment immediately outside the north-facing units in the north-east corner of the site.
- 6.41 The Council's Transport Strategy Team has been working on a detailed transport study of Sydenham Centre in conjunction with W. S. Atkins. The initial designs were approved by the Mayor in May 2009 and if funding from Transport for London is approved, work is forecast to begin in 2010. The designs include improvements in the vicinity of the application site at the roundabout between Kirkdale / Westwood Hill / Spring Hill and also along Sydenham Road. A raised carriageway would be provided at the junction between Kirkdale and Spring Hill and a signalised pedestrian crossing installed adjacent to the existing vehicular access of the site on Sydenham Road.
- 6.42 There has been close coordination between the applicant and this strategy team

and no objections have been raised to the current proposals. The planning obligations strategy put forward by the applicant includes contributions towards traffic initiatives and town centre management (see below).

### Sydenham Station Improvements

- 6.43 The Council has been discussing improvements to Sydenham Station for some time both with the Sydenham Society and the rail organisations, particularly with a view to improving access to the northbound railway platform. Some suggested options have included additional land on the west side of the railway, possibly including part of the Greyhound site, with access either onto Sydenham Road or Peak Hill Gardens / Kinver Road.
- 6.44 It now appears unlikely that additional land would be required for improved access arrangements, but the Council would anticipate that any higher density development on the Greyhound site would necessitate a contribution towards improved access to Sydenham Station and other town centre improvements. Such a contribution would need to form part of a Section 106 Agreement in respect of any successful redevelopment application.

### Section 106 Issues

- 6.45 The application includes a Statement on Proposed Planning Obligations in which the developer has set out a series of undertakings that they are prepared to have incorporated into a Section 106 Agreement, should planning permission be granted. The main elements are as follows:-
- Restoration and refurbishment of the Greyhound Public House including the reinstatement of a former drinking corridor tiles within the building, and the design and implementation of a new ceramic rear elevation to the building.
  - Reinstatement of the stone greyhounds on plinths to the front of the retained Greyhound Public House.
  - Construction and maintenance of new public realm adjacent to the Greyhound Public House including hard and soft landscaping, with full public access.
  - Sustainability - The incorporation of passive and active energy measures to meet Code 3 Sustainable Homes and to achieve 20% of all energy needs from renewable sources.
  - Transport - A financial contribution of £1,000 towards securing a Traffic Regulation Order for on-street servicing of the commercial and residential components of the scheme; £7,800 towards the provision of cycle and pedestrian routes within the borough; the provision of four car club spaces within the development or a contribution to be agreed for the alternative provision off-site in the vicinity; the submission of a Travel Plan to the Council for approval no later than three months prior to first occupation.
  - Open Space - £29,250 towards the provision of parks and children's play space within the borough.
  - Affordable Housing - 35% of the total number of residential units to be affordable housing within the social rented sector.
  - The provision of 100% Lifetime Homes and 10% of the scheme providing wheelchair friendly homes to the standard of the South East London Housing Partnership.
  - Employment and Training - £7,800 towards employment and training initiatives within the borough.

- Town Centre Management - £1,950 towards town centre management within the borough.
- Health - £31,200 towards the provision of health care services in the borough.
- Monitoring - The developer to meet the Council's reasonable legal expenses involved in drafting, finalising and monitoring the Section 106 Agreement.

## **7.0 Consultations**

7.1 The issues raised by the objectors have been dealt with in the report above.

## **8.0 Conclusion**

8.1 Overall, the scheme will bring about the retention and refurbishment of a popular local landmark as well as the provision of valuable additional residential accommodation within the town centre. The refurbishment of the derelict Greyhound pub and Spring Hill cottage building is welcomed, and the creation of the new public space surrounding the Greyhound and new commercial units will add to the attractiveness and vitality of the town centre.

8.2 The new mixed use commercial/residential buildings are considered to be well-designed which will fit well into the street scene in this part of Kirkdale. The new building will create an enclosing square that will wrap around the retained pub will maintain and enhance the architectural integrity of the historic buildings and preserve and enhance the contribution of the site to the character of the Cobb's Corner Conservation Area.

8.3 In addition, the current application complies with the Council's expectations with regard to sustainability / environment with the provision of the substrate aggregate roofs and grey water recycling. Conditional planning permission is therefore recommended, subject to a suitable Section 106 Agreement.

## **9.0 Reasons for the Grant of Planning Permission**

9.1 On balance, it is considered that the proposal satisfies the Council's land use and environmental criteria and is in accordance with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).

9.2 It is considered that the proposal is appropriate in terms of its form and design and would not result in material harm to the appearance or character of the Cobb's Corner Conservation Area or the amenities of neighbouring occupiers. The proposal is thereby in accordance with Policies URB 3 Urban Design, URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas, URB 17 Demolition in Conservation Areas, HSG 4 Residential Amenity and TRN 14 Cycle Parking in the adopted Unitary Development Plan (July 2004).

## **10.0 RECOMMENDATIONS**

### **10.1 RECOMMENDATION (A)**

Authorise the Head of Law to complete a satisfactory Section 106 Agreement relating to the following agreed heads of terms, as listed below:-

- Restoration and refurbishment of the Greyhound Public House, including the

reinstatement of a former drinking corridor tiles within the building in a scheme to be agreed and the design and implementation of a new ceramic rear elevation to the building.

- Reinstatement of the stone greyhounds on plinths to the front of the retained Greyhound Public House.
- Construction of new public realm adjacent to the Greyhound Public House, including hard and soft landscaping.
- Maintenance of the public realm and measures to ensure public access at all times.

#### Sustainability

- The incorporation of passive and active energy measures to meet Code 3 Sustainable Homes and to achieve 20% of all energy needs from renewable sources.

#### Transport

- The financial contribution of £1,000 towards securing a Traffic Regulation Order for on-street servicing of the commercial and residential components of the scheme.
- The financial contribution of £7,800 towards the provision of cycle and pedestrian routes within the borough.
- The provision of four car club spaces within the development, or a contribution to be agreed for the alternative provision off-site in the vicinity.
- The submission of a Travel Plan to the Council for approval no later than three months prior to first occupation.
- The developer to use all reasonable endeavours to encourage occupiers of the development to implement the Travel Plan as approved by the Council.

#### Open Space

- The financial contribution of £29,250 towards the provision of parks and children's play space within the borough.
- The maintenance of the shared amenity space within the scheme as indicated on the submitted drawings.

#### Affordable housing

- The procurement and use of 35% of the total number of residential units (identified on the plans) for affordable housing within the social rented sector.

#### Accessibility

- The provision of 100% Lifetime Homes and that the scheme will provide 3 wheelchair-friendly homes to the standard of the South East London Housing Partnership.

#### Employment and Training

- The financial contribution of £7,800 towards employment and training initiatives within the borough.

#### Town Centre Management

- The financial contribution of £1,950 towards town centre management within the borough.

#### Health

- The financial contribution of £31,200 towards the provision of health care services in the borough.

#### Legal, Monitoring and Professional fees

- The developer to meet the Council's reasonable legal expenses involved in drafting, finalising and monitoring the Section 106 Agreement.

## 10.2 **RECOMMENDATION (B)**

Upon completion of a satisfactory Section 106 Agreement, authorise the Head of Planning to **GRANT PERMISSION** subject to the conditions set out below and such amendments as considered appropriate to ensure the acceptable implementation of the development:-

- (1) No development shall commence on site until details of all facing materials (including their colour and texture) to be used on the block have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, unless the local planning authority agrees in writing to any variation.
- (2) No development shall commence on site until sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing have been provided on site and approved in writing by the local planning authority.
- (3) All window and door openings on the new buildings shall be constructed with minimum 90mm deep external reveals.
- (4) All new window and door openings on the retained Greyhound and Spring Hill cottage buildings shall be provided with reveals, lintel detailing, arches and cills to match those originally provided on the existing building, unless the local planning authority has given written consent for any variation.
- (5) No plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of either the retained Greyhound or Spring Hill cottage buildings or the new buildings.
- (6) (a) No development shall take place until each of the following has occurred:
  - (i) a site investigation has been carried out to survey and assess the extent of potential contamination and its effect (whether on or off site);
  - (ii) a report comprising the results of that site investigation and recommendations for treatment of any contamination (whether by remedial works or not) has been submitted to and approved in writing by the Council; and
  - (iii) all measures or treatments identified in that report as being necessary or desirable for the remediation of the site have been implemented in full.
- (b) If during any works at the site (whether pursuant to paragraph (a) of this condition ["paragraph a,,"] or implementation of this planning permission generally) contamination is encountered which has not previously been identified ("the new contamination,,"), then paragraph (a) shall apply to the new contamination and no further development shall take place until the requirements of paragraph (a) have been complied with in relation to the new contamination.

- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council. The closure report shall include details both of the remediation (including waste materials removed from the site, an audit trail demonstrating that all imported or reused soil material conforms to current soil quality requirements as approved by the Council) and any post-remediation sampling that has been carried out.
- (7) None of the commercial or residential units hereby permitted shall be first occupied until all the highway works detailed in the application, including the construction of the new vehicular access onto Spring Hill and closure of the existing vehicular access onto Kirkdale, have been carried out in accordance with the permitted plans to the entire satisfaction of the local planning authority, unless the local planning authority has given written consent for any variation.
- (8) The whole of the car parking accommodation shown on the drawings shall be provided and retained permanently for the accommodation of vehicles of the occupiers of the development (including employees using the building and persons calling at the building for the purposes of conducting business with the occupiers thereof) and none of the commercial or residential units shall be occupied until such car parking accommodation has been provided.
- (9) The car parking spaces designed in accordance with the local planning authority's adopted car parking standards for people with disabilities and shown on the permitted drawings shall be provided before any part of the development hereby permitted is first occupied and shall be retained permanently thereafter.
- (10) The development hereby permitted shall include secure parking provision for cycles, in accordance with details to be submitted to and approved in writing by the local planning authority before any works on site are commenced. Such provision as may be approved as a reserved matter under this condition, shall be provided before the any of the buildings hereby permitted are first occupied and retained permanently thereafter.
- (11) Details of a scheme to provide means of access to the development for people with disabilities shall be submitted to and approved in writing by the local planning authority before any part of the development hereby permitted is commenced. The approved scheme shall be implemented before any part of the development hereby permitted is first occupied and shall be permanently maintained thereafter in accordance with the approved scheme.
- (12) The shopfronts hereby permitted shall have a level or ramped access (maximum gradient: 1 in 12) and the entrance door shall be a minimum 900mm clear opening width and such features shall be retained permanently.
- (13) No plant or machinery of any description shall be positioned or placed on the flat roofs of any of the proposed buildings without the prior consent of the local planning authority.
- (14) No development shall commence on site until drawings showing the use of any part of the site not occupied by buildings and the treatment thereof

(including planting, paving, walls and fences) have been submitted to and approved in writing by the local planning authority and all works which form part of the scheme shall be completed in the first planting season following the completion of the development, unless the local planning authority has given written consent to any variation. Any trees or plants which within a period of 5 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, unless the local planning authority has given written approval to any variation.

- (15) None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority.
- (16) No development shall commence on site until a scheme to minimise the threat of dust pollution during site clearance and construction works (including any works of demolition of existing buildings, or breaking out or crushing of concrete) has been submitted to and approved in writing by the local planning authority. The approved scheme shall include a watering regime in the event of dry weather and shall be implemented in its entirety once development has commenced.
- (17) The roof construction for the new buildings hereby granted permission shall utilise a substrate aggregate living roof design, designed to benefit biodiversity, and full details and design specification for the roof shall be submitted to and approved in writing by the local planning authority before any construction works are commenced on site. All elements of this construction specification shall be implemented in their entirety and none of the commercial or residential units hereby approved shall be first occupied until the substrate aggregate roof construction is completed, unless the local planning authority agrees to any variation in writing.
- (18) The new buildings hereby granted permission shall be provided with a grey water recycling scheme and full details and design specification for the plant shall be submitted to and approved in writing by the local planning authority before any construction works are commenced on site. All elements of this construction specification shall be implemented in their entirety and none of the commercial or residential units hereby approved shall be first occupied until the grey water recycling plant is fully operational, unless the Council agrees to any variation in writing.
- (19) Details of any external lighting 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 before any works on site are commenced. Any such external lighting shall be installed in accordance with the approved drawings before any part of the development hereby approved is first occupied and such directional hoods shall be retained permanently. 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.
- (20) Details of the construction, including facing materials, of the proposed refuse storage chambers shall be submitted to and approved in writing by the local planning authority and the chamber shall be constructed in accordance with

the approved details before any of the residential units hereby approved are occupied.

- (21) Details of the construction, including materials and exact design of the proposed rear tiled wall of the refurbished public house shall be submitted to and approved in writing by the local planning authority and the rear tiles wall shall be constructed in accordance with the approved details before any of the residential units hereby approved are occupied, unless the local planning authority has given written consent for any variation.
- (22) Details of a scheme for the reuse of the salvaged tiles from the former 'drinking corridor', including location and exact design, to be used in a location within the refurbished public house shall be submitted to and approved in writing by the local planning authority and the rear tiles wall shall be constructed in accordance with the approved details before any of the residential units hereby approved are occupied, unless the local planning authority has given written consent for any variation.
- (23) Notwithstanding the details shown on drawings 202\_1201 Rev K, 1202 Rev L, 1206 Rev J and 1215 Rev H, further details of the proposed parapet roof to the altered Spring Hill cottage building, including details at 1 : 20 scale, shall be submitted to and approved by the local planning authority before any works are commenced on site. The alterations to the Spring Hill cottage building shall be carried out in all respects in accordance with details as may be approved under this condition before the building is first occupied, unless the local planning authority has given written consent for any variation.
- (24) Notwithstanding the details shown on drawings 202\_1201 Rev K, 1202 Rev L, 1206 Rev J and 1215 Rev H, further details of the proposed windows to the altered Spring Hill cottage building, including details at 1 : 20 scale, shall be submitted to and approved by the local planning authority before any works are commenced on site. The windows to be installed in the Spring Hill cottage building shall be constructed in accordance with details as may be approved under this condition before the building is first occupied, unless the local planning authority has given written consent for any variation.
- (25) The new storey to be added to the Spring Hill cottage building shall be constructed using bricks salvaged from the rear part of the Spring Hill cottage building that is to be demolished, which shall be carefully dismantled so that the facing bricks can be re-used. Any new brickwork shall be constructed using the same brick bonding type, matching mortar mix and pointing out on the original building. A sample panel shall be constructed on site and agreed in writing by the local planning authority before the main construction commences. The alterations to the Spring Hill cottage building shall be carried out in all respects in accordance with details as may be approved under this condition before the building is first occupied, unless the local planning authority has given written consent for any variation.
- (26) All measures contained within Chapter 6 - Mitigation of the submitted Noise and Vibration Impact Assessment (WSP Acoustics dated 17 November 2008) shall be implemented in full in all respects before any of the residential units contained within the buildings hereby permitted are first occupied, unless the local planning authority has given written consent for any variation.

- (27) Prior to the occupation of any of the residential or commercial units hereby approved, a Delivery & Servicing Plan (DSP) shall be submitted to and approved in writing by the local planning authority. The Plan should rationalise the number and time of delivery and servicing trips to the commercial element of the development, with the aim of reducing the impact of servicing activity. The development shall be operated in all respects in accordance with the approved DSP, unless the local planning authority has given approval in writing to any variation.
- (28) Prior to the occupation of any of the residential or commercial units hereby approved, a Parking Management Plan (PMP) shall be submitted to and approved in writing by the local planning authority. The plan should provide details of measures to manage the parking/servicing area within the site. The development shall be operated in all respects in accordance with the approved PMP, unless the local planning authority has given approval in writing to any variation.
- (29) Prior to the occupation of any of the residential or commercial units hereby approved, a Waste Management Plan (WMP) shall be submitted to and approved in writing by the local planning authority. The plan should include details of refuse and re-cycling collection points which should be accessible from within 10m of kerbline. The plan should illustrate how bins will be brought out to a collection point on collection days & returned. The development shall be operated in all respects in accordance with the approved WMP, unless the local planning authority has given approval in writing to any variation.
- (30) Prior to the commencement of development, a Construction and Logistics Plan (CLP) shall be submitted to and approved in writing by the local planning authority. It should specify how the impacts of construction activities and associated traffic will be managed. The development shall be carried out in all respects in accordance with the approved WMP, unless the local planning authority has given approval in writing to any variation.

### Reasons

- (1) To ensure that the local planning authority may be satisfied as to the external appearance of the buildings and to comply with Policies URB 3 Urban Design & URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas in the adopted Unitary Development Plan (July 2004).
- (2) To ensure that the local planning authority may be satisfied as to the external appearance of the buildings and to comply with Policies URB 3 Urban Design & URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas in the adopted Unitary Development Plan (July 2004).
- (3) To ensure that the local planning authority may be satisfied as to the external appearance of the buildings and to comply with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).
- (4) To ensure that the local planning authority may be satisfied as to the external appearance of the buildings and to comply with Policies URB 3 Urban

Design & URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas in the adopted Unitary Development Plan (July 2004).

- (5) It is considered that such plumbing or pipes would seriously detract from the appearance of the building(s) and to comply with Policy URB 3 Urban Design & URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas in the adopted Unitary Development Plan (July 2004).
- (6) To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical uses of the site, which may have included industrial processes and to comply with Policy ENV.PRO 10 Contaminated Land in the adopted Unitary Development Plan (July 2004).
- (7) In order that the local planning authority may be satisfied that satisfactory means of access is provided and the highway reinstatement works are carried out, in compliance with policies contained within Chapter 6 Sustainable Transport & Parking of the adopted Unitary Development Plan (July 2004).
- (8) To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the buildings does not increase on-street parking in the vicinity and to comply with Policy TRN 26 Car Parking Standards in the adopted Unitary Development Plan (July 2004).
- (9) In order to comply with the requirements of Section 76 of the Town and Country Planning Act 1990 which relates to the provision of satisfactory access to buildings for people with disabilities and to comply with Policy TRN 26 Car Parking Standards in the adopted Unitary Development Plan (July 2004).
- (10) In order to ensure adequate provision for cycle parking and to comply with Policies TRN 14 Cycle Parking and TRN 15 Provision for Cyclists and Walkers in the adopted Unitary Development Plan (July 2004).
- (11) In order to comply with the requirements of Section 76 of the Town and Country Planning Act 1990 and the Code of Practice for Access of the Disabled to Buildings (BS 5810 : 1979), which relate to satisfactory access to buildings for people with disabilities.
- (12) In order to provide adequate access for everyone, particularly people with disabilities and to comply with Policy URB 8 Shopfronts in the adopted Unitary Development Plan (July 2004).
- (13) In order that the local planning authority may be satisfied as to the detailing of the new roofs, to avoid unnecessary visual clutter and to ensure the satisfactory appearance of these important buildings in the Cobb's Corner Conservation Area, in compliance with policies URB 3 Urban Design and URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas of the adopted Unitary Development Plan (July 2004).
- (14) In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies URB 3 Urban Design, URB 12

Landscape and Development and URB 13 Trees in the adopted Unitary Development Plan (July 2004).

- (15) To comply with Section 197 of the Town and Country Planning Act 1990 and because the existing trees on the site represent an important visual amenity, which the local planning authority considers should be maintained and to comply with Policies URB 3 Urban Design, URB 12 Landscape and Development and URB 13 Trees in the adopted Unitary Development Plan (July 2004).
- (16) In order that the local planning authority may be satisfied that the demolition process is carried out in a manner which will minimise possible dust pollution to neighbouring properties and to comply with Policies ENV.PRO 9 Potentially Polluting Uses and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).
- (17) To ensure that the local planning authority may be satisfied as to the biodiversity and external appearance of the buildings to comply with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004) and the sustainability objectives as set out in Policy 4A.11 of The London Plan and the Supplementary Planning Guidance re. Sustainable Design and Construction - The London Plan (May 2006).
- (18) To ensure that the local planning authority may be satisfied as to the sustainability objectives as set out in policies 4A.11 of The London Plan and the Supplementary Planning Guidance Sustainable Design and Construction - The London Plan (May 2006) and emerging policies in the Council's Local Development Framework on Biodiversity and Sustainable Urban Drainage Systems.
- (19) 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 neighbouring properties and to comply with Policies ENV.PRO 12 Light Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).
- (20) In order that the local planning authority may be satisfied as to the appearance of the refuse chambers and to comply with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).
- (21) In order that the local planning authority may be satisfied as to the detailing of the new tiled wall and the appearance of this important building in the Cobb's Corner Conservation Area, in compliance with policies URB 3 Urban Design and URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas of the adopted Unitary Development Plan (July 2004).
- (22) In order that the local planning authority may be satisfied as to the detailing of the reuse of the 'drinking corridor' tiles within this important building in the Cobb's Corner Conservation Area, in compliance with policies URB 3 Urban Design and URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas of the adopted Unitary Development Plan (July 2004).

- (23) In order that the local planning authority may be satisfied as to the detailing of the new parapet roof and the appearance of this important building in the Cobb's Corner Conservation Area, in compliance with policies URB 3 Urban Design and URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas of the adopted Unitary Development Plan (July 2004).
- (24) In order that the local planning authority may be satisfied as to the detailing of the new windows and the appearance of this important building in the Cobb's Corner Conservation Area, in compliance with policies URB 3 Urban Design and URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas of the adopted Unitary Development Plan (July 2004).
- (25) In order that the local planning authority may be satisfied as to the detailing and appearance of this important building in the Cobb's Corner Conservation Area, in compliance with policies URB 3 Urban Design and URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas of the adopted Unitary Development Plan (July 2004).
- (26) In order that the local planning authority may be satisfied as to living conditions for future residents of the development, in compliance with policies HSG 4 Residential Amenity of the adopted Unitary Development Plan (July 2004).
- (27) To ensure that the local planning authority may be satisfied as to the adoption and operation of the Delivery & Servicing Plan (DSP) and to ensure that the use of the building does not increase on-street parking in the vicinity and reduces the impact of servicing activity.
- (28) To ensure that the local planning authority may be satisfied as to the adoption and operation of the Parking Management Plan (PMP) and to ensure that the use of the building does not increase on-street parking in the vicinity and reduces the impact of servicing activity.
- (29) To ensure that the local planning authority may be satisfied as to the adoption and operation of the Waste Management Plan (WMP) and to ensure that the use of the building does not increase on-street parking in the vicinity and reduces the impact of servicing activity.
- (30) To ensure that the local planning authority may be satisfied as to the adoption and operation of the Construction and Logistics Plan (CLP) and to ensure that the construction of the building does not increase on-street parking in the vicinity and reduces the impact of servicing activity.

#### Informatives

- (1) Construction Sites Code of Practice, or such codes as are applicable at the time that the proposed works are carried out.
- (2) Street naming and numbering

### 10.3 **RECOMMENDATION (C)**

Upon completion of a satisfactory Section 106 Agreement, authorise the Head of Planning to **GRANT CONSERVATION AREA CONSENT**.

### 10.4 **RECOMMENDATION (D)**

If a Section 106 Agreement securing the planning obligations required in order to mitigate the impact of the development as set out in Recommendation (A) above is not completed by 19 April 2010, authorise the Head of Planning to **REFUSE PERMISSION** and **CONSERVATION AREA CONSENT** for the following reason:-

In the absence of an appropriate Section 106 Legal Agreement in respect of affordable housing, particular residential layout standards, the provision of renewable energy sources and an obligation to provide certain financial contributions to mitigate the impact of the proposed development would be considered unacceptable and contrary to Policies STR OBJ 8 'To Improve the Quality of Life for Lewisham Residents', HSG 4 'Residential Amenity', HSG 14 'Provision of Affordable Housing', HSG 15 'Creating Viable and Balanced Communities', TRN 3 'Developer Contributions' and TRN 15 'Provision for Cyclists and Walkers' in the adopted Unitary Development Plan (July 2004) and London Plan policies 6A.4 'Priorities in planning obligations', 6A.5 'Planning Obligations' and 3A.10 'Negotiating Affordable Housing in Individual Private Residential and Mixed-Use Schemes'.